

1.1 moves to amend H.F. No. 1065 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1
1.4 GENERAL EDUCATION

1.5 Section 1. Minnesota Statutes 2020, section 120A.35, is amended to read:

1.6 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.**

1.7 Reasonable efforts must be made by a school district to accommodate any pupil who
1.8 wishes to be excused from a curricular activity for a religious observance. A school board
1.9 must provide to parents annual notice of the school district's policy relating to a pupil's
1.10 absence from school for religious observance.

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

1.12 Sec. 2. Minnesota Statutes 2020, section 120A.40, is amended to read:

1.13 **120A.40 SCHOOL CALENDAR.**

1.14 (a) Except for learning programs during summer, flexible learning year programs
1.15 authorized under sections 124D.12 to 124D.127, and learning year programs under section
1.16 124D.128, a district must not commence an elementary or secondary school year before
1.17 Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops
1.18 may be held before Labor Day. Districts that enter into cooperative agreements are
1.19 encouraged to adopt similar school calendars.

1.20 (b) A district may begin the school year on any day before Labor Day:

1.21 (1) to accommodate a construction or remodeling project of \$400,000 or more affecting
1.22 a district school facility;

2.1 (2) if the district has an agreement under section 123A.30, 123A.32, or 123A.35 with a
2.2 district that qualifies under clause (1); or

2.3 (3) if the district agrees to the same schedule with a school district in an adjoining state.

2.4 (c) A school board may consider the community's religious or cultural observances when
2.5 adopting an annual school calendar.

2.6 Sec. 3. Minnesota Statutes 2020, section 124D.59, subdivision 2, is amended to read:

2.7 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through
2.8 grade 12, an early childhood special education student under Part B, section 619 of IDEA,
2.9 or a prekindergarten student enrolled in an approved voluntary prekindergarten program
2.10 under section 124D.151 or a school readiness plus program who meets the requirements
2.11 under subdivision 2a or the following requirements:

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

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

2.20 (b) A pupil enrolled in a Minnesota public school in any grade 4 through 12 who in the
2.21 previous school year took a commissioner-provided assessment measuring the pupil's
2.22 emerging academic English, shall be counted as an English learner in calculating English
2.23 learner pupil units under section 126C.05, subdivision 17, and shall generate state English
2.24 learner aid under section 124D.65, subdivision 5, if the pupil scored below the state cutoff
2.25 score or is otherwise counted as a nonproficient participant on the assessment measuring
2.26 the pupil's emerging academic English, or, in the judgment of the pupil's classroom teachers,
2.27 consistent with section 124D.61, clause (1), the pupil is unable to demonstrate academic
2.28 language proficiency in English, including oral academic language, sufficient to successfully
2.29 and fully participate in the general core curriculum in the regular classroom.

2.30 (c) Notwithstanding paragraphs (a) and (b), a pupil in early childhood special education
2.31 or prekindergarten under section 124D.151, through grade 12 shall not be counted as an
2.32 English learner in calculating English learner pupil units under section 126C.05, subdivision

3.1 17, and shall not generate state English learner aid under section 124D.65, subdivision 5,
3.2 if:

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

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

3.7 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

3.8 Sec. 4. Minnesota Statutes 2020, section 124D.65, subdivision 5, is amended to read:

3.9 Subd. 5. **School district EL revenue.** (a) The English learner programs initial allowance
3.10 equals \$704 for fiscal year 2021. The English learner programs allowance equals \$755 for
3.11 fiscal year 2022. The English learner programs initial allowance for fiscal year 2023 and
3.12 later equals the product of \$755 times the ratio of the formula allowance under section
3.13 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section
3.14 126C.10, subdivision 2, for fiscal year 2022.

3.15 (b) The English learner programs concentration allowance equals \$250 for fiscal year
3.16 2021. The English learner programs concentration allowance equals \$536 for fiscal year
3.17 2022. The English learner programs concentration allowance for fiscal year 2023 and later
3.18 equals the product of \$536 times the ratio of the formula allowance under section 126C.10,
3.19 subdivision 2, for the current fiscal year to the formula allowance under section 126C.10,
3.20 subdivision 2, for fiscal year 2022.

3.21 ~~(a)~~ (c) A district's English learner programs initial revenue equals the product of (1)
3.22 \$704 the English learner programs initial allowance times (2) the greater of 20 or the adjusted
3.23 average daily membership of eligible English learners enrolled in the district during the
3.24 current fiscal year.

3.25 (d) A district's English learner programs concentration revenue equals the product of
3.26 the English learner programs concentration allowance times the English learner pupil units
3.27 under section 126C.05, subdivision 17.

3.28 (e) A district's English learner programs revenue equals the sum of the initial revenue
3.29 under paragraph (c) and the concentration revenue under paragraph (d).

3.30 ~~(b)~~ (f) A pupil ceases to generate state English learner aid in the school year following
3.31 the school year in which the pupil attains the state cutoff score on a commissioner-provided
3.32 assessment that measures the pupil's emerging academic English.

4.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

4.2 Sec. 5. Minnesota Statutes 2020, section 124D.79, subdivision 2, is amended to read:

4.3 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance,
4.4 which includes an annual report of American Indian student data using the state count, to
4.5 districts, schools and postsecondary institutions for preservice and in-service training for
4.6 teachers, American Indian education teachers and paraprofessionals specifically designed
4.7 to implement culturally responsive teaching methods, culturally based curriculum
4.8 development, testing and testing mechanisms, and the development of materials for American
4.9 Indian education programs.

4.10 Sec. 6. Minnesota Statutes 2020, section 124D.81, subdivision 1, is amended to read:

4.11 Subdivision 1. **Procedures.** A school district, charter school, or American
4.12 Indian-controlled Tribal contract or grant school enrolling at least 20 American Indian
4.13 students identified by the state count on October 1 of the previous school year and operating
4.14 an American Indian education program according to section 124D.74 is eligible for Indian
4.15 education aid if it meets the requirements of this section. Programs may provide for contracts
4.16 for the provision of program components by nonsectarian nonpublic, community, Tribal,
4.17 charter, or alternative schools. The commissioner shall prescribe the form and manner of
4.18 application for aids, and no aid shall be made for a program not complying with the
4.19 requirements of sections 124D.71 to 124D.82.

4.20 Sec. 7. Minnesota Statutes 2020, section 126C.05, subdivision 1, is amended to read:

4.21 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
4.22 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
4.23 average daily membership enrolled in the district of residence, in another district under
4.24 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
4.25 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
4.26 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
4.27 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

4.28 (a) A prekindergarten pupil with a disability who is enrolled in a program approved by
4.29 the commissioner and has an individualized education program is counted as the ratio of
4.30 the number of hours of assessment and education service to 825 times 1.0 with a minimum
4.31 average daily membership of 0.28, but not more than 1.0 pupil unit.

5.1 (b) A prekindergarten pupil who is assessed but determined not to be disabled is counted
5.2 as the ratio of the number of hours of assessment service to 825 times 1.0.

5.3 (c) A kindergarten pupil with a disability who is enrolled in a program approved by the
5.4 commissioner is counted as the ratio of the number of hours of assessment and education
5.5 services required in the fiscal year by the pupil's individualized education program to 875,
5.6 but not more than one.

5.7 (d) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled
5.8 in an approved voluntary prekindergarten program under section 124D.151 is counted as
5.9 the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil
5.10 units.

5.11 (e) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil
5.12 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
5.13 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in
5.14 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
5.15 every day kindergarten program available to all kindergarten pupils at the pupil's school.

5.16 (f) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

5.17 (g) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

5.18 (h) A pupil who is in the postsecondary enrollment options program is counted as 1.2
5.19 pupil units.

5.20 (i) ~~For fiscal years 2018 through 2021,~~ A prekindergarten pupil who:

5.21 (1) is not included in paragraph (a), (b), or (d);

5.22 (2) is enrolled in a school readiness plus program under Laws 2017, First Special Session
5.23 chapter 5, article 8, section 9; and

5.24 (3) has one or more of the risk factors specified by the eligibility requirements for a
5.25 school readiness plus program,

5.26 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more
5.27 than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same
5.28 manner as a voluntary prekindergarten student for all general education and other school
5.29 funding formulas.

5.30 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

6.1 Sec. 8. Minnesota Statutes 2020, section 126C.05, subdivision 3, is amended to read:

6.2 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units for
6.3 ~~fiscal year 1998 and thereafter~~ must be computed according to this subdivision.

6.4 (a) The compensation revenue concentration percentage for each building in a district
6.5 equals the product of 100 times the ratio of:

6.6 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
6.7 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
6.8 previous fiscal year; to

6.9 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal
6.10 year.

6.11 (b) The compensation revenue pupil weighting factor for a building equals ~~the lesser of~~
6.12 ~~one or~~ the quotient obtained by dividing the building's compensation revenue concentration
6.13 percentage by 80.0.

6.14 (c) The compensation revenue pupil units for a building equals the product of:

6.15 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
6.16 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
6.17 previous fiscal year; times

6.18 (2) the compensation revenue pupil weighting factor for the building; times

6.19 (3) .60.

6.20 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under
6.21 section 124D.151, charter schools, and contracted alternative programs in the first year of
6.22 operation, compensation revenue pupil units shall be computed using data for the current
6.23 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative
6.24 program begins operation after October 1, compensatory revenue pupil units shall be
6.25 computed based on pupils enrolled on an alternate date determined by the commissioner,
6.26 and the compensation revenue pupil units shall be prorated based on the ratio of the number
6.27 of days of student instruction to 170 days.

6.28 ~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued~~
6.29 ~~in fiscal year 2022 due to the reduction in the participation limit under section 124D.151,~~
6.30 ~~subdivision 6, those discontinued seats must not be used to calculate compensation revenue~~
6.31 ~~pupil units for fiscal year 2022.~~

7.1 ~~(f)~~ (e) The percentages in this subdivision must be based on the count of individual
7.2 pupils and not on a building average or minimum.

7.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

7.4 Sec. 9. Minnesota Statutes 2020, section 126C.05, subdivision 17, is amended to read:

7.5 Subd. 17. **English learner pupil units.** (a) English learner pupil units for fiscal year
7.6 ~~2004 and thereafter~~ 2022 and later shall be determined according to this subdivision.

7.7 (b) The English learner concentration percentage for a district equals the product of 100
7.8 times the ratio of:

7.9 (1) the number of eligible English learners in average daily membership enrolled in the
7.10 district during the current fiscal year; to

7.11 (2) the number of pupils in average daily membership enrolled in the district.

7.12 (c) For fiscal year 2021, the English learner pupil units for each eligible English learner
7.13 in average daily membership equals the lesser of one or the quotient obtained by dividing
7.14 the English learner concentration percentage for the pupil's district of enrollment by 11.5.
7.15 For fiscal year 2022 and later, the English learner pupil units for each eligible English learner
7.16 in average daily membership equals the lesser of one or the quotient obtained by dividing
7.17 the English learner concentration percentage for the pupil's district of enrollment by 16.8.

