

1.1 ..... moves to amend H.F. No. 1081 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 REOPENING AND RETURNING STUDENTS TO SCHOOL

1.5 Section 1. Minnesota Statutes 2020, section 12.21, subdivision 3, is amended to read:

1.6 Subd. 3. **Specific authority.** (a) In performing duties under this chapter and to effect its  
1.7 policy and purpose, the governor may:

1.8 (1) make, amend, and rescind the necessary orders and rules to carry out the provisions  
1.9 of this chapter and section 216C.15 within the limits of the authority conferred by this  
1.10 section, with due consideration of the plans of the federal government and without complying  
1.11 with sections 14.001 to 14.69, but no order or rule has the effect of law except as provided  
1.12 by section 12.32;

1.13 (2) ensure that a comprehensive emergency operations plan and emergency management  
1.14 program for this state are developed and maintained, and are integrated into and coordinated  
1.15 with the emergency plans of the federal government and of other states to the fullest possible  
1.16 extent;

1.17 (3) in accordance with the emergency operations plan and the emergency management  
1.18 program of this state, procure supplies, equipment, and facilities; institute training programs  
1.19 and public information programs; and take all other preparatory steps, including the partial  
1.20 or full activation of emergency management organizations in advance of actual disaster to  
1.21 ensure the furnishing of adequately trained and equipped forces of emergency management  
1.22 personnel in time of need;

2.1 (4) make studies and surveys of the industries, resources, and facilities in this state as  
2.2 may be necessary to ascertain the capabilities of the state for emergency management and  
2.3 to plan for the most efficient emergency use of those industries, resources, and facilities;

2.4 (5) on behalf of this state, enter into mutual aid arrangements or cooperative agreements  
2.5 with other states, tribal authorities, and Canadian provinces, and coordinate mutual aid plans  
2.6 between political subdivisions of this state;

2.7 (6) delegate administrative authority vested in the governor under this chapter, except  
2.8 the power to make rules, and provide for the subdelegation of that authority;

2.9 (7) cooperate with the president and the heads of the armed forces, the Emergency  
2.10 Management Agency of the United States and other appropriate federal officers and agencies,  
2.11 and with the officers and agencies of other states in matters pertaining to the emergency  
2.12 management of the state and nation, including the direction or control of:

2.13 (i) emergency preparedness drills and exercises;

2.14 (ii) warnings and signals for drills or actual emergencies and the mechanical devices to  
2.15 be used in connection with them;

2.16 (iii) shutting off water mains, gas mains, electric power connections and the suspension  
2.17 of all other utility services;

2.18 (iv) the conduct of persons in the state, including entrance or exit from any stricken or  
2.19 threatened public place, occupancy of facilities, and the movement and cessation of  
2.20 movement of pedestrians, vehicular traffic, and all forms of private and public transportation  
2.21 during, prior, and subsequent to drills or actual emergencies;

2.22 (v) public meetings or gatherings; and

2.23 (vi) the evacuation, reception, and sheltering of persons;

2.24 (8) contribute to a political subdivision, within the limits of the appropriation for that  
2.25 purpose, not more than 25 percent of the cost of acquiring organizational equipment that  
2.26 meets standards established by the governor;

2.27 (9) formulate and execute, with the approval of the Executive Council, plans and rules  
2.28 for the control of traffic in order to provide for the rapid and safe movement over public  
2.29 highways and streets of troops, vehicles of a military nature, and materials for national  
2.30 defense and war or for use in any war industry, for the conservation of critical materials, or  
2.31 for emergency management purposes; and coordinate the activities of the departments or

3.1 agencies of the state and its political subdivisions concerned directly or indirectly with  
 3.2 public highways and streets, in a manner that will best effectuate those plans;

3.3 (10) alter or adjust by executive order, without complying with sections 14.01 to 14.69,  
 3.4 the working hours, workdays and work week of, and annual and sick leave provisions and  
 3.5 payroll laws regarding all state employees in the executive branch as the governor deems  
 3.6 necessary to minimize the impact of the disaster or emergency, conforming the alterations  
 3.7 or adjustments to existing state laws, rules, and collective bargaining agreements to the  
 3.8 extent practicable; and

3.9 ~~(11) authorize the commissioner of education to alter school schedules, curtail school~~  
 3.10 ~~activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11, 13, and~~  
 3.11 ~~17, and including charter schools under chapter 124E, and elementary schools enrolling~~  
 3.12 ~~prekindergarten pupils in district programs; and~~

3.13 ~~(12)~~ transfer the direction, personnel, or functions of state agencies to perform or facilitate  
 3.14 response and recovery programs.

3.15 (b) The governor may not use any authority provided under this chapter to issue any  
 3.16 order or to authorize the commissioner of education to alter school schedules, curtail school  
 3.17 activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11, 13, and  
 3.18 17, and including charter schools under chapter 124E, and elementary schools enrolling  
 3.19 prekindergarten pupils in district programs. The governor may not use any authority provided  
 3.20 under this chapter to prevent the typical presence of students in school buildings. The  
 3.21 governor may advise and consult with school leaders regarding any action needed for  
 3.22 emergency management purposes.

3.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 3.24 applies to peacetime emergencies in effect or declared on or after that date.

3.25 Sec. 2. Minnesota Statutes 2020, section 120A.41, is amended to read:

3.26 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

3.27 (a) A school board's annual school calendar must include at least 425 hours of instruction  
 3.28 for a kindergarten student without a disability, 935 hours of instruction for a student in  
 3.29 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not  
 3.30 including summer school. The school calendar for all-day kindergarten must include at least  
 3.31 850 hours of instruction for the school year. The school calendar for a prekindergarten  
 3.32 student under section 124D.151, if offered by the district, must include at least 350 hours  
 3.33 of instruction for the school year. A school board's annual calendar must include at least

4.1 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule  
4.2 has been approved by the commissioner under section 124D.126.

4.3 (b) A school board's annual school calendar may include plans for ~~up to five days of~~  
4.4 ~~instruction provided through online instruction due to inclement weather. The inclement~~  
4.5 ~~weather~~ an unlimited number of days of instruction provided through distance learning due  
4.6 to weather or a health or natural disaster emergency. The distance learning plans must be  
4.7 developed according to section 120A.414.