7.18 (d) English learner pupil units shall be counted by the district of enrollment.

7.19 (e) Notwithstanding paragraph (d), for the purposes of this subdivision, pupils enrolled
7.20 in a cooperative or intermediate school district shall be counted by the district of residence.

7.21 (f) For the purposes of this subdivision, the terms defined in section 124D.59 have the
7.22 same meaning.

7.23 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

7.24 Sec. 10. Minnesota Statutes 2020, section 126C.10, subdivision 2, is amended to read:

7.25 Subd. 2. **Basic revenue.** (a) The basic revenue for each district equals the formula
7.26 allowance times the adjusted pupil units for the school year. ~~The formula allowance for~~
7.27 ~~fiscal year 2019 is \$6,312. The formula allowance for fiscal year 2020 is \$6,438. The formula~~
7.28 ~~allowance for fiscal year 2021 and later is \$6,567.~~

8.1 (b) The formula allowance for fiscal year 2022 is \$6,698. The formula allowance for
8.2 fiscal year 2023 is \$6,832. The formula allowance for fiscal year 2024 is \$6,866. The formula
8.3 allowance for fiscal year 2025 is \$6,900.

8.4 (c) For fiscal year 2026 and later, the formula equals the formula allowance for fiscal
8.5 year 2025 times the inflationary increase for that year.

8.6 (d) For purposes of this subdivision, "inflationary increase" means one plus the percentage
8.7 change in the Consumer Price Index for urban consumers, as prepared by the United States
8.8 Bureau of Labor Standards, from the current fiscal year to fiscal year 2025.

8.9 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

8.10 Sec. 11. Minnesota Statutes 2020, section 126C.10, subdivision 2a, is amended to read:

8.11 Subd. 2a. **Extended time revenue.** (a) The extended time allowance is \$5,117 for fiscal
8.12 years 2022 and 2023. For fiscal year 2024 and later, the extended time allowance equals
8.13 the product of \$5,117 times the ratio of the formula allowance under subdivision 2 for the
8.14 current fiscal year to the formula allowance under subdivision 2 for fiscal year 2023.

8.15 ~~(a)~~ (b) A school district's extended time revenue is equal to the product of \$5,117 the
8.16 extended time allowance and the sum of the adjusted pupil units of the district for each pupil
8.17 in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05,
8.18 subdivision 8.

8.19 ~~(b)~~ (c) Extended time revenue for pupils placed in an on-site education program at the
8.20 Prairie Lakes Education Center or the Lake Park School, located within the borders of
8.21 Independent School District No. 347, Willmar, for instruction provided after the end of the
8.22 preceding regular school year and before the beginning of the following regular school year
8.23 equals membership hours divided by the minimum annual instructional hours in section
8.24 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section
8.25 126C.05, subdivision 1, times \$5,117 the extended time allowance.

8.26 ~~(c)~~ (d) A school district qualifies for extended time revenue for every pupil placed in a
8.27 children's residential facility, whether the education services are provided on-site or off-site
8.28 for instruction provided after the end of the preceding regular school year and before the
8.29 beginning of the following regular school year. Extended time revenue under this paragraph
8.30 equals total membership hours in summer instruction divided by the minimum annual
8.31 instructional hours in section 126C.05, subdivision 15, not to exceed 0.20, times the pupil
8.32 unit weighting in section 126C.05, subdivision 1, times the extended time allowance.

9.1 (e) For purposes of this subdivision, "children's residential facility" means a residential
9.2 facility for children, including a psychiatric residential treatment facility (PRTF), licensed
9.3 by the Department of Human Services or the Department of Corrections and subject to
9.4 Minnesota Rules, chapter 2960 or an inpatient hospitalization that includes mental health
9.5 services.

9.6 (f) A school district's extended time revenue may be used for extended day programs,
9.7 extended week programs, summer school, vacation break academies such as spring break
9.8 academies and summer term academies, and other programming authorized under the
9.9 learning year program.

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

9.11 Sec. 12. Minnesota Statutes 2020, section 126C.10, subdivision 2e, is amended to read:

9.12 Subd. 2e. **Local optional revenue.** ~~(a) For fiscal year 2020, local optional revenue for~~
9.13 ~~a school district equals \$424 times the adjusted pupil units of the district for that school~~
9.14 ~~year. For fiscal year 2021 and later, local optional revenue for a school district equals the~~
9.15 ~~sum of the district's first tier local optional revenue and second tier local optional revenue.~~
9.16 A district's first tier local optional revenue equals \$300 times the adjusted pupil units of the
9.17 district for that school year. A district's second tier local optional revenue equals \$424 times
9.18 the adjusted pupil units of the district for that school year.

9.19 ~~(b) For fiscal year 2020, a district's local optional levy equals its local optional revenue~~
9.20 ~~times the lesser of one or the ratio of its referendum market value per resident pupil unit to~~
9.21 ~~\$510,000.~~

9.22 (b) For fiscal year 2021 and later, a district's local optional levy equals the sum of the
9.23 first tier local optional levy and the second tier local optional levy.

9.24 (c) A district's first tier local optional levy equals the district's first tier local optional
9.25 revenue times the lesser of one or the ratio of the district's referendum market value per
9.26 resident pupil unit to \$880,000.

9.27 (d) For fiscal year 2022, a district's second tier local optional levy equals the district's
9.28 second tier local optional revenue times the lesser of one or the ratio of the district's
9.29 referendum market value per resident pupil unit to \$510,000. For fiscal year 2023, a district's
9.30 second tier local optional levy equals the district's second tier local optional revenue times
9.31 the lesser of one or the ratio of the district's referendum market value per resident pupil unit
9.32 to \$555,000. For fiscal year 2024 and later, a district's second tier local optional levy equals

10.1 the district's second tier local optional revenue times the lesser of one or the ratio of the
 10.2 district's referendum market value per resident pupil unit to \$546,000

10.3 (e) The local optional levy must be spread on referendum market value. A district may
 10.4 levy less than the permitted amount.

10.5 (e) (f) A district's local optional aid equals its local optional revenue minus its local
 10.6 optional levy. If a district's actual levy for first or second tier local optional revenue is less
 10.7 than its maximum levy limit for that tier, its aid must be proportionately reduced.

10.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

10.9 Sec. 13. Minnesota Statutes 2020, section 126C.10, subdivision 4, is amended to read:

10.10 Subd. 4. **Basic skills revenue.** A school district's basic skills revenue equals the sum
 10.11 of:

10.12 (1) compensatory revenue under subdivision 3; plus

10.13 (2) English learner revenue under section 124D.65, subdivision 5; ~~plus, paragraph (e).~~

10.14 ~~(3) \$250 times the English learner pupil units under section 126C.05, subdivision 17.~~

10.15 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

10.16 Sec. 14. Minnesota Statutes 2020, section 126C.10, subdivision 18a, is amended to read:

10.17 Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special
 10.18 school district's transportation sparsity revenue under subdivision 18 is increased by the
 10.19 greater of zero or ~~18.2~~ 30 percent of the difference between:

10.20 (1) the lesser of the district's total cost for regular and excess pupil transportation under
 10.21 section 123B.92, subdivision 1, paragraph (b), including depreciation, for the previous fiscal
 10.22 year or 105 percent of the district's total cost for the second previous fiscal year; and

10.23 (2) the sum of:

10.24 (i) 4.66 percent of the district's basic revenue for the previous fiscal year;

10.25 (ii) transportation sparsity revenue under subdivision 18 for the previous fiscal year;

10.26 (iii) the district's charter school transportation adjustment for the previous fiscal year;

10.27 and

10.28 (iv) the district's reimbursement for transportation provided under section 123B.92,
 10.29 subdivision 1, paragraph (b), clause (1), item (vi).

11.1 (b) A charter school's pupil transportation adjustment equals the school district per pupil
11.2 adjustment under paragraph (a).

11.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

11.4 Sec. 15. Minnesota Statutes 2020, section 126C.15, subdivision 1, is amended to read:

11.5 Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10,
11.6 subdivision 4, must be reserved and ~~used~~ must be spent on evidence-based practices to meet
11.7 the educational needs of pupils who enroll under-prepared to learn and whose progress
11.8 toward meeting state or local content or performance standards is below the level that is
11.9 appropriate for learners of their age. Basic skills revenue may also be used for programs
11.10 designed to prepare children and their families for entry into school whether the student
11.11 first enrolls in kindergarten or first grade. ~~Any of the following may be provided to meet~~
11.12 ~~these learners' needs~~ Evidence-based practices may be provided in the following areas:

11.13 (1) direct instructional services under the assurance of mastery program according to
11.14 section 124D.66;

11.15 (2) remedial instruction in reading, language arts, mathematics, other content areas, or
11.16 study skills to improve the achievement level of these learners;

11.17 (3) additional teachers and teacher aides to provide more individualized instruction to
11.18 these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;

11.19 (4) a longer school day or week during the regular school year ~~or through a summer~~
11.20 ~~program that may be offered directly by the site or under a performance-based contract with~~
11.21 ~~a community-based organization;~~

11.22 (5) comprehensive and ongoing staff development consistent with district and site plans
11.23 according to section 122A.60 and to implement plans under section 120B.12, subdivision
11.24 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to
11.25 identify the needs of these learners and provide appropriate remediation, intervention,
11.26 accommodations, or modifications;

11.27 (6) instructional materials, digital learning, and technology appropriate for meeting the
11.28 individual needs of these learners;

11.29 (7) programs to reduce truancy, encourage completion of high school, enhance
11.30 self-concept, provide health services, provide nutrition services, provide a safe and secure
11.31 learning environment, provide coordination for pupils receiving services from other
11.32 governmental agencies, provide psychological services to determine the level of social,

12.1 emotional, cognitive, and intellectual development, and provide counseling services, guidance
12.2 services, and social work services;

12.3 (8) bilingual programs, bicultural programs, and programs for English learners;

12.4 ~~(9) all-day kindergarten;~~

12.5 ~~(10)~~ (9) early education programs, parent-training programs, school readiness programs,
12.6 ~~kindergarten~~ voluntary prekindergarten and school readiness plus programs for four-year-olds,
12.7 voluntary home visits under section 124D.13, subdivision 4, and other outreach efforts
12.8 designed to prepare children for kindergarten;

12.9 ~~(11)~~ (10) extended school day and extended school year programs, including summer
12.10 programs that may be offered directly by the site or under a performance-based contract
12.11 with a community-based organization; and

12.12 ~~(12)~~ (11) substantial parent involvement in developing and implementing remedial
12.13 education or intervention plans for a learner, including learning contracts between the school,
12.14 the learner, and the parent that establish achievement goals and responsibilities of the learner
12.15 and the learner's parent or guardian; and

12.16 (12) for transfer to the school nutrition fund for shortfalls for districts participating in
12.17 the Community Eligibility Provision program.

12.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

12.19 Sec. 16. Minnesota Statutes 2020, section 126C.15, subdivision 2, is amended to read:

12.20 Subd. 2. **Building allocation.** (a) A district or cooperative must allocate its compensatory
12.21 revenue to each school building in the district or cooperative where the children who have
12.22 generated the revenue are served unless the school district or cooperative has received
12.23 permission under Laws 2005, First Special Session chapter 5, article 1, section 50, to allocate
12.24 compensatory revenue according to student performance measures developed by the school
12.25 board.

12.26 (b) Notwithstanding paragraph (a), a district or cooperative may allocate up to ~~50~~ 20
12.27 percent of the amount of compensatory revenue that the district receives to school sites
12.28 according to a plan adopted by the school board. The money reallocated under this paragraph
12.29 must be spent for the purposes listed in subdivision 1, but may be spent on students in any
12.30 grade, including students attending school readiness or other prekindergarten programs.

12.31 (c) For the purposes of this section and section 126C.05, subdivision 3, "building" means
12.32 education site as defined in section 123B.04, subdivision 1.

13.1 (d) Notwithstanding section 123A.26, subdivision 1, compensatory revenue generated
13.2 by students served at a cooperative unit shall be paid to the cooperative unit.

13.3 (e) A district or cooperative with school building openings, school building closings,
13.4 changes in attendance area boundaries, or other changes in programs or student demographics
13.5 between the prior year and the current year may reallocate compensatory revenue among
13.6 sites to reflect these changes. A district or cooperative must report to the department any
13.7 adjustments it makes according to this paragraph and the department must use the adjusted
13.8 compensatory revenue allocations in preparing the report required under section 123B.76,
13.9 subdivision 3, paragraph (c).

13.10 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

13.11 Sec. 17. Minnesota Statutes 2020, section 126C.15, subdivision 5, is amended to read:

13.12 Subd. 5. **Annual expenditure report.** Each year a district that receives basic skills
13.13 revenue must submit a report identifying the expenditures it incurred to meet the needs of
13.14 eligible learners under subdivision 1. The report must conform to uniform financial and
13.15 reporting standards established for this purpose and provide a breakdown by functional
13.16 area. Using valid and reliable data and measurement criteria, the report also must determine
13.17 whether increased expenditures raised student achievement levels.

13.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

13.19 Sec. 18. Minnesota Statutes 2020, section 126C.17, is amended by adding a subdivision
13.20 to read:

13.21 Subd. 9b. **Renewal by school board.** (a) Notwithstanding the election requirements of
13.22 subdivision 9, a school board may renew an expiring referendum by board action if:

13.23 (1) the per-pupil amount of the referendum is the same as the amount expiring, or for
13.24 an expiring referendum that was adjusted annually by the rate of inflation, the same as the
13.25 per-pupil amount of the expiring referendum, adjusted annually for inflation in the same
13.26 manner as if the expiring referendum had continued;

13.27 (2) the term of the renewed referendum is no longer than the initial term approved by
13.28 the voters; and

13.29 (3) the school board has adopted a written resolution authorizing the renewal after holding
13.30 a meeting and allowing public testimony on the proposed renewal.

14.1 (b) The resolution must be adopted by the school board by June 15 of any calendar year
14.2 and becomes effective 60 days after its adoption.

14.3 (c) A referendum expires in the last fiscal year in which the referendum generates revenue
14.4 for the school district. A school board may renew an expiring referendum under this
14.5 subdivision not more than two fiscal years before the referendum expires.

14.6 (d) A district renewing an expiring referendum under this subdivision must submit a
14.7 copy of the adopted resolution to the commissioner and to the county auditor no later than
14.8 September 1 of the calendar year in which the levy is certified.

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

14.10 Sec. 19. Minnesota Statutes 2020, section 127A.49, subdivision 3, is amended to read:

14.11 Subd. 3. **Excess tax increment.** (a) If a return of excess tax increment is made to a
14.12 district pursuant to sections 469.176, subdivision 2, and 469.177, subdivision 9, or upon
14.13 decertification of a tax increment district, the school district's aid and levy limitations must
14.14 be adjusted for the fiscal year in which the excess tax increment is paid under the provisions
14.15 of this subdivision.

14.16 (b) An amount must be subtracted from the district's aid for the current fiscal year equal
14.17 to the product of:

14.18 (1) the amount of the payment of excess tax increment to the district in the preceding
14.19 year, times

14.20 (2) the ratio of:

14.21 (i) the sum of the amounts of the district's certified levy ~~for the fiscal year in which the~~
14.22 ~~excess tax increment is paid~~ in the third preceding year according to the following:

14.23 (A) section 123B.57, if the district received health and safety aid according to that section
14.24 for the second preceding year;

14.25 (B) section 124D.20, if the district received aid for community education programs
14.26 according to that section for the second preceding year;

14.27 (C) section 124D.135, subdivision 3, if the district received early childhood family
14.28 education aid according to section 124D.135 for the second preceding year;

14.29 (D) section 126C.17, subdivision 6, if the district received referendum equalization aid
14.30 according to that section for the second preceding year;

15.1 (E) section 126C.10, subdivision 13a, if the district received operating capital aid
15.2 according to section 126C.10, subdivision 13b, in the second preceding year;

15.3 (F) section 126C.10, subdivision 29, if the district received equity aid according to
15.4 section 126C.10, subdivision 30, in the second preceding year;

15.5 (G) section 126C.10, subdivision 32, if the district received transition aid according to
15.6 section 126C.10, subdivision 33, in the second preceding year;

15.7 (H) section 123B.53, subdivision 5, if the district received debt service equalization aid
15.8 according to section 123B.53, subdivision 6, in the second preceding year;

15.9 (I) section 123B.535, subdivision 4, if the district received natural disaster debt service
15.10 equalization aid according to section 123B.535, subdivision 5, in the second preceding year;

15.11 (J) section 124D.22, subdivision 3, if the district received school-age care aid according
15.12 to section 124D.22, subdivision 4, in the second preceding year; and

15.13 (K) section 122A.415, subdivision 5, if the district received alternative teacher
15.14 compensation equalization aid according to section 122A.415, subdivision 6, paragraph (a),
15.15 in the second preceding year; to

15.16 (ii) the total amount of the district's certified levy ~~for the fiscal~~ in the third preceding
15.17 year, plus or minus auditor's adjustments.

15.18 (c) An amount must be subtracted from the school district's levy limitation for the next
15.19 levy certified equal to the difference between:

15.20 (1) the amount of the distribution of excess increment; and

15.21 (2) the amount subtracted from aid pursuant to clause (a).

15.22 If the aid and levy reductions required by this subdivision cannot be made to the aid for
15.23 the fiscal year specified or to the levy specified, the reductions must be made from aid for
15.24 subsequent fiscal years, and from subsequent levies. The school district must use the payment
15.25 of excess tax increment to replace the aid and levy revenue reduced under this subdivision.

15.26 (d) This subdivision applies only to the total amount of excess increments received by
15.27 a district for a calendar year that exceeds \$25,000.

15.28 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

15.29 Sec. 20. Minnesota Statutes 2020, section 290.0679, subdivision 2, is amended to read:

15.30 Subd. 2. **Conditions for assignment.** A qualifying taxpayer may assign all or part of
15.31 an anticipated refund for the current and future taxable years to a financial institution or a

16.1 qualifying organization. A financial institution or qualifying organization accepting
16.2 assignment must pay the amount secured by the assignment to a third-party vendor. The
16.3 commissioner of education shall, upon request from a third-party vendor, certify that the
16.4 vendor's products and services qualify for the education credit. A denial of a certification
16.5 ~~is subject to the contested case procedure under~~ may be appealed to the commissioner of
16.6 education notwithstanding chapter 14. A financial institution or qualifying organization that
16.7 accepts assignments under this section must verify as part of the assignment documentation
16.8 that the product or service to be provided by the third-party vendor has been certified by
16.9 the commissioner of education as qualifying for the education credit. The amount assigned
16.10 for the current and future taxable years may not exceed the maximum allowable education
16.11 credit for the current taxable year. Both the taxpayer and spouse must consent to the
16.12 assignment of a refund from a joint return.

16.13 Sec. 21. Minnesota Statutes 2020, section 469.176, subdivision 2, is amended to read:

16.14 Subd. 2. **Excess increments.** (a) The authority shall annually determine the amount of
16.15 excess increments for a district, if any. This determination must be based on the tax increment
16.16 financing plan in effect on December 31 of the year and the increments and other revenues
16.17 received as of December 31 of the year. The authority must spend or return the excess
16.18 increments under paragraph (c) within nine months after the end of the year.

16.19 (b) For purposes of this subdivision, "excess increments" equals the excess of:

16.20 (1) total increments collected from the district since its certification, reduced by any
16.21 excess increments paid under paragraph (c), clause (4), for a prior year, over

16.22 (2) the total costs authorized by the tax increment financing plan to be paid with
16.23 increments from the district, reduced, but not below zero, by the sum of:

16.24 (i) the amounts of those authorized costs that have been paid from sources other than
16.25 tax increments from the district;

16.26 (ii) revenues, other than tax increments from the district, that are dedicated for or
16.27 otherwise required to be used to pay those authorized costs and that the authority has received
16.28 and that are not included in item (i);

16.29 (iii) the amount of principal and interest obligations due on outstanding bonds after
16.30 December 31 of the year and not prepaid under paragraph (c) in a prior year; and

16.31 (iv) increased by the sum of the transfers of increments made under section 469.1763,
16.32 subdivision 6, to reduce deficits in other districts made by December 31 of the year.

17.1 (c) The authority shall use excess increment only to do one or more of the following:

17.2 (1) prepay any outstanding bonds;

17.3 (2) discharge the pledge of tax increment for any outstanding bonds;

17.4 (3) pay into an escrow account dedicated to the payment of any outstanding bonds; or

17.5 (4) return the excess amount to the county auditor who shall distribute the excess amount
17.6 to the city or town, county, and school district in which the tax increment financing district
17.7 is located in direct proportion to their respective local tax rates.

17.8 (d) For purposes of a district for which the request for certification was made prior to
17.9 August 1, 1979, excess increments equal the amount of increments on hand on December
17.10 31, less the principal and interest obligations due on outstanding bonds or advances,
17.11 qualifying under subdivision 1c, clauses (1), (2), (4), and (5), after December 31 of the year
17.12 and not prepaid under paragraph (c).

17.13 (e) The county auditor must, prior to February 1 of each year, report to the commissioner
17.14 of education the amount of any excess tax increment distributed to a school district ~~within~~
17.15 ~~30 days of the distribution~~ for the preceding taxable year.