4.8 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

4.9 Sec. 3. Minnesota Statutes 2020, section 120A.414, is amended to read:

4.10 **120A.414 E-LEARNING DISTANCE LEARNING DAYS.**

4.11 Subdivision 1. **Days.** ~~"E-learning day"~~ "Distance learning day" means a school day  
4.12 where a school offers full access to online instruction provided by students' individual  
4.13 teachers due to ~~inclement weather~~ or a health or natural disaster emergency as determined  
4.14 by the school board or superintendent. A school district or charter school that chooses to  
4.15 have ~~e-learning~~ distance learning days may have ~~up to five e-learning~~ an unlimited number  
4.16 of distance learning days in one school year. ~~An e-learning~~ A distance learning day is counted  
4.17 as a day of instruction and included in the hours of instruction under section 120A.41.

4.18 Subd. 2. **Plan.** A school board may ~~use its 2020-2021 school year distance learning plan~~  
4.19 ~~or may adopt an e-learning~~ a distance learning day plan after consulting with the exclusive  
4.20 representative of the teachers. A charter school may adopt ~~an e-learning~~ a distance learning  
4.21 day plan after consulting with its teachers. The plan must include accommodations for  
4.22 students without Internet access at home and for digital device access for families without  
4.23 the technology or an insufficient amount of technology for the number of children in the  
4.24 household. A school's ~~e-learning~~ distance learning day plan must provide accessible options  
4.25 for students with disabilities under chapter 125A.

4.26 Subd. 3. **Annual notice.** A school district or charter school must notify parents and  
4.27 students of the ~~e-learning~~ distance learning day plan at the beginning of the school year.

4.28 Subd. 4. **Daily notice.** On ~~an e-learning~~ a distance learning day declared by the school,  
4.29 a school district or charter school must notify parents and students at least two hours prior  
4.30 to the normal school start time that students need to follow the ~~e-learning~~ distance learning  
4.31 day plan for that day.

5.1 Subd. 5. **Teacher access.** Each student's teacher must be accessible both online and by  
5.2 telephone during normal school hours on ~~an e-learning~~ a distance learning day to assist  
5.3 students and parents.

5.4 Subd. 6. **Approval.** The approval requirements under section 124D.095 do not apply to  
5.5 online instruction offered under this section.

5.6 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

5.7 Sec. 4. **[123B.023] SCHOOL LEARNING MODELS.**

5.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
5.9 the meanings given them.

5.10 (b) "Continuous on-site instruction" means on-site instruction provided at least four days  
5.11 a week during the regularly scheduled school calendar.

5.12 (c) "Distance instruction" means remote instruction delivered to a student involving  
5.13 daily interactions with a licensed teacher and the student is provided appropriate education  
5.14 materials. Daily interaction with teachers includes access to teachers online and by telephone  
5.15 during normal school hours and on normal school days. Distance instruction includes online  
5.16 instruction as determined by the school board and may reflect the model developed by the  
5.17 commissioner of education for the 2019-2020 school year.

5.18 (d) "Hybrid instruction" means a manner of instruction that includes both on-site  
5.19 instruction as well as distance instruction. A school board may determine the hours of, and  
5.20 schedule for, the on-site instruction component of a hybrid instruction model.

5.21 (d) "On-site instruction" means instruction delivered at a school facility or another  
5.22 physical facility located off school property selected by the school board including a  
5.23 community center, library, or other space suitable for on-site instruction.

5.24 Subd. 2. **Learning model.** A school board may adopt a resolution selecting one of the  
5.25 following learning models for instruction at each school site: continuous on-site instruction;  
5.26 distance instruction; or hybrid instruction. A school board must adopt the resolution at a  
5.27 public meeting and allow public comment on the selection.

5.28 Subd. 3. **Parent choice.** A student's parent or guardian may choose to have their student  
5.29 participate in distance instruction instead of on-site instruction. Each school district must  
5.30 offer a distance instruction model that meets the educational needs of all students of families  
5.31 who choose not to receive on-site instruction.

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

6.1 Sec. 5. Minnesota Statutes 2020, section 124E.03, is amended by adding a subdivision to  
6.2 read:

6.3 Subd. 8. **Learning models.** A charter school board may select a learning model in  
6.4 accordance with section 123B.023.

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

6.6 Sec. 6. Laws 2017, First Special Session chapter 5, article 2, section 52, is amended to  
6.7 read:

6.8 Sec. 52. **EDUCATION INNOVATION RESEARCH ZONES PILOT PROGRAM.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7.25 (i) four years of high school; and

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

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

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

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

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

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

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

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

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

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

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

8.19 ~~(4)~~ (3) the exemptions from statutes and rules in subdivision 2 that the ~~research~~ innovation  
 8.20 zone partnership will use;

8.21 ~~(5)~~ (4) a description of how teachers and other educational staff from the affected school  
 8.22 sites will be included in the planning and implementation process;

8.23 ~~(6)~~ (5) a detailed description of expected outcomes and graduation standards;

8.24 ~~(7)~~ (6) a timeline for implementing the plan and assessing the outcomes; and

8.25 ~~(8)~~ (7) how results of the plan will be disseminated.

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

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



9.1 (f) Notwithstanding any other law to the contrary, a school district or charter school  
9.2 participating in an innovation zone partnership under this section continues to receive all  
9.3 revenue and maintains its taxation authority in the same manner as before its participation  
9.4 in the innovation zone partnership. The innovation zone school district and charter school  
9.5 partners remain organized and governed by their respective school boards with general  
9.6 powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any  
9.7 employment agreements under Minnesota Statutes, chapters 122A and 179A. School district  
9.8 and charter school employees participating in an innovation zone partnership remain  
9.9 employees of their respective school district or charter school.

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

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

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

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

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

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

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

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

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

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

10.10 ~~(b) The panel must be composed of nine members. One member must be appointed by~~  
 10.11 ~~each of the following organizations: Educators for Excellence, Education Minnesota,~~  
 10.12 ~~Minnesota Association of Secondary School Principals, Minnesota Elementary School~~  
 10.13 ~~Principals' Association, Minnesota Association of School Administrators, Minnesota School~~  
 10.14 ~~Boards Association, Minnesota Association of Charter Schools, and the Office of Higher~~  
 10.15 ~~Education. The commissioner must appoint one member with expertise in evaluation and~~  
 10.16 ~~research.~~

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

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

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

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

11.3 **Sec. 7. ACADEMIC STANDARDS REVIEW SUSPENSION.**

11.4 Notwithstanding Minnesota Statutes, section 120B.021, the commissioner of education  
11.5 must suspend any ongoing review or revision of academic standards, or implementation of  
11.6 revised academic standards under Minnesota Statutes, section 120B.021, until June 1, 2022.

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

11.8 **Sec. 8. SUMMER SCHOOL TEACHERS.**

11.9 Notwithstanding any law to the contrary, a school district or charter school may employ  
11.10 staff that does not have a teaching license issued by the Professional Educator Licensing  
11.11 and Standards Board to provide instruction in a summer program outside of the regular  
11.12 school year if the district or charter school verifies that a staff person providing instruction  
11.13 satisfies the requirements in Minnesota Statutes, section 122A.181, subdivisions 1 and 2.  
11.14 The district or charter school must report to the Professional Educator Licensing and  
11.15 Standards Board the names of the persons providing instruction in a summer school program  
11.16 without a teaching license by September 1, 2021.

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

11.18 **Sec. 9. DEPARTMENT OF EDUCATION; IDENTIFICATION OF LEARNING**  
11.19 **LOSS.**

11.20 The Department of Education must assist school districts and charter schools in  
11.21 developing a process for the schools to measure student learning loss. The process must  
11.22 rely on evidence-based, data-driven means to identify students with learning loss. The  
11.23 process must specify best practices for school districts and charter schools to implement to  
11.24 remediate the learning loss.

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

11.26 **Sec. 10. SHORT-CALL SUBSTITUTE TEACHER PILOT.**

11.27 (a) A school district may employ a person who meets the professional requirements of  
11.28 Minnesota Statutes, section 122A.181, subdivision 2, as a short-call substitute teacher,  
11.29 notwithstanding any licensing requirements in Minnesota Statutes, chapter 122A. A school  
11.30 district must request a background check in accordance with section 123B.03 on a short-call

12.1 substitute teacher employed under this section. Each assignment to replace a teacher of  
12.2 record must last no longer than 15 consecutive school days.

12.3 (b) A district must report to the Professional Educator Licensing and Standards Board  
12.4 all persons it employs under this section and affirm that each person meets the professional  
12.5 requirements for a short-call substitute teacher.

12.6 **EFFECTIVE DATE.** This section is effective for the 2020-2021, 2021-2022, and  
12.7 2022-2023 school years only.

12.8 Sec. 11. **STATE ASSESSMENTS PLAN.**

12.9 Notwithstanding any law to the contrary, the Minnesota Department of Education must  
12.10 develop a plan to administer the Minnesota Comprehensive Assessments under Minnesota  
12.11 Statutes, section 120B.30, to students during the spring of 2021 regardless of whether  
12.12 students are participating in distance instruction, on-site instruction, or hybrid instruction.  
12.13 The plan must include a process for districts to administer assessments remotely at a school  
12.14 board's discretion.

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

## 12.16 **ARTICLE 2**

### 12.17 **EMPOWERING PARENTS AND STUDENTS**

12.18 Section 1. Minnesota Statutes 2020, section 120A.36, is amended to read:

#### 12.19 **120A.36 SCHOOL ATTENDANCE.**

12.20 (a) Attendance at a particular public school is a privilege not a right for a pupil.

12.21 (b) Notwithstanding paragraph (a), parents have the right to choose a high-quality,  
12.22 culturally affirming education for their children, regardless of their zoned public school.

12.23 Sec. 2. Minnesota Statutes 2020, section 120A.38, is amended to read:

#### 12.24 **120A.38 CLASSROOM PLACEMENT; PARENT DISCRETION.**

12.25 Subdivision 1. **Twins; higher order multiples.** (a) A parent or guardian of twins or  
12.26 higher order multiples may request that the children be placed in the same classroom or in  
12.27 separate classrooms if the children are in the same grade level at the same school. The school  
12.28 may recommend classroom placement to the parents and provide professional education  
12.29 advice to the parents to assist them in making the best decision for their children's education.  
12.30 A school must provide the placement requested by the children's parent or guardian, unless

13.1 the school board makes a classroom placement determination following the school principal's  
13.2 request according to this section. The parent or guardian must request the classroom  
13.3 placement no later than 14 days after the first day of each school year or 14 days after the  
13.4 first day of attendance of the children during a school year if the children are enrolled in  
13.5 the school after the school year commences. At the end of the initial grading period, if the  
13.6 school principal, in consultation with the children's classroom teacher, determines that the  
13.7 requested classroom placement is disruptive to the school, the school principal may request  
13.8 that the school board determine the children's classroom placement.

13.9 (b) For purposes of this section, "higher order multiples" means triplets, quadruplets,  
13.10 quintuplets, or more.

13.11 Subd. 2. **Change of teacher.** A parent or guardian has the right to request a change of  
13.12 teacher for their child in public school unless no other teacher is available.

13.13 Sec. 3. Minnesota Statutes 2020, section 120B.024, subdivision 1, is amended to read:

13.14 Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the~~  
13.15 ~~2011-2012 school year and later~~ must successfully complete the following high school level  
13.16 credits for graduation:

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

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

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

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

13.27 (5) three and one-half credits of social studies, including credit for a course in government  
13.28 and citizenship in either 11th or 12th grade for students beginning 9th grade in the 2022-2023  
13.29 school year and later or an advanced placement, international baccalaureate, or other rigorous  
13.30 course on government and citizenship under section 120B.021, subdivision 1a, and a  
13.31 combination of other credits encompassing at least United States history, geography,  
13.32 government and citizenship, world history, and economics sufficient to satisfy all of the  
13.33 academic standards in social studies;

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

14.3 (7) a minimum of seven elective credits.

14.4 (b) A school district is encouraged to offer a course for credit in government and  
14.5 citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year  
14.6 and later, that satisfies the government and citizenship requirement in paragraph (a), clause  
14.7 (5). A school district must offer the course starting in the 2022-2023 school year.