17.16 (f) For purposes of this subdivision, "outstanding bonds" means bonds which are secured
17.17 by increments from the district.

17.18 (g) The state auditor may exempt an authority from reporting the amounts calculated
17.19 under this subdivision for a calendar year, if the authority certifies to the auditor in its report
17.20 that the total amount authorized by the tax increment plan to be paid with increments from
17.21 the district exceeds the sum of the total increments collected for the district for all years by
17.22 20 percent.

17.23 **Sec. 22. APPROPRIATIONS.**

17.24 Subdivision 1. Department of Education. The sums indicated in this section are
17.25 appropriated from the general fund to the Department of Education for the fiscal years
17.26 designated.

17.27 Subd. 2. General education aid. For general education aid under Minnesota Statutes,
17.28 section 126C.13, subdivision 4:

17.29 \$ 7,563,143,000 2022

17.30 \$ 7,801,194,000 2023

17.31 The 2022 appropriation includes \$723,122,000 for 2021 and \$6,840,321,000 for 2022.

18.1 The 2023 appropriation includes \$760,035,000 for 2022 and \$7,041,159,000 for 2023.

18.2 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending
 18.3 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation
 18.4 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

18.5 \$ 12,000 2022

18.6 \$ 13,000 2023

18.7 Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

18.8 \$ 2,897,000 2022

18.9 \$ 3,558,000 2023

18.10 The 2022 appropriation includes \$269,000 for 2021 and \$2,628,000 for 2022.

18.11 The 2023 appropriation includes \$291,000 for 2022 and \$3,267,000 for 2023.

18.12 Subd. 5. **Consolidation transition aid.** For districts consolidating under Minnesota
 18.13 Statutes, section 123A.485:

18.14 \$ 309,000 2022

18.15 \$ 373,000 2023

18.16 The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

18.17 The 2023 appropriation includes \$31,000 for 2022 and \$342,000 for 2023.

18.18 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under
 18.19 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

18.20 \$ 17,173,000 2022

18.21 \$ 17,864,000 2023

18.22 The 2022 appropriation includes \$1,996,000 for 2021 and \$15,177,000 for 2022.

18.23 The 2023 appropriation includes \$1,686,000 for 2022 and \$16,178,000 for 2023.

18.24 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under
 18.25 Minnesota Statutes, section 123B.92, subdivision 9:

18.26 \$ 19,692,000 2022

18.27 \$ 19,809,000 2023

18.28 The 2022 appropriation includes \$1,964,000 for 2021 and \$17,728,000 for 2022.

18.29 The 2023 appropriation includes \$1,969,000 for 2022 and \$17,840,000 for 2023.

19.1 Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No. 690,
 19.2 Warroad, to operate the Angle Inlet School:

19.3 \$ 65,000 2022

19.4 \$ 65,000 2023

19.5 Subd. 9. **Career and technical aid** For career and technical aid under Minnesota Statutes,
 19.6 section 124D.4531, subdivision 1b:

19.7 \$ 2,700,000 2022

19.8 \$ 2,307,000 2023

19.9 The 2022 appropriation includes \$323,000 for 2021 and \$2,377,000 for 2022.

19.10 The 2023 appropriation includes \$264,000 for 2022 and \$2,043,000 for 2023.

19.11 Subd. 10. **Pregnant and parenting pupil transportation reimbursement.** (a) To
 19.12 reimburse districts for transporting pregnant or parenting pupils under Minnesota Statutes,
 19.13 section 123B.92, subdivision 1, paragraph (b), clause (1), item (vi):

19.14 \$ 56,000 2022

19.15 \$ 55,000 2023

19.16 (b) To receive reimbursement, districts must apply using the form and manner of
 19.17 application prescribed by the commissioner. If the appropriation is insufficient, the
 19.18 commissioner must prorate the amount paid to districts seeking reimbursement.

19.19 (c) Any balance in the first year does not cancel but is available in the second year.

19.20 **ARTICLE 2**

19.21 **EDUCATION EXCELLENCE**

19.22 Section 1. Minnesota Statutes 2020, section 13.32, subdivision 3, is amended to read:

19.23 **Subd. 3. Private data; when disclosure is permitted.** Except as provided in subdivision
 19.24 5, educational data is private data on individuals and shall not be disclosed except as follows:

19.25 (a) pursuant to section 13.05;

19.26 (b) pursuant to a valid court order;

19.27 (c) pursuant to a statute specifically authorizing access to the private data;

19.28 (d) to disclose information in health, including mental health, and safety emergencies
 19.29 pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code
 19.30 of Federal Regulations, title 34, section 99.36;

20.1 (e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1),
20.2 (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations,
20.3 title 34, sections 99.31, 99.32, 99.33, 99.34, 99.35, and 99.39;

20.4 (f) to appropriate health authorities to the extent necessary to administer immunization
20.5 programs and for bona fide epidemiologic investigations which the commissioner of health
20.6 determines are necessary to prevent disease or disability to individuals in the public
20.7 educational agency or institution in which the investigation is being conducted;

20.8 (g) when disclosure is required for institutions that participate in a program under title
20.9 IV of the Higher Education Act, United States Code, title 20, section 1092;

20.10 (h) to the appropriate school district officials to the extent necessary under subdivision
20.11 6, annually to indicate the extent and content of remedial instruction, including the results
20.12 of assessment testing and academic performance at a postsecondary institution during the
20.13 previous academic year by a student who graduated from a Minnesota school district within
20.14 two years before receiving the remedial instruction;

20.15 (i) to appropriate authorities as provided in United States Code, title 20, section
20.16 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the
20.17 system to effectively serve, prior to adjudication, the student whose records are released;
20.18 provided that the authorities to whom the data are released submit a written request for the
20.19 data that certifies that the data will not be disclosed to any other person except as authorized
20.20 by law without the written consent of the parent of the student and the request and a record
20.21 of the release are maintained in the student's file;

20.22 (j) to volunteers who are determined to have a legitimate educational interest in the data
20.23 and who are conducting activities and events sponsored by or endorsed by the educational
20.24 agency or institution for students or former students;

20.25 (k) to provide student recruiting information, from educational data held by colleges
20.26 and universities, as required by and subject to Code of Federal Regulations, title 32, section
20.27 216;

20.28 (l) to the juvenile justice system if information about the behavior of a student who poses
20.29 a risk of harm is reasonably necessary to protect the health or safety of the student or other
20.30 individuals;

20.31 (m) with respect to Social Security numbers of students in the adult basic education
20.32 system, to Minnesota State Colleges and Universities and the Department of Employment

21.1 and Economic Development for the purpose and in the manner described in section 124D.52,
21.2 subdivision 7;

21.3 (n) to the commissioner of education for purposes of an assessment or investigation of
21.4 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request
21.5 by the commissioner of education, data that are relevant to a report of maltreatment and are
21.6 from charter school and school district investigations of alleged maltreatment of a student
21.7 must be disclosed to the commissioner, including, but not limited to, the following:

21.8 (1) information regarding the student alleged to have been maltreated;

21.9 (2) information regarding student and employee witnesses;

21.10 (3) information regarding the alleged perpetrator; and

21.11 (4) what corrective or protective action was taken, if any, by the school facility in response
21.12 to a report of maltreatment by an employee or agent of the school or school district;

21.13 (o) when the disclosure is of the final results of a disciplinary proceeding on a charge
21.14 of a crime of violence or nonforcible sex offense to the extent authorized under United
21.15 States Code, title 20, section 1232g(b)(6)(A) and (B) and Code of Federal Regulations, title
21.16 34, sections 99.31 (a)(13) and (14);

21.17 (p) when the disclosure is information provided to the institution under United States
21.18 Code, title 42, section 14071, concerning registered sex offenders to the extent authorized
21.19 under United States Code, title 20, section 1232g(b)(7); ~~or~~

21.20 (q) when the disclosure is to a parent of a student at an institution of postsecondary
21.21 education regarding the student's violation of any federal, state, or local law or of any rule
21.22 or policy of the institution, governing the use or possession of alcohol or of a controlled
21.23 substance, to the extent authorized under United States Code, title 20, section 1232g(i), and
21.24 Code of Federal Regulations, title 34, section 99.31 (a)(15), and provided the institution
21.25 has an information release form signed by the student authorizing disclosure to a parent.
21.26 The institution must notify parents and students about the purpose and availability of the
21.27 information release forms. At a minimum, the institution must distribute the information
21.28 release forms at parent and student orientation meetings; or

21.29 (r) with Tribal Nations about Tribally enrolled or descendant students to the extent
21.30 necessary for the Tribal Nation and school district or charter school to support the educational
21.31 attainment of the student.

22.1 Sec. 2. Minnesota Statutes 2020, section 120A.22, subdivision 7, is amended to read:

22.2 Subd. 7. **Education records.** (a) A district, a charter school, or a nonpublic school that
22.3 receives services or aid under sections 123B.40 to 123B.48 from which a student is
22.4 transferring must transmit the student's educational records, within ten business days of a
22.5 request, to the district, the charter school, or the nonpublic school in which the student is
22.6 enrolling. Districts, charter schools, and nonpublic schools that receive services or aid under
22.7 sections 123B.40 to 123B.48 must make reasonable efforts to determine the district, the
22.8 charter school, or the nonpublic school in which a transferring student is next enrolling in
22.9 order to comply with this subdivision.

22.10 (b) A closed charter school must transfer the student's educational records, within ten
22.11 business days of the school's closure, to the student's school district of residence where the
22.12 records must be retained unless the records are otherwise transferred under this subdivision.

22.13 (c) A school district, a charter school, or a nonpublic school that receives services or aid
22.14 under sections 123B.40 to 123B.48 that transmits a student's educational records to another
22.15 school district or other educational entity, charter school, or nonpublic school to which the
22.16 student is transferring must include in the transmitted records information about any formal
22.17 suspension, expulsion, and exclusion disciplinary action, as well as pupil withdrawals, under
22.18 sections 121A.40 to 121A.56. The transmitted records must include services a pupil needs
22.19 to prevent the inappropriate behavior from recurring. The district, the charter school, or the
22.20 nonpublic school that receives services or aid under sections 123B.40 to 123B.48 must
22.21 provide notice to a student and the student's parent or guardian that formal disciplinary
22.22 records will be transferred as part of the student's educational record, in accordance with
22.23 data practices under chapter 13 and the Family Educational Rights and Privacy Act of 1974,
22.24 United States Code, title 20, section 1232(g).

22.25 (d) Notwithstanding section 138.17, a principal or chief administrative officer must
22.26 remove from a student's educational record and destroy a probable cause notice received
22.27 under section 260B.171, subdivision 5, or paragraph (e), if one year has elapsed since the
22.28 date of the notice and the principal or chief administrative officer has not received a
22.29 disposition or court order related to the offense described in the notice. This paragraph does
22.30 not apply if the student no longer attends the school when this one-year period expires.