14.8 Sec. 4. Minnesota Statutes 2020, section 120B.11, subdivision 2, is amended to read:

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

14.12 (1) clearly defined district and school site goals and benchmarks to meet statewide goals  
14.13 for instruction and student achievement for all student subgroups identified in section  
14.14 120B.35, subdivision 3, paragraph (b), clause (2);

14.15 (2) a process to assess and evaluate each student's progress toward meeting state and  
14.16 local academic standards, assess and identify students to participate in gifted and talented  
14.17 programs and accelerate their instruction, and adopt early-admission procedures consistent  
14.18 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit  
14.19 of student and school success and curriculum affecting students' progress and growth toward  
14.20 career and college readiness and leading to the world's best workforce;

14.21 (3) a system to periodically review and evaluate the effectiveness of all instruction and  
14.22 curriculum, taking into account strategies and best practices, student outcomes, school  
14.23 principal evaluations under section 123B.147, subdivision 3, students' access to effective  
14.24 teachers who are members of populations underrepresented among the licensed teachers in  
14.25 the district or school and who reflect the diversity of enrolled students under section 120B.35,  
14.26 subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40,  
14.27 subdivision 8, or 122A.41, subdivision 5;

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

14.31 (5) strategies for identifying and reducing disparities in student discipline;

15.1 (6) strategies for integrating or improving character education, consistent with section  
15.2 120B.232, and citizenship education;

15.3 ~~(5)~~ (7) a process to examine the equitable distribution of teachers and strategies to ensure  
15.4 low-income and minority children are not taught at higher rates than other children by  
15.5 inexperienced, ineffective, or out-of-field teachers;

15.6 ~~(6)~~ (8) education effectiveness practices that integrate high-quality instruction, rigorous  
15.7 curriculum, technology, and a collaborative professional culture that develops and supports  
15.8 teacher quality, performance, and effectiveness; and

15.9 ~~(7)~~ (9) an annual budget for continuing to implement the district plan.

15.10 Sec. 5. Minnesota Statutes 2020, section 121A.55, is amended to read:

15.11 **121A.55 POLICIES TO BE ESTABLISHED.**

15.12 (a) The commissioner of education shall promulgate guidelines to assist each school  
15.13 board. Each school board shall establish uniform criteria for dismissal and adopt written  
15.14 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies  
15.15 shall emphasize preventing dismissals through early detection of problems and shall be  
15.16 designed to address students' inappropriate behavior from recurring. The policies shall  
15.17 recognize the continuing responsibility of the school for the education of the pupil during  
15.18 the dismissal period. The alternative educational services, if the pupil wishes to take  
15.19 advantage of them, must be adequate to allow the pupil to make progress ~~towards~~ toward  
15.20 meeting the graduation standards adopted under section 120B.02 and help prepare the pupil  
15.21 for readmission. In addition to other requirements under this paragraph, a policy adopted  
15.22 by a school board under this paragraph must include:

15.23 (1) a requirement that a school must notify any student facing possible dismissal of their  
15.24 rights, including the right against self-incrimination;

15.25 (2) a requirement that a school must allow any student facing possible dismissal to have  
15.26 a parent present if the student is questioned by school employees; and

15.27 (3) a requirement that a school and school district must keep a record of the school  
15.28 employee who made each discipline referral.

15.29 (b) An area learning center under section 123A.05 may not prohibit an expelled or  
15.30 excluded pupil from enrolling solely because a district expelled or excluded the pupil. The  
15.31 board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to  
15.32 exclude a pupil or to require an admission plan.

16.1 (c) Each school district shall develop a policy and report it to the commissioner on the  
16.2 appropriate use of peace officers and crisis teams to remove students who have an  
16.3 individualized education program from school grounds.

16.4 Sec. 6. [122A.051] CODE OF ETHICS.

16.5 Subdivision 1. Scope. Each teacher, upon entering the teaching profession, assumes a  
16.6 number of obligations, one of which is to adhere to a set of principles that defines professional  
16.7 conduct. These principles are reflected in the code of ethics, which sets forth to the education  
16.8 profession and the public it serves standards of professional conduct. This code applies to  
16.9 all persons licensed according to rules established by the Professional Educator Licensing  
16.10 and Standards Board.

16.11 Subd. 2. Standards of professional conduct. (a) A teacher must provide professional  
16.12 education services in a nondiscriminatory manner, including not discriminating on the basis  
16.13 of political, ideological, or religious beliefs.

16.14 (b) A teacher must make a reasonable effort to protect students from conditions harmful  
16.15 to health and safety.

16.16 (c) In accordance with state and federal laws, a teacher must disclose confidential  
16.17 information about individuals only when a compelling professional purpose is served or  
16.18 when required by law.

16.19 (d) A teacher must take reasonable disciplinary action in exercising the authority to  
16.20 provide an atmosphere conducive to learning.

16.21 (e) A teacher must not use professional relationships with students, parents, and  
16.22 colleagues to personal advantage.

16.23 (f) A teacher must delegate authority for teaching responsibilities only to licensed  
16.24 personnel or as otherwise provided by law.

16.25 (g) A teacher must not deliberately suppress or distort subject matter.

16.26 (h) A teacher must not knowingly falsify or misrepresent records or facts relating to that  
16.27 teacher's own qualifications or to other teachers' qualifications.

16.28 (i) A teacher must not knowingly make false or malicious statements about students or  
16.29 colleagues.

16.30 (j) A teacher must only accept a contract for a teaching position that requires licensing  
16.31 if properly or provisionally licensed for that position.



17.1 (k) A teacher must not engage in any sexual contact with a student.

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

17.3 Sec. 7. Minnesota Statutes 2020, section 122A.09, subdivision 2, is amended to read:

17.4 Subd. 2. **Advise members of profession.** (a) The Professional Educator Licensing and  
17.5 Standards Board must act in an advisory capacity to members of the profession in matters  
17.6 of interpretation of the code of ethics in section 122A.051.

17.7 (b) The board must develop a process for a school district to receive a written complaint  
17.8 about a teacher under the code of ethics and forward the complaint to the board. A school  
17.9 board must inform parents and guardians in the school district of their ability to submit a  
17.10 complaint to the school board under this section.

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

17.12 Sec. 8. Minnesota Statutes 2020, section 124D.111, is amended to read:

17.13 **124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE**  
17.14 **ACCOUNTING.**

17.15 Subdivision 1. **School ~~lunch aid computation~~ meals policies.** (a) Each Minnesota  
17.16 participant in the national school lunch program must adopt and post to its website, or the  
17.17 website of the organization where the meal is served, a school meals policy.

17.18 (b) The policy must be in writing and clearly communicate student meal charges when  
17.19 payment cannot be collected at the point of service. The policy must be reasonable and  
17.20 well-defined and maintain the dignity of students by prohibiting lunch shaming or otherwise  
17.21 ostracizing the student.

17.22 (c) The policy must address whether the participant uses a collections agency to collect  
17.23 unpaid school meals debt.

17.24 (d) The policy must ensure that once a participant has placed a meal on a tray or otherwise  
17.25 served the meal to a student, the meal may not be subsequently withdrawn from the student  
17.26 by the cashier or other school official, whether or not the student has an outstanding meals  
17.27 balance.

17.28 (e) The policy must ensure that a student who has been determined eligible for free and  
17.29 reduced-price lunch must always be served a reimbursable meal even if the student has an  
17.30 outstanding debt.

18.1 (f) If a school contracts with a third party for its meal services, it must provide the vendor  
18.2 with its school meals policy. Any contract between the school and a third-party provider  
18.3 entered into or modified after July 1, 2021, must ensure that the third-party provider adheres  
18.4 to the participant's school meals policy.

18.5 Subd. 1a. **School lunch aid amounts.** Each school year, the state must pay participants  
18.6 in the national school lunch program the amount of 12.5 cents for each full paid and free  
18.7 student lunch and 52.5 cents for each reduced-price lunch served to students.

18.8 **Subd. 2. Application.** A school district, charter school, nonpublic school, or other  
18.9 participant in the national school lunch program shall apply to the department for this  
18.10 payment on forms provided by the department.

18.11 **Subd. 2a. Federal child and adult care food program; criteria and notice.** The  
18.12 commissioner must post on the department's website eligibility criteria and application  
18.13 information for nonprofit organizations interested in applying to the commissioner for  
18.14 approval as a multisite sponsoring organization under the federal child and adult care food  
18.15 program. The posted criteria and information must inform interested nonprofit organizations  
18.16 about:

18.17 (1) the criteria the commissioner uses to approve or disapprove an application, including  
18.18 how an applicant demonstrates financial viability for the Minnesota program, among other  
18.19 criteria;

18.20 (2) the commissioner's process and time line for notifying an applicant when its  
18.21 application is approved or disapproved and, if the application is disapproved, the explanation  
18.22 the commissioner provides to the applicant; and

18.23 (3) any appeal or other recourse available to a disapproved applicant.

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

18.26 (b) In each district, the expenses for a school food service program for pupils must be  
18.27 attributed to a school food service fund. Under a food service program, the school food  
18.28 service may prepare or serve milk, meals, or snacks in connection with school or community  
18.29 service activities.

18.30 (c) Revenues and expenditures for food service activities must be recorded in the food  
18.31 service fund. The costs of processing applications, accounting for meals, preparing and  
18.32 serving food, providing kitchen custodial services, and other expenses involving the preparing  
18.33 of meals or the kitchen section of the lunchroom may be charged to the food service fund

19.1 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial  
19.2 services, lunchroom utilities, and other administrative costs of the food service program  
19.3 must be charged to the general fund.

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

19.11 (d) Capital expenditures for the purchase of food service equipment must be made from  
19.12 the general fund and not the food service fund, unless the restricted balance in the food  
19.13 service fund at the end of the last fiscal year is greater than the cost of the equipment to be  
19.14 purchased.

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

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

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

19.27 (h) If a surplus in the food service fund exists at the end of a fiscal year for three  
19.28 successive years, a district may recode for that fiscal year the costs of lunchroom supervision,  
19.29 lunchroom custodial services, lunchroom utilities, and other administrative costs of the food  
19.30 service program charged to the general fund according to paragraph (c) and charge those  
19.31 costs to the food service fund in a total amount not to exceed the amount of surplus in the  
19.32 food service fund.

19.33 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must  
19.34 make lunch available without charge and must not deny a school lunch to all participating

20.1 students who qualify for free or reduced-price meals, whether or not that student has an  
20.2 outstanding balance in the student's meals account attributable to a la carte purchases or for  
20.3 any other reason.

20.4 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students  
20.5 in a respectful manner according to the policy adopted under subdivision 1. The participant  
20.6 must ensure that any reminders for payment of outstanding student meal balances do not  
20.7 demean or stigmatize any child participating in the school lunch program, including but  
20.8 not limited to dumping meals, withdrawing a meal that has been served, announcing or  
20.9 listing students names publicly, or affixing stickers, stamps, or pins. The participant must  
20.10 not impose any other restriction prohibited under section 123B.37 due to unpaid student  
20.11 meal balances. The participant must not limit a student's participation in any school activities,  
20.12 graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities  
20.13 or access to materials, technology, or other items provided to students due to an unpaid  
20.14 student meal balance.

20.15 (b) If the commissioner or the commissioner's designee determines a participant has  
20.16 violated the requirement to provide meals to participating students in a respectful manner,  
20.17 the commissioner or the commissioner's designee must send a letter of noncompliance to  
20.18 the participant. The participant is required to respond and, if applicable, remedy the practice  
20.19 within 60 days.

20.20 **EFFECTIVE DATE.** This section is effective July 1, 2021.

20.21 Sec. 9. Minnesota Statutes 2020, section 124E.06, subdivision 1, is amended to read:

20.22 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an  
20.23 application from a charter school developer, may charter ~~either~~ a licensed teacher under  
20.24 section 122A.18, subdivision 1, ~~or~~ a group of individuals that includes one or more licensed  
20.25 teachers under section 122A.18, subdivision 1, or a group of parents with children from  
20.26 birth to age 18 to operate a school subject to the commissioner's approval of the authorizer's  
20.27 affidavit under subdivision 4.

20.28 (b) "Application" under this section means the charter school business plan a charter  
20.29 school developer submits to an authorizer for approval to establish a charter school. This  
20.30 application must include:

20.31 (1) the school developer's:

20.32 (i) mission statement;

20.33 (ii) school purposes;

- 21.1 (iii) program design;
- 21.2 (iv) financial plan;
- 21.3 (v) governance and management structure; and
- 21.4 (vi) background and experience;
- 21.5 (2) any other information the authorizer requests; and
- 21.6 (3) a "statement of assurances" of legal compliance prescribed by the commissioner.
- 21.7 (c) An authorizer shall not approve an application submitted by a charter school developer
- 21.8 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),
- 21.9 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit
- 21.10 submitted by an authorizer under subdivision 4 if the affidavit does not comply with
- 21.11 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

21.12 **Sec. 10. RESTRICTION ON CONTRACTS WITH SCHOOL EMPLOYEES.**

21.13 Notwithstanding any law to the contrary, employment contracts and collective bargaining

21.14 agreements with school employees must not contain protections against discipline or

21.15 termination for school employees who engage in immoral, unethical, or illegal actions.

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

21.17 applies to all contracts entered into on or after that date.