22.31 (e) A principal or chief administrative officer who receives a probable cause notice under
22.32 section 260B.171, subdivision 5, or a disposition or court order, must include a copy of that
22.33 data in the student's educational records if they are transmitted to another school, unless the
22.34 data are required to be destroyed under paragraph (d) or section 121A.75.

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

23.2 Sec. 3. Minnesota Statutes 2020, section 120A.22, subdivision 9, is amended to read:

23.3 Subd. 9. **Knowledge and skills.** Instruction must be provided in at least the following
23.4 subject areas:

23.5 (1) basic communication skills including reading and writing, literature, and fine arts;

23.6 (2) mathematics and science;

23.7 (3) social studies including history, geography, economics, government, and citizenship;

23.8 ~~and~~

23.9 (4) health and physical education; and

23.10 (5) indigenous education.

23.11 Instruction, textbooks, and materials must be in the English language. Another language
23.12 may be used pursuant to sections 124D.59 to 124D.61.

23.13 Sec. 4. Minnesota Statutes 2020, section 120A.22, subdivision 10, is amended to read:

23.14 Subd. 10. **Requirements for instructors.** A person who is providing instruction to a
23.15 child must meet at least one of the following requirements:

23.16 (1) hold a valid Minnesota teaching license in the field and for the grade level taught;

23.17 (2) be directly supervised by a person holding a valid Minnesota teaching license;

23.18 ~~(3) successfully complete a teacher competency examination;~~

23.19 ~~(4)~~ (3) provide instruction in a school that is accredited by an accrediting agency,
23.20 recognized according to section 123B.445, or recognized by the commissioner;

23.21 ~~(5)~~ (4) hold a baccalaureate degree; or

23.22 ~~(6)~~ (5) be the parent of a child who is assessed according to the procedures in subdivision

23.23 11.

23.24 Any person providing instruction in a public school must meet the requirements of clause
23.25 (1).

23.26 Sec. 5. Minnesota Statutes 2020, section 120B.02, subdivision 1, is amended to read:

23.27 Subdivision 1. **Educational expectations.** (a) The legislature is committed to establishing
23.28 rigorous academic standards for Minnesota's public school students. To that end, the

24.1 commissioner shall adopt in rule statewide academic standards. The commissioner shall
 24.2 not prescribe in rule or otherwise the delivery system, classroom assessments, or form of
 24.3 instruction that school sites must use.

24.4 (b) All commissioner actions regarding the rule must be premised on the following:

24.5 (1) the rule is intended to raise academic expectations for students, teachers, and schools;

24.6 (2) the rule must be focused on the experiences and perspectives of all students, including
 24.7 Indigenous people and people of color, within and beyond the United States;

24.8 (3) any state action regarding the rule must evidence consideration of school district
 24.9 autonomy; and

24.10 ~~(3)~~ (4) the Department of Education, with the assistance of school districts, must make
 24.11 available information about all state initiatives related to the rule to students and parents,
 24.12 teachers, and the general public in a timely format that is appropriate, comprehensive, and
 24.13 readily understandable.

24.14 (c) The commissioner shall periodically review and report on the state's assessment
 24.15 process.

24.16 (d) School districts are not required to adopt specific provisions of the federal
 24.17 School-to-Work programs.

24.18 Sec. 6. Minnesota Statutes 2020, section 120B.021, subdivision 1, is amended to read:

24.19 Subdivision 1. **Required academic standards.** (a) The following subject areas are
 24.20 required for statewide accountability:

24.21 (1) language arts;

24.22 (2) mathematics;

24.23 (3) science;

24.24 (4) social studies, including indigenous education, history, geography, economics, and
 24.25 government and citizenship that includes civics consistent with section 120B.02, subdivision
 24.26 3;

24.27 (5) physical education;

24.28 (6) health, for which locally developed academic standards apply; and

24.29 (7) the arts, ~~for which statewide or locally developed academic standards apply, as~~
 24.30 ~~determined by the school district.~~ Public elementary and middle schools must offer at least

25.1 three and require at least two of the following ~~four~~ five arts areas: dance; media arts; music;
25.2 theater; and visual arts. Public high schools must offer at least three and require at least one
25.3 of the following five arts areas: media arts; dance; music; theater; and visual arts.

25.4 (b) For purposes of applicable federal law, the academic standards for language arts,
25.5 mathematics, and science apply to all public school students, except the very few students
25.6 with extreme cognitive or physical impairments for whom an individualized education
25.7 program team has determined that the required academic standards are inappropriate. An
25.8 individualized education program team that makes this determination must establish
25.9 alternative standards.

25.10 (c) The department must adopt the most recent SHAPE America (Society of Health and
25.11 Physical Educators) kindergarten through grade 12 standards and benchmarks for physical
25.12 education as the required physical education academic standards. The department may
25.13 modify and adapt the national standards to accommodate state interest. The modification
25.14 and adaptations must maintain the purpose and integrity of the national standards. The
25.15 department must make available sample assessments, which school districts may use as an
25.16 alternative to local assessments, to assess students' mastery of the physical education
25.17 standards beginning in the 2018-2019 school year.

25.18 (d) A school district may include child sexual abuse prevention instruction in a health
25.19 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention
25.20 instruction may include age-appropriate instruction on recognizing sexual abuse and assault,
25.21 boundary violations, and ways offenders groom or desensitize victims, as well as strategies
25.22 to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may
25.23 provide instruction under this paragraph in a variety of ways, including at an annual assembly
25.24 or classroom presentation. A school district may also provide parents information on the
25.25 warning signs of child sexual abuse and available resources.

25.26 (e) District efforts to develop, implement, or improve instruction or curriculum as a
25.27 result of the provisions of this section must be consistent with sections 120B.10, 120B.11,
25.28 and 120B.20.

25.29 (f) The curriculum required for indigenous education must be:

25.30 (1) for students in prekindergarten through grade 12;

25.31 (2) related to the indigenous experience in Minnesota, including tribal history,
25.32 sovereignty, culture, treaty rights, government, socioeconomic experiences, contemporary
25.33 issues, and current events;

- 26.1 (3) historically accurate, tribally endorsed, culturally relevant, community based,
26.2 contemporary, and developmentally appropriate; and
- 26.3 (4) aligned with the academic content standards, including all yearly revisions that
26.4 include the contributions of Minnesota's tribal nations and communities.

26.5 Sec. 7. Minnesota Statutes 2020, section 120B.021, subdivision 2, is amended to read:

26.6 Subd. 2. **Standards development.** (a) The commissioner must consider advice from at
26.7 least the following stakeholders in developing statewide rigorous core academic standards
26.8 in language arts, mathematics, science, social studies, including history, geography,
26.9 economics, government and citizenship, and the arts:

26.10 (1) parents of school-age children and members of the public throughout the state;

26.11 (2) teachers throughout the state currently licensed and providing instruction in language
26.12 arts, mathematics, science, social studies, or the arts and licensed elementary and secondary
26.13 school principals throughout the state currently administering a school site;

26.14 (3) currently serving members of local school boards and charter school boards throughout
26.15 the state;

26.16 (4) faculty teaching core subjects at postsecondary institutions in Minnesota; ~~and~~

26.17 (5) representatives of the Minnesota business community; and

26.18 (6) representatives from the Tribal Nations Education Committee and Minnesota's Tribal
26.19 Nations and communities, including both Anishinaabe and Dakota.

26.20 (b) Academic standards must:

26.21 (1) be clear, concise, objective, measurable, and grade-level appropriate;

26.22 (2) not require a specific teaching methodology or curriculum; and

26.23 (3) be consistent with the Constitutions of the United States and the state of Minnesota.

26.24 Sec. 8. Minnesota Statutes 2020, section 120B.021, subdivision 3, is amended to read:

26.25 Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of this section
26.26 and section 120B.022, must adopt statewide rules under section 14.389 for implementing
26.27 statewide rigorous core academic standards in language arts, mathematics, science, social
26.28 studies, physical education, and the arts. After the rules authorized under this subdivision
26.29 are initially adopted, the commissioner may not amend or repeal these rules nor adopt new

27.1 rules on the same topic without specific legislative authorization unless done pursuant to
27.2 subdivision 4.

27.3 Sec. 9. Minnesota Statutes 2020, section 120B.021, subdivision 4, is amended to read:

27.4 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
27.5 revise and appropriately embed indigenous education standards that include the contributions
27.6 of American Indian tribes and communities into the state academic standards and graduation
27.7 requirements. These standards must be consistent with recommendations from the Tribal
27.8 Nations Education Committee.

27.9 (b) The commissioner of education must revise and appropriately embed technology
27.10 and information literacy standards consistent with recommendations from school media
27.11 specialists into the state's academic standards and graduation requirements and implement
27.12 a ten-year cycle to review and, consistent with the review, revise state academic standards
27.13 and related benchmarks, consistent with this subdivision. During each ten-year review and
27.14 revision cycle, the commissioner also must examine the alignment of each required academic
27.15 standard and related benchmark with the knowledge and skills students need for career and
27.16 college readiness and advanced work in the particular subject area. The commissioner must
27.17 include the contributions of Minnesota American Indian tribes and communities ethnic
27.18 studies as related to the academic standards during the review and revision of the required
27.19 academic standards.

27.20 ~~(b)~~ (c) The commissioner must ensure that the statewide mathematics assessments
27.21 administered to students in grades 3 through 8 and 11 are aligned with the state academic
27.22 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).
27.23 The commissioner must implement a review of the academic standards and related
27.24 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years
27.25 thereafter.

27.26 ~~(e)~~ (d) The commissioner must implement a review of the academic standards and related
27.27 benchmarks in arts beginning in the 2017-2018 school year and every ten years thereafter.

27.28 ~~(d)~~ (e) The commissioner must implement a review of the academic standards and related
27.29 benchmarks in science beginning in the 2018-2019 school year and every ten years thereafter.

27.30 ~~(e)~~ (f) The commissioner must implement a review of the academic standards and related
27.31 benchmarks in language arts beginning in the 2019-2020 school year and every ten years
27.32 thereafter.

28.1 ~~(f)~~ (g) The commissioner must implement a review of the academic standards and related
 28.2 benchmarks in social studies beginning in the 2020-2021 school year and every ten years
 28.3 thereafter.

28.4 ~~(g)~~ (h) The commissioner must implement a review of the academic standards and related
 28.5 benchmarks in physical education beginning in the ~~2022-2023~~ 2026-2027 school year and
 28.6 every ten years thereafter.

28.7 ~~(h)~~ (i) School districts and charter schools must revise and align local academic standards
 28.8 and high school graduation requirements in health, world languages, and career and technical
 28.9 education to require students to complete the revised standards beginning in a school year
 28.10 determined by the school district or charter school. School districts and charter schools must
 28.11 formally establish a periodic review cycle for the academic standards and related benchmarks
 28.12 in health, world languages, and career and technical education.