21.18 **Sec. 11. REPEALER.**

21.19 (a) Minnesota Rules, part 8710.2100, subparts 1 and 2, are repealed.

21.20 (b) Minnesota Statutes 2020, section 122A.09, subdivision 1, is repealed.

21.21 **ARTICLE 3**

21.22 **PROTECTING TEACHERS**

21.23 Section 1. Minnesota Statutes 2020, section 121A.53, subdivision 2, is amended to read:

21.24 Subd. 2. **Report.** (a) The school board must include state student identification numbers

21.25 of affected pupils on all dismissal and other disciplinary reports required by the department.

21.26 The department must report annually to the commissioner summary data on the number of

21.27 dismissals and physical assaults of district employees by a student by age, grade, gender,

21.28 race, and special education status of the affected pupils. All dismissal and other disciplinary

21.29 reports must be submitted through the department electronic reporting system.

22.1 (b) The commissioner must aggregate the district data reported under this section and  
22.2 include the aggregated data, including aggregated data on physical assaults of a district  
22.3 employee by a student, in the annual school performance reports under section 120B.36.

22.4 (c) A teacher that is physically assaulted by a student must receive a copy of the report  
22.5 to the commissioner submitted according to subdivision 1.

22.6 Sec. 2. Minnesota Statutes 2020, section 121A.61, subdivision 3, is amended to read:

22.7 Subd. 3. **Policy components.** The policy must include at least the following components:

22.8 (a) rules governing student conduct and procedures for informing students of the rules;

22.9 (b) the grounds for removal of a student from a class;

22.10 (c) the authority of the classroom teacher to remove students from the classroom pursuant  
22.11 to procedures and rules established in the district's policy;

22.12 (d) the procedures for removal of a student from a class by a teacher, school administrator,  
22.13 or other school district employee;

22.14 (e) the period of time for which a student may be removed from a class, which may not  
22.15 exceed five class periods for a violation of a rule of conduct;

22.16 (f) provisions relating to the responsibility for and custody of a student removed from  
22.17 a class;

22.18 (g) the procedures for return of a student to the specified class from which the student  
22.19 has been removed;

22.20 (h) the procedures for notifying a student and the student's parents or guardian of  
22.21 violations of the rules of conduct and of resulting disciplinary actions;

22.22 (i) any procedures determined appropriate for encouraging early involvement of parents  
22.23 or guardians in attempts to improve a student's behavior;

22.24 (j) any procedures determined appropriate for encouraging early detection of behavioral  
22.25 problems;

22.26 (k) any procedures determined appropriate for referring a student in need of special  
22.27 education services to those services;

22.28 (l) the procedures for consideration of whether there is a need for a further assessment  
22.29 or of whether there is a need for a review of the adequacy of a current individualized  
22.30 education program of a student with a disability who is removed from class;

23.1 (m) procedures for detecting and addressing chemical abuse problems of a student while  
23.2 on the school premises;

23.3 (n) the minimum consequences for violations of the code of conduct;

23.4 (o) procedures for immediate and appropriate interventions tied to violations of the code;

23.5 (p) a provision that states that a teacher, school employee, school bus driver, or other  
23.6 agent of a district may use reasonable force in compliance with section 121A.582 and other  
23.7 laws;

23.8 (q) an agreement regarding procedures to coordinate crisis services to the extent funds  
23.9 are available with the county board responsible for implementing sections 245.487 to  
23.10 245.4889 for students with a serious emotional disturbance or other students who have an  
23.11 individualized education program whose behavior may be addressed by crisis intervention;  
23.12 and

23.13 (r) a provision that states a student must be removed from class immediately if the student  
23.14 engages in assault or violent behavior. For purposes of this paragraph, "assault" has the  
23.15 meaning given it in section 609.02, subdivision 10. The removal shall be for a period of  
23.16 time deemed appropriate by the principal, in consultation with the teacher. The principal  
23.17 must remove the student from class for at least three school days following the day of the  
23.18 incident. A student may only return to the class from which they were removed after the  
23.19 student has been given assistance to prevent the inappropriate behavior from recurring. A  
23.20 teacher who disagrees with the period of time determined by the principal may appeal the  
23.21 principal's decision, in writing, to the superintendent or charter school director for a different  
23.22 period of time for the removal from class. The student must not return to the classroom until  
23.23 the teacher and principal receive notice of the superintendent's decision. The superintendent's  
23.24 decision is final.

23.25 Sec. 3. Minnesota Statutes 2020, section 121A.64, is amended to read:

23.26 **121A.64 NOTIFICATION; TEACHERS' AND PARAPROFESSIONALS'**  
23.27 **LEGITIMATE EDUCATIONAL INTEREST.**

23.28 (a) A classroom teacher has a legitimate educational interest in knowing which students  
23.29 placed in the teacher's classroom have a history of violent behavior, including any  
23.30 documented physical assault of a district employee by the student, and must be notified  
23.31 before such students are placed in the teacher's classroom.

23.32 (b) A paraprofessional assigned to work alone or on a regular basis with a student with  
23.33 a disability has a legitimate educational interest in knowing whether the student has a history

24.1 of violent behavior, including any documented physical assault of a district employee by  
24.2 the student, and must be notified before being assigned to work with the student.

24.3 ~~(b)~~(c) Representatives of the school board and the exclusive representative of the teachers  
24.4 shall discuss issues related to the model policy on student records adopted under Laws 1999,  
24.5 chapter 241, article 9, section 50, and any modifications adopted under Laws 2003, First  
24.6 Special Session chapter 9, for notifying classroom teachers and other school district  
24.7 employees having a legitimate educational interest in knowing about students with a history  
24.8 of violent behavior, including any documented physical assault of a district employee by  
24.9 students placed in classrooms. The representatives of the school board and the exclusive  
24.10 representative of the teachers also may discuss the need for intervention services or conflict  
24.11 resolution or training for staff related to placing students with a history of violent behavior  
24.12 in teachers' classrooms.

24.13 **Sec. 4. [122A.85] TEACHER AND CLASSROOM SAFETY CODED ELSEWHERE.**

24.14 Subdivision 1. **Scope.** The sections referred to in subdivisions 2 to 5 are codified outside  
24.15 this section. Those sections include many but not all the sections governing teacher and  
24.16 classroom safety.

24.17 Subd. 2. **Dismissal and disciplinary report to the commissioner.** A teacher who was  
24.18 physically assaulted by a student must receive a copy of the report to the commissioner  
24.19 under section 121A.52.

24.20 Subd. 3. **Discipline and removal of students from class.** A student must be removed  
24.21 from class immediately if the student engages in assault or violent behavior under section  
24.22 121A.61.

24.23 Subd. 4. **Teachers' and paraprofessionals' legitimate educational interest.** (a) A  
24.24 teacher has a legitimate educational interest in knowing which students placed in their  
24.25 classroom have a history of violent behavior and must be notified before such students are  
24.26 placed in their classroom under section 121A.64.

24.27 (b) A paraprofessional has a legitimate educational interest in knowing whether a student  
24.28 with a disability that the paraprofessional works with alone or on a regular basis has a history  
24.29 of violent behavior and must be notified before being assigned to work with the student  
24.30 under section 121A.64.

24.31 Subd. 5. **General control of school and classroom.** A teacher of record must have the  
24.32 general control and government of a school and classroom and a teacher may remove violent  
24.33 or disruptive students from class as provided under section 122A.42.



25.1 Subd. 6. Notice of rights and responsibilities. At least once each school year, in the  
 25.2 form and manner determined by the charter school or school district, a teacher and  
 25.3 administrator must be informed of their rights and responsibilities under these statutes and  
 25.4 related school or district policies.

## 25.5 ARTICLE 4

### 25.6 RECRUITING AND KEEPING EFFECTIVE TEACHERS

25.7 Section 1. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision  
 25.8 to read:

25.9 Subd. 9. Professional license. A "professional license" means a Tier 1, Tier 2, Tier 3,  
 25.10 or Tier 4 teacher license issued by the Professional Educators Licensing and Standards  
 25.11 Board in accordance with sections 122A.18 to 122A.184.

25.12 Sec. 2. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

25.13 Subdivision 1. **Application requirements.** The Professional Educator Licensing and  
 25.14 Standards Board must approve a request from a district or charter school to issue a Tier 1  
 25.15 license in a specified content area to a candidate if:

25.16 (1) the candidate meets the professional requirement in subdivision 2;

25.17 (2) the district or charter school affirms that the candidate has the necessary skills and  
 25.18 knowledge to teach in the specified content area; and

25.19 (3) the district or charter school demonstrates that:

25.20 ~~(i) a criminal background check under section 122A.18, subdivision 8, has been completed~~  
 25.21 ~~on the candidate; and~~

25.22 ~~(ii) the district or charter school has posted the teacher position but was unable to hire~~  
 25.23 ~~an acceptable teacher with a Tier 2, 3, or 4 license for the position.~~

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

25.25 Sec. 3. Minnesota Statutes 2020, section 122A.181, subdivision 3, is amended to read:

25.26 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and  
 25.27 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license  
 25.28 may be renewed subject to ~~paragraphs~~ paragraph (b) and (e). The board may submit written  
 25.29 comments to the district or charter school that requested the renewal regarding the candidate.

26.1 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1  
26.2 license if:

26.3 ~~(1) the district or charter school requesting the renewal demonstrates that it has posted~~  
26.4 ~~the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license~~  
26.5 ~~for the position;~~

26.6 ~~(2)~~ (1) the teacher holding the Tier 1 license took a content examination in accordance  
26.7 with section 122A.185 and submitted the examination results to the teacher's employing  
26.8 district or charter school within one year of the board approving the request for the initial  
26.9 Tier 1 license;

26.10 ~~(3)~~ (2) the teacher holding the Tier 1 license participated in cultural competency training  
26.11 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board  
26.12 approving the request for the initial Tier 1 license; and

26.13 ~~(4)~~ (3) the teacher holding the Tier 1 license met the mental illness training renewal  
26.14 requirement under section 122A.187, subdivision 6.

26.15 The requirement in clause ~~(2)~~ (1) does not apply to a teacher that teaches a class in a career  
26.16 and technical education or career pathways course of study.

26.17 ~~(c) A Tier 1 license must not be renewed more than three times, unless the requesting~~  
26.18 ~~district or charter school can show good cause for additional renewals. A Tier 1 license~~  
26.19 ~~issued to teach (1) a class or course in a career and technical education or career pathway~~  
26.20 ~~course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may~~  
26.21 ~~be renewed without limitation.~~

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

26.23 Sec. 4. Minnesota Statutes 2020, section 122A.182, subdivision 3, is amended to read:

26.24 Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and  
26.25 Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license  
26.26 may be renewed ~~three times~~. Before a Tier 2 license is renewed for the first time, a teacher  
26.27 holding a Tier 2 license must participate in cultural competency training consistent with  
26.28 section 120B.30, subdivision 1, paragraph (q), and mental illness training under section  
26.29 122A.187, subdivision 6. ~~The board must issue rules setting forth the conditions for additional~~  
26.30 ~~renewals after the initial license has been renewed three times.~~

27.1 Sec. 5. Minnesota Statutes 2020, section 122A.184, subdivision 1, is amended to read:

27.2 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
27.3 Board must issue a Tier 4 license to a candidate who provides information sufficient to  
27.4 demonstrate all of the following:

27.5 (1) the candidate meets all requirements for a Tier 3 license under section 122A.183,  
27.6 ~~and has completed a teacher preparation program under section 122A.183, subdivision 2,~~  
27.7 ~~clause (1) or (2);~~

27.8 (2) the candidate has at least three years of teaching experience in Minnesota;

27.9 (3) the candidate has obtained a passing score on all required licensure exams under  
27.10 section 122A.185; and

27.11 (4) the candidate's most recent summative teacher evaluation did not result in placing  
27.12 or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,  
27.13 subdivision 8, or 122A.41, subdivision 5.

27.14 Sec. 6. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

27.15 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly  
27.16 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,  
27.17 constitute a quorum, no contract employing a teacher shall be made or authorized except  
27.18 upon the unanimous vote of the full board. A teacher related by blood or marriage, within  
27.19 the fourth degree, computed by the civil law, to a board member shall not be employed  
27.20 except by a unanimous vote of the full board. The initial employment of the teacher in the  
27.21 district must be by written contract, signed by the teacher and by the chair and clerk. All  
27.22 subsequent employment of the teacher in the district must be by written contract, signed by  
27.23 the teacher and by the chair and clerk, except where there is a master agreement covering  
27.24 the employment of the teacher. Contracts for teaching or supervision of teaching can be  
27.25 made only with qualified teachers. A teacher shall not be required to reside within the  
27.26 employing district as a condition to teaching employment or continued teaching employment.