28.13 Sec. 10. Minnesota Statutes 2020, section 120B.024, subdivision 1, is amended to read:

28.14 Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the~~
 28.15 ~~2011-2012 school year and later~~ must successfully complete the following high school level
 28.16 credits for graduation:

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

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

28.21 (3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade
 28.22 standards in mathematics. The credit does not bear high school credit;

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

28.27 (5) three and one-half credits of social studies, encompassing at least indigenous
 28.28 education, United States history, geography, government and citizenship, world history,
 28.29 and economics sufficient to satisfy all of the academic standards in social studies;

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

29.1 (7) one-half credit of physical education sufficient to satisfy all of the academic standards
 29.2 in physical education; and

29.3 ~~(7)~~ (8) a minimum of seven ~~six~~ and one-half elective credits.

29.4 (b) A school district is encouraged to offer a course for credit in government and
 29.5 citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year
 29.6 and later, that satisfies the government and citizenship requirement in paragraph (a), clause
 29.7 (5).

29.8 Sec. 11. Minnesota Statutes 2020, section 120B.11, subdivision 1, is amended to read:

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

29.11 (a) "Instruction" means methods of providing learning experiences that enable a student
 29.12 to meet state and district academic standards and graduation requirements including applied
 29.13 and experiential learning.

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

29.17 (c) "World's best workforce" means striving to: meet school readiness goals; have all
 29.18 third grade students achieve grade-level literacy; close the academic achievement gap among
 29.19 all racial and ethnic groups of students and between students living in poverty and students
 29.20 not living in poverty; have all students attain career and college readiness before graduating
 29.21 from high school; and have all students graduate from high school.

29.22 (d) "Experiential learning" means learning for students that includes career exploration
 29.23 through a specific class or course or through work-based experiences such as job shadowing,
 29.24 mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative
 29.25 work experience, youth apprenticeship, or employment.

29.26 (e) "Ethnic studies curriculum" means the critical and interdisciplinary study of race,
 29.27 ethnicity, and indigeneity with a focus on the experiences and perspectives of people of
 29.28 color within and beyond the United States. The ethnic studies curriculum may be integrated
 29.29 in existing curricular opportunities or provided through additional curricular offerings.

29.30 (f) "Anti-racist" means the active process of identifying and eliminating racism by
 29.31 changing systems, organizational structures, policies, practices, attitudes, and dispositions
 29.32 so that power and resources are redistributed and shared equitably.

30.1 (g) "Culturally sustaining" means integrating content and practices that infuse the culture
30.2 and language of Black, Indigenous, and People of Color communities who have been and
30.3 continue to be harmed and erased through schooling.

30.4 (h) "Institutional racism" means policies and practices within and across institutions that
30.5 produce outcomes that chronically favor white people and predictably disadvantage those
30.6 who are Black, Indigenous, and People of Color.

30.7 (i) "On track for graduation" means that at the end of grade 9, a student has earned at
30.8 least five credits and has received no more than one failing grade in a term in a language
30.9 arts, mathematics, science, or social studies course that fulfills a credit requirement under
30.10 section 120B.024. A student is off track for graduation if the student fails to meet either of
30.11 these criteria.

30.12 Sec. 12. Minnesota Statutes 2020, section 120B.11, subdivision 1a, is amended to read:

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

30.15 (1) the size of the academic achievement gap, rigorous course taking under section
30.16 120B.35, subdivision 3, paragraph (c), clause (2), participation in honors or gifted and
30.17 talented programming, and enrichment experiences by student subgroup;

30.18 (2) student performance on the Minnesota Comprehensive Assessments;

30.19 (3) high school graduation rates; ~~and~~

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

30.21 (5) the number and percentage of students, by student subgroup, who are on track for
30.22 graduation.

30.23 (b) A school district that offers advanced placement, international baccalaureate, or dual
30.24 enrollment programs must report on the following performance measures starting in the
30.25 2023-2024 school year:

30.26 (1) participation in postsecondary enrollment options and concurrent enrollment programs;

30.27 (2) the number of students who took an advanced placement exam and the number of
30.28 students who passed the exam; and

30.29 (3) the number of students who took the international baccalaureate exam and the number
30.30 of students who passed the exam.

31.1 (c) Performance measures under this subdivision must be reported for all student
31.2 subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2).

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

31.4 Sec. 13. Minnesota Statutes 2020, section 120B.11, subdivision 2, is amended to read:

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

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

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

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

31.24 (4) strategies for improving instruction, curriculum, and student achievement, including:
31.25 (i) the English and, where practicable, the native language development and the academic
31.26 achievement of English learners; and (ii) access to ethnic studies curriculum using culturally
31.27 responsive methodologies for all learners;

31.28 (5) a process to examine the equitable distribution of teachers and strategies to ensure
31.29 children from low-income and minority children families, families of color, and American
31.30 Indian families are not taught at higher rates than other children by inexperienced, ineffective,
31.31 or out-of-field teachers;

31.32 (6) education effectiveness practices that:

32.1 (i) integrate high-quality instruction, ~~rigorous curriculum~~, technology, and curriculum
 32.2 that is rigorous, accurate, anti-racist, and culturally sustaining;

32.3 (ii) ensure learning and work environments validate, affirm, embrace, and integrate
 32.4 cultural and community strengths for all students, families, and employees; and

32.5 (iii) provide a collaborative professional culture that ~~develops and supports~~ seeks to
 32.6 retain qualified, racially and ethnically diverse staff effective at working with diverse students
 32.7 while developing and supporting teacher quality, performance, and effectiveness; and

32.8 (7) an annual budget for continuing to implement the district plan; and

32.9 (8) identifying a list of suggested and required materials, resources, sample curricula,
 32.10 and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the
 32.11 diversity of the state of Minnesota.

32.12 **EFFECTIVE DATE.** This section is effective for all strategic plans reviewed and
 32.13 updated after the day following final enactment.

32.14 Sec. 14. Minnesota Statutes 2020, section 120B.11, subdivision 3, is amended to read:

32.15 Subd. 3. **District advisory committee.** Each school board ~~shall~~ must establish an advisory
 32.16 committee to ensure active community participation in all phases of planning and improving
 32.17 the instruction and curriculum affecting state and district academic standards, consistent
 32.18 with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~ must reflect
 32.19 the diversity of the district and its school sites, include teachers, parents, support staff,
 32.20 students, and other community residents, and provide translation to the extent appropriate
 32.21 and practicable. The district advisory committee ~~shall~~ must pursue community support to
 32.22 accelerate the academic and native literacy and achievement of English learners with varied
 32.23 needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and
 32.24 2a. The district may establish site teams as subcommittees of the district advisory committee
 32.25 under subdivision 4. The district advisory committee ~~shall~~ must recommend to the school
 32.26 board: rigorous academic standards; student achievement goals and measures consistent
 32.27 with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district
 32.28 assessments; means to improve students' equitable access to effective and more diverse
 32.29 teachers; strategies to ensure the curriculum is rigorous, accurate, anti-racist, and culturally
 32.30 sustaining; strategies to ensure that curriculum and learning and work environments validate,
 32.31 affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic
 32.32 groups; and program evaluations. School sites may expand upon district evaluations of

33.1 instruction, curriculum, assessments, or programs. Whenever possible, parents and other
33.2 community residents ~~shall~~ must comprise at least two-thirds of advisory committee members.

33.3 Sec. 15. **[120B.113] EQUITABLE SCHOOL ENHANCEMENT GRANTS.**

33.4 Subdivision 1. **Grant program established.** The commissioner of education must
33.5 establish a grant program to support implementation of world's best workforce strategies
33.6 under section 120B.11, subdivision 2, clauses (4) and (6), to support collaborative efforts
33.7 that address issues of curricular, environmental, and structural inequities in schools that
33.8 create opportunity and achievement gaps for students, families, and staff who are of color
33.9 or who are American Indian.

33.10 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
33.11 meanings given.

33.12 (b) "Anti-racist" means the active process of identifying and eliminating racism by
33.13 changing systems, organizational structures, policies, practices, attitudes, and dispositions
33.14 so that power and resources are redistributed and shared equitably.

33.15 (c) "Curricular" means curriculum resources used and content taught as well as access
33.16 to levels of coursework or types of learning opportunities.

33.17 (d) "Environmental" means relating to the climate and culture of a school.

33.18 (e) "Equitable" means fairness by providing curriculum, instruction, support, and other
33.19 resources for learning based on the needs of individual students and groups of students to
33.20 succeed at school rather than treating all students the same. Equitable schools close
33.21 opportunity and achievement gaps.

33.22 (f) "Institutional racism" means policies and practices within and across institutions that
33.23 produce outcomes that chronically favor white people and predictably disadvantage those
33.24 who are Black, Indigenous, and People of Color.

33.25 (g) "Structural" means relating to the organization and systems of a school that have
33.26 been created to manage a school.

33.27 Subd. 3. **Applications and grant awards.** The commissioner must determine application
33.28 procedures and deadlines, select schools to participate in the grant program, and determine
33.29 the award amount and payment process of the grants. To the extent that there are sufficient
33.30 applications, the commissioner must award an approximately equal number of grants between
33.31 districts in greater Minnesota and those in the Twin Cities metropolitan area. If there are

34.1 an insufficient number of applications received for either geographic area, the commissioner
 34.2 may award grants to meet the requests for funds wherever a district is located.

34.3 Subd. 4. **Description.** The grant program must provide funding that supports collaborative
 34.4 efforts that ensure school climate and curriculum incorporate equitable, anti-racist educational
 34.5 practices that:

34.6 (1) validate, affirm, embrace, and integrate cultural and community strengths of students,
 34.7 families, and employees from all racial and ethnic backgrounds; and

34.8 (2) address institutional racism with equitable school policies, structures, and practices,
 34.9 consistent with the requirements for long-term plans under section 124D.861, subdivision
 34.10 2, paragraph (c).

34.11 Subd. 5. **Report.** Grant recipients must annually report to the commissioner by a date
 34.12 and in a form and manner determined by the commissioner on efforts planned and
 34.13 implemented that engaged students, families, educators, and community members of diverse
 34.14 racial and ethnic backgrounds in making improvements to school climate and curriculum.
 34.15 The report must assess the impact of those efforts as perceived by racially and ethnically
 34.16 diverse stakeholders, and must identify any areas needed for further continuous improvement.
 34.17 The commissioner must publish a report for the public summarizing the activities of grant
 34.18 recipients and what was done to promote sharing of effective practices among grant recipients
 34.19 and potential grant applicants.