27.27 (b) A school district must not give a teacher preference in hiring, termination, or  
27.28 placement on unrequested leave of absence based on the teacher's seniority.

27.29 (c) A school district must report all new teacher hires, terminations, and placements on  
27.30 unrequested leave, by race and ethnicity annually to the Department of Education. The  
27.31 report must not include data that would personally identify individuals.

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

28.1 Sec. 7. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

28.2 Subd. 10. **Negotiated unrequested leave of absence.** (a) The school board and the  
28.3 exclusive bargaining representative of the teachers must negotiate a plan providing for  
28.4 unrequested leave of absence without pay or fringe benefits for as many teachers as may  
28.5 be necessary because of discontinuance of position, lack of pupils, financial limitations, or  
28.6 merger of classes caused by consolidation of districts.

28.7 (b) The plan for unrequested leave of absence must not require the school board to place  
28.8 teachers with a Tier 1 or Tier 2 license on unrequested leave of absence first based on their  
28.9 tier of licensure.

28.10 Sec. 8. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

28.11 Subd. 14a. **Negotiated unrequested leave of absence.** (a) The school board and the  
28.12 exclusive bargaining representative of the teachers must negotiate a plan providing for  
28.13 unrequested leave of absence without pay or fringe benefits for as many teachers as may  
28.14 be necessary because of discontinuance of position, lack of pupils, financial limitations, or  
28.15 merger of classes caused by consolidation of districts.

28.16 (b) The plan for unrequested leave of absence must not require the school board to place  
28.17 teachers with a Tier 1 or Tier 2 license on unrequested leave of absence first based on their  
28.18 tier of licensure.

28.19 Sec. 9. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision to  
28.20 read:

28.21 Subd. 16. **Hiring and termination.** (a) A school district must not give a teacher  
28.22 preference in hiring, termination, or placement on unrequested leave of absence based on  
28.23 the teacher's seniority.

28.24 (b) A school district must report all new teacher hires, terminations, and placements on  
28.25 unrequested leave by race and ethnicity annually to the Department of Education. The report  
28.26 must not include data that would personally identify individuals.

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

28.28 Sec. 10. Minnesota Statutes 2020, section 122A.635, subdivision 1, is amended to read:

28.29 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards  
28.30 Board must award competitive grants to increase the number of teacher candidates of color  
28.31 or who are American Indian, and meet the requirements for a Tier 1, 2, or 3 license under

29.1 section 122A.181, 122A.182, or 122A.183. Eligibility for a grant under this section is limited  
29.2 to ~~public or private higher education institutions that offer a teacher preparation program~~  
29.3 ~~approved by the Professional Educator Licensing and Standards Board~~ programs, including  
29.4 alternative teacher preparation programs, located in Minnesota.

29.5 Sec. 11. Minnesota Statutes 2020, section 122A.635, subdivision 2, is amended to read:

29.6 Subd. 2. **Competitive grants.** (a) The Professional Educator Licensing and Standards  
29.7 Board must award competitive grants under this section based on the following criteria:

29.8 (1) the number or percentage of teacher candidates being supported in the program who  
29.9 are of color or who are American Indian;

29.10 (2) program outcomes, including graduation or program completion rates, licensure  
29.11 rates, and placement rates and, for each outcome measure, the number of those teacher  
29.12 candidates of color or who are American Indian; and

29.13 (3) the percent of racially and ethnically diverse teacher candidates enrolled in the  
29.14 institution compared to:

29.15 (i) the total percent of students of color and American Indian students enrolled at the  
29.16 institution, regardless of major; and

29.17 (ii) the percent of underrepresented racially and ethnically diverse teachers in the  
29.18 economic development region of the state where the institution is located and where a  
29.19 shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

29.20 ~~(b) The board must give priority in awarding grants under this section to institutions that~~  
29.21 ~~received grants under Laws 2017, First Special Session chapter 5, article 2, section 57,~~  
29.22 ~~subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating,~~  
29.23 ~~and inducting teacher candidates of color or who are American Indian. If the board awards~~  
29.24 ~~a competitive grant based on the criteria in paragraph (a) to a program that has not previously~~  
29.25 ~~received funding, the board must thereafter give priority to the program equivalent to other~~  
29.26 ~~programs given priority under this paragraph.~~

29.27 ~~(e)~~ (b) The board must determine award amounts for maintenance and expansion of  
29.28 programs based on the number of candidates supported by an applicant program, sustaining  
29.29 support for those candidates, and funds available.

30.1 Sec. 12. [122A.685] GROW YOUR OWN PATHWAY TO TEACHER LICENSURE.

30.2 (a) This section establishes grants to school districts for Grow Your Own new teacher  
30.3 programs. The grants are for school districts with more than 30 percent minority students  
30.4 for a nonconventional teacher residency pilot program or alternative teacher preparation  
30.5 program approved by the Professional Educator Licensing and Standards Board. The program  
30.6 must provide tuition scholarships or stipends to enable school district employees or  
30.7 community members affiliated with a school district who seek an education license to  
30.8 participate in a nonconventional or alternative teacher preparation program. School districts  
30.9 that receive funds under this subdivision are strongly encouraged to recruit candidates of  
30.10 color and American Indian candidates to participate in the Grow Your Own new teacher  
30.11 programs. Districts or schools providing financial support may require a commitment as  
30.12 determined by the district to teach in the district or school for a reasonable amount of time  
30.13 that does not exceed five years.

30.14 (b) School districts and charter schools may also apply for grants to develop innovative  
30.15 expanded Grow Your Own new teacher programs that encourage secondary school students  
30.16 to pursue teaching, including developing and offering dual-credit postsecondary course  
30.17 options in schools for "Introduction to Teaching" or "Introduction to Education" courses  
30.18 consistent with section 124D.09, subdivision 10.

30.19 (c) Programs must annually report to the commissioner by the date determined by the  
30.20 commissioner of education on their activities under this section, including the number of  
30.21 participants, the percentage of participants who are of color or who are American Indian,  
30.22 and an assessment of program effectiveness, including participant feed back, areas for  
30.23 improvement, the percentage of participants continuing to pursue teacher licensure, and the  
30.24 number of participants hired in the school or district as teachers after completing preparation  
30.25 programs.

30.26 (d) The department may retain up to three percent of the appropriation amount to monitor  
30.27 and administer the grant program."

30.28 Amend the title accordingly