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

34.21 Sec. 16. Minnesota Statutes 2020, section 120B.132, is amended to read:

34.22 **120B.132 RAISED ACADEMIC ACHIEVEMENT; ADVANCED PLACEMENT**
 34.23 **AND INTERNATIONAL BACCALAUREATE PROGRAMS.**

34.24 Subdivision 1. **Establishment; eligibility.** (a) A program is established to raise
 34.25 kindergarten through grade 12 academic achievement through increased student participation
 34.26 in preadvanced placement, advanced placement, and international baccalaureate programs,
 34.27 consistent with section 120B.13. Schools and charter schools eligible to participate under
 34.28 this section:

34.29 ~~(1) must have a three-year plan approved by the local school board to establish a new~~
 34.30 ~~international baccalaureate program leading to international baccalaureate authorization,~~
 34.31 ~~expand an existing program that leads to international baccalaureate authorization, or expand~~
 34.32 ~~an existing authorized international baccalaureate program; or~~

35.1 ~~(2) must have a three-year plan approved by the local school board to create a new or~~
 35.2 ~~expand an existing program to implement the college board advanced placement courses~~
 35.3 ~~and exams or preadvanced placement initiative; and~~

35.4 ~~(3)~~ must propose to further raise students' academic achievement by:

35.5 ~~(i)~~ (1) increasing the availability of and all students' access to advanced placement or
 35.6 international baccalaureate courses or programs;

35.7 ~~(ii)~~ (2) expanding the breadth of advanced placement or international baccalaureate
 35.8 courses or programs that are available to students;

35.9 ~~(iii)~~ (3) increasing the number and the diversity of the students who participate in
 35.10 advanced placement or international baccalaureate courses or programs and succeed;

35.11 ~~(iv)~~ (4) providing low-income and other disadvantaged students with increased access
 35.12 to advanced placement or international baccalaureate courses and programs; or

35.13 ~~(v)~~ (5) increasing the number of high school students, including low-income and other
 35.14 disadvantaged students, who receive college credit by successfully completing advanced
 35.15 placement or international baccalaureate courses or programs and achieving satisfactory
 35.16 scores on related exams.

35.17 (b) Within 90 days of receiving a grant under this section, a school district or charter
 35.18 school must:

35.19 (1) adopt a three-year plan approved by the local school board to establish a new
 35.20 international baccalaureate program leading to international baccalaureate authorization,
 35.21 expand an existing program that leads to international baccalaureate authorization, or expand
 35.22 an existing authorized international baccalaureate program; or

35.23 (2) adopt a three-year plan approved by the local school board to create a new or expand
 35.24 an existing program to implement the college board advanced placement courses and exams
 35.25 or preadvanced placement initiative.

35.26 **Subd. 2. Application and review process; funding priority.** (a) Charter schools and
 35.27 school districts in which eligible schools under subdivision 1 are located may apply to the
 35.28 commissioner, in the form and manner the commissioner determines, for competitive funding
 35.29 to further raise students' academic achievement. The application must detail the specific
 35.30 efforts the applicant intends to undertake in further raising students' academic achievement,
 35.31 consistent with subdivision 1, and a proposed budget detailing the district or charter school's
 35.32 current and proposed expenditures for advanced placement, preadvanced placement, and
 35.33 international baccalaureate courses and programs. The proposed budget must demonstrate

36.1 that the applicant's efforts will support implementation of advanced placement, preadvanced
36.2 placement, and international baccalaureate courses and programs. Expenditures for
36.3 administration must not exceed five percent of the proposed budget. Priority for advanced
36.4 placement grants must be given to grantees who add or expand offerings of advanced
36.5 placement computer science principles. The commissioner may require an applicant to
36.6 provide additional information.

36.7 (b) When reviewing applications, the commissioner must determine whether the applicant
36.8 satisfied all the requirements in this subdivision and subdivision 1. The commissioner may
36.9 give funding priority to an otherwise qualified applicant that demonstrates:

36.10 (1) a focus on developing or expanding preadvanced placement, advanced placement,
36.11 or international baccalaureate courses or programs or increasing students' participation in,
36.12 access to, or success with the courses or programs, including the participation, access, or
36.13 success of low-income and other disadvantaged students;

36.14 (2) a compelling need for access to preadvanced placement, advanced placement, or
36.15 international baccalaureate courses or programs;

36.16 (3) an effective ability to actively involve local business and community organizations
36.17 in student activities that are integral to preadvanced placement, advanced placement, or
36.18 international baccalaureate courses or programs;

36.19 (4) access to additional public or nonpublic funds or in-kind contributions that are
36.20 available for preadvanced placement, advanced placement, or international baccalaureate
36.21 courses or programs;

36.22 (5) an intent to implement activities that target low-income and other disadvantaged
36.23 students; or

36.24 (6) an intent to increase the advanced placement and international baccalaureate course
36.25 offerings in science, technology, engineering, and math to low-income and other
36.26 disadvantaged students.

36.27 Subd. 3. **Funding; permissible funding uses.** (a) The commissioner shall award grants
36.28 to applicant school districts and charter schools that meet the requirements of subdivisions
36.29 1 and 2. The commissioner must award grants on an equitable geographical basis to the
36.30 extent feasible and consistent with this section. Grant awards must not exceed ~~the lesser of:~~

36.31 ~~(1) \$85 times the number of pupils enrolled at the participating sites on October 1 of the~~
36.32 ~~previous fiscal year;~~

37.1 ~~(2) the approved supplemental expenditures based on the budget submitted under~~
37.2 ~~subdivision 2. For charter schools in their first year of operation, the maximum funding~~
37.3 ~~award must be calculated using the number of pupils enrolled on October 1 of the current~~
37.4 ~~fiscal year. The commissioner may adjust the maximum funding award computed using~~
37.5 ~~prior year data for changes in enrollment attributable to school closings, school openings,~~
37.6 ~~grade level reconfigurations, or school district reorganizations between the prior fiscal year~~
37.7 ~~and the current fiscal year; or~~

37.8 ~~(3) \$150,000~~ \$75,000 per district or charter school.

37.9 (b) School districts and charter schools that submit an application and receive funding
37.10 under this section must use the funding, consistent with the application, to:

37.11 (1) provide teacher training and instruction to more effectively serve students, including
37.12 low-income and other disadvantaged students, who participate in preadvanced placement,
37.13 advanced placement, or international baccalaureate courses or programs;

37.14 (2) further develop preadvanced placement, advanced placement, or international
37.15 baccalaureate courses or programs;

37.16 (3) improve the transition between grade levels to better prepare students, including
37.17 low-income and other disadvantaged students, for succeeding in preadvanced placement,
37.18 advanced placement, or international baccalaureate courses or programs;

37.19 (4) purchase books and supplies;

37.20 (5) pay course or program fees;

37.21 (6) increase students' participation in and success with preadvanced placement, advanced
37.22 placement, or international baccalaureate courses or programs;

37.23 (7) expand students' access to preadvanced placement, advanced placement, or
37.24 international baccalaureate courses or programs through online learning;

37.25 (8) hire appropriately licensed personnel to teach additional advanced placement or
37.26 international baccalaureate courses or programs; or

37.27 (9) engage in other activities to expand low-income or disadvantaged students' access
37.28 to, participation in, and success with preadvanced placement, advanced placement, or
37.29 international baccalaureate courses or programs. Other activities may include but are not
37.30 limited to preparing and disseminating promotional materials to low-income and other
37.31 disadvantaged students and their families.

38.1 Subd. 4. **Grants; annual reports.** (a) Each school district and charter school that receives
 38.2 a grant under this section annually must collect demographic and other student data to
 38.3 demonstrate and measure the extent to which the district or charter school raised students'
 38.4 academic achievement under this program and must report the data to the commissioner in
 38.5 the form and manner the commissioner determines. The commissioner annually by February
 38.6 15 must make summary data about this program available to the education policy and finance
 38.7 committees of the legislature.

38.8 (b) Each school district and charter school that receives a grant under this section annually
 38.9 must report to the commissioner, consistent with the Uniform Financial Accounting and
 38.10 Reporting Standards, its actual expenditures for advanced placement, preadvanced placement,
 38.11 and international baccalaureate courses and programs. The report must demonstrate that
 38.12 the school district or charter school has maintained its effort from other sources for advanced
 38.13 placement, preadvanced placement, and international baccalaureate courses and programs
 38.14 compared with the previous fiscal year, and the district or charter school has expended all
 38.15 grant funds, consistent with its approved budget.

38.16 (c) Notwithstanding any law to the contrary, a grant under this section is available for
 38.17 three years from the date of the grant if the district or charter school meets the annual
 38.18 benchmarks in its plan under subdivision 1.

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

38.20 Sec. 17. Minnesota Statutes 2020, section 120B.15, is amended to read:

38.21 **120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS AND SERVICES.**

38.22 (a) School districts may identify students, locally develop programs and services
 38.23 addressing instructional and affective needs, provide staff development, and evaluate
 38.24 programs and services to provide gifted and talented students with challenging and
 38.25 appropriate educational programs and services.

38.26 (b) School districts must adopt guidelines for assessing and identifying students for
 38.27 participation in gifted and talented programs and services consistent with section 120B.11,
 38.28 subdivision 2, clause (2). The guidelines should include the use of:

38.29 (1) multiple and objective criteria; and

38.30 (2) assessments and procedures that are valid and reliable, fair, and based on current
 38.31 theory and research. Assessments and procedures ~~should~~ must be sensitive and equitable
 38.32 to underrepresented groups, including, but not limited to, low-income students, ~~minority~~
 38.33 students of color and American Indian students, twice-exceptional students, students with

39.1 section 504 plans, and English learners. Assessments and procedures must be coordinated
39.2 to allow for optimal identification of programs and services for underrepresented groups.

39.3 (c) School districts must adopt procedures for the academic acceleration of gifted and
39.4 talented students consistent with section 120B.11, subdivision 2, clause (2). These procedures
39.5 must include how the district will:

39.6 (1) assess a student's readiness and motivation for acceleration; and

39.7 (2) match the level, complexity, and pace of the curriculum to a student to achieve the
39.8 best type of academic acceleration for that student.

39.9 (d) School districts must adopt procedures consistent with section 124D.02, subdivision
39.10 1, for early admission to kindergarten or first grade of gifted and talented learners consistent
39.11 with section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to
39.12 underrepresented groups.

39.13 **Sec. 18. [120B.17] IMPLEMENTATION OF INDIGENOUS EDUCATION FOR**
39.14 **ALL CURRICULUM.**

39.15 (a) Any district with a school identified for support under the federal Elementary and
39.16 Secondary Education Act, and any district identified under World's Best Workforce as
39.17 needing support and improvement, must:

39.18 (1) as a part of their needs assessment, assess the quality of implementation of indigenous
39.19 education for all in the school or district;

39.20 (2) include any proposed changes, additions, or enhancements to the implementation of
39.21 indigenous education for all in their school or district improvement plan;

39.22 (3) ensure that indigenous curriculum is included in plans and activities in years two
39.23 and three for schools and districts identified for improvement plans;

39.24 (4) engage tribal nations and indigenous families in the planning and implementation
39.25 of improvement plans in schools and districts when a school or district has ten or more
39.26 American Indian students; and

39.27 (5) provide evidence that implementation factors have been completed.

39.28 (b) The Department of Education must:

39.29 (1) provide monitoring and auditing personnel to coordinate within the department and
39.30 with all indigenous education for all programs in districts and schools;

39.31 (2) provide professional development to teachers instituting indigenous curriculum;

40.1 (3) provide monitoring of high-quality curriculum materials and teaching practices
40.2 regarding tribal history, culture, and government of local tribes for mutual awareness between
40.3 tribes and districts and understanding the importance of accurate and tribally endorsed
40.4 curriculum;

40.5 (4) provide ongoing support to all schools and districts on curricula and best teaching
40.6 practices and to school boards to identify and adopt curriculum that includes tribal
40.7 experiences and perspectives to engage indigenous students and ensure that all students
40.8 learn about the history, culture, government, and experiences of their indigenous peers and
40.9 neighbors;

40.10 (5) refer noncompliance with indigenous curriculum requirements to the Department of
40.11 Human Rights;

40.12 (6) by December 1, 2022, and every two years thereafter, report to the commissioner of
40.13 education regarding the progress made in the development of effective
40.14 government-to-government relations, narrowing of the achievement gap, and identification
40.15 and adoption of curriculum including tribal history, culture, and government. The report
40.16 must include information about the adoption of curriculum regarding tribal history, culture,
40.17 and government, and must address any obstacles encountered and any strategies being
40.18 developed to overcome the obstacles; and

40.19 (7) publicly submit the report to the chairs and ranking minority members of the
40.20 legislative committees having jurisdiction over education and to Minnesota's tribal leaders,
40.21 including the Tribal National Education Committee, the Minnesota Chippewa Tribe, and
40.22 the Minnesota Indian Affairs Council.

40.23 Sec. 19. Minnesota Statutes 2020, section 120B.30, subdivision 1a, is amended to read:

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

40.26 ~~(1) "Computer adaptive assessments" means fully adaptive assessments.~~

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

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

40.31 ~~(4) "Above-grade level" test items contain subject area content that is above the grade~~
40.32 ~~level of the student taking the assessment and is considered aligned with state academic~~

41.1 ~~standards to the extent it is aligned with content represented in state academic standards~~
41.2 ~~above the grade level of the student taking the assessment. Notwithstanding the student's~~
41.3 ~~grade level, administering above-grade level test items to a student does not violate the~~
41.4 ~~requirement that state assessments must be aligned with state standards.~~

41.5 ~~(5) "Below-grade level" test items contain subject area content that is below the grade~~
41.6 ~~level of the student taking the test and is considered aligned with state academic standards~~
41.7 ~~to the extent it is aligned with content represented in state academic standards below the~~
41.8 ~~student's current grade level. Notwithstanding the student's grade level, administering~~
41.9 ~~below-grade level test items to a student does not violate the requirement that state~~
41.10 ~~assessments must be aligned with state standards.~~

41.11 ~~(b) The commissioner must use fully adaptive mathematics and reading assessments for~~
41.12 ~~grades 3 through 8.~~

41.13 ~~(e) (a)~~ For purposes of conforming with existing federal educational accountability
41.14 requirements, the commissioner must develop and implement computer-adaptive reading
41.15 and mathematics assessments for grades 3 through 8, state-developed high school reading
41.16 and mathematics tests aligned with state academic standards, a high school writing test
41.17 aligned with state standards when it becomes available, and science assessments under
41.18 clause (2) that districts and sites must use to monitor student growth toward achieving those
41.19 standards. The commissioner must not develop statewide assessments for academic standards
41.20 in social studies, health and physical education, and the arts. The commissioner must require:

41.21 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through
41.22 8, and high school reading, writing, and mathematics tests; and

41.23 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades
41.24 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the
41.25 commissioner must not require students to achieve a passing score on high school science
41.26 assessments as a condition of receiving a high school diploma.

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

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

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

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

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

42.9 ~~(e)~~ (c) The commissioner must ensure that all state tests administered to elementary and
42.10 secondary students measure students' academic knowledge and skills and not students'
42.11 values, attitudes, and beliefs.

42.12 ~~(f)~~ (d) Reporting of state assessment results must:

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

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

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

42.17 ~~(g)~~ (e) Consistent with applicable federal law, the commissioner must include appropriate,
42.18 technically sound accommodations or alternative assessments for the very few students with
42.19 disabilities for whom statewide assessments are inappropriate and for English learners.

42.20 ~~(h)~~ (f) A school, school district, and charter school must administer statewide assessments
42.21 under this section, as the assessments become available, to evaluate student progress toward
42.22 career and college readiness in the context of the state's academic standards. A school,
42.23 school district, or charter school may use a student's performance on a statewide assessment
42.24 as one of multiple criteria to determine grade promotion or retention. A school, school
42.25 district, or charter school may use a high school student's performance on a statewide
42.26 assessment as a percentage of the student's final grade in a course, or place a student's
42.27 assessment score on the student's transcript.

42.28 Sec. 20. Minnesota Statutes 2020, section 120B.30, is amended by adding a subdivision
42.29 to read:

42.30 Subd. 7. Remote testing. The commissioner must develop and publish security and
42.31 privacy policies and procedures for students and educators to support remote testing.

43.1 Sec. 21. Minnesota Statutes 2020, section 120B.30, is amended by adding a subdivision
43.2 to read:

43.3 Subd. 8. **National and international education comparisons.** Each public district and
43.4 school selected to participate in the national assessment of educational progress must do so
43.5 pursuant to United States Code, title 20, section 6312(c)(2), as in effect on December 10,
43.6 2015, or similar national or international assessments, both for the national sample and for
43.7 any state-by-state comparison programs that may be initiated, as directed by the
43.8 commissioner. The assessments must be conducted using the data collection procedures,
43.9 student surveys, educator surveys, and other instruments included in the National Assessment
43.10 of Educational Progress or similar national or international assessments being administered
43.11 in Minnesota. The administration of the assessments must be in addition to and separate
43.12 from the administration of the statewide, standardized assessments.

43.13 Sec. 22. Minnesota Statutes 2020, section 120B.35, subdivision 3, is amended to read:

43.14 Subd. 3. **State growth target; other state measures.** (a)(1) The state's educational
43.15 assessment system measuring individual students' educational growth is based on indicators
43.16 of achievement growth that show an individual student's prior achievement. Indicators of
43.17 achievement and prior achievement must be based on highly reliable statewide or districtwide
43.18 assessments.

43.19 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and
43.20 report, as soon as practicable, separate categories of information using the student categories
43.21 identified under the federal Elementary and Secondary Education Act, as most recently
43.22 reauthorized, and, in addition to "other" for each race and ethnicity, and the Karen
43.23 community, seven of the most populous Asian ~~and Pacific Islander~~ groups, three of the most
43.24 populous Native groups, seven of the most populous Hispanic/Latino groups, and five of
43.25 the most populous Black and African Heritage groups ~~as determined by the total Minnesota~~
43.26 ~~population based on the most recent American Community Survey~~; These groups must be
43.27 determined by a ten-year cycle using the American Community Survey of the total Minnesota
43.28 population. The determination must be based on the most recent five-year dataset starting
43.29 with the 2021-2025 dataset. Additional categories must include English learners under
43.30 section 124D.59; home language; free or reduced-price lunch; and all students enrolled in
43.31 a Minnesota public school who are currently or were previously in foster care, except that
43.32 such disaggregation and cross tabulation is not required if the number of students in a
43.33 category is insufficient to yield statistically reliable information or the results would reveal
43.34 personally identifiable information about an individual student.

44.1 (b) The commissioner, in consultation with a stakeholder group that includes assessment
44.2 and evaluation directors, district staff, experts in culturally responsive teaching, and
44.3 researchers, must implement a growth model that compares the difference in students'
44.4 achievement scores over time, and includes criteria for identifying schools and school
44.5 districts that demonstrate academic progress. The model may be used to advance educators'
44.6 professional development and replicate programs that succeed in meeting students' diverse
44.7 learning needs. Data on individual teachers generated under the model are personnel data
44.8 under section 13.43. The model must allow users to:

44.9 (1) report student growth consistent with this paragraph; and

44.10 (2) for all student categories, report and compare aggregated and disaggregated state
44.11 student growth and, under section 120B.11, subdivision 2, clause (2), student learning and
44.12 outcome data using the student categories identified under the federal Elementary and
44.13 Secondary Education Act, as most recently reauthorized, and other student categories under
44.14 paragraph (a), clause (2).

44.15 The commissioner must report measures of student growth and, under section 120B.11,
44.16 subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph,
44.17 including the English language development, academic progress, and oral academic
44.18 development of English learners and their native language development if the native language
44.19 is used as a language of instruction, and include data on all pupils enrolled in a Minnesota
44.20 public school course or program who are currently or were previously counted as an English
44.21 learner under section 124D.59.

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

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

44.31 (2) a rigorous coursework measure indicating the number and percentage of high school
44.32 graduates in the most recent school year who successfully completed one or more
44.33 college-level advanced placement, international baccalaureate, postsecondary enrollment

45.1 options including concurrent enrollment, other rigorous courses of study under section
45.2 120B.021, subdivision 1a, or industry certification courses or programs.

45.3 When reporting the core measures under clauses (1) and (2), the commissioner must also
45.4 analyze and report separate categories of information using the student categories identified
45.5 under the federal Elementary and Secondary Education Act, as most recently reauthorized,
45.6 and other student categories under paragraph (a), clause (2).

45.7 (d) When reporting student performance under section 120B.36, subdivision 1, the
45.8 commissioner annually, beginning July 1, 2014, must report summary data on school safety
45.9 and students' engagement and connection at school, consistent with the student categories
45.10 identified under paragraph (a), clause (2). The summary data under this paragraph are
45.11 separate from and must not be used for any purpose related to measuring or evaluating the
45.12 performance of classroom teachers. The commissioner, in consultation with qualified experts
45.13 on student engagement and connection and classroom teachers, must identify highly reliable
45.14 variables that generate summary data under this paragraph. The summary data may be used
45.15 at school, district, and state levels only. Any data on individuals received, collected, or
45.16 created that are used to generate the summary data under this paragraph are nonpublic data
45.17 under section 13.02, subdivision 9.

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

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

45.24 (2) the percent of students under this paragraph whose progress and performance levels
45.25 are meeting career and college readiness benchmarks under section 120B.30, subdivision
45.26 1; and

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

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

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

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

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

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

46.3 (f) The commissioner, in consultation with recognized experts with knowledge and
46.4 experience in assessing the language proficiency and academic performance of all English
46.5 learners enrolled in a Minnesota public school course or program who are currently or were
46.6 previously counted as an English learner under section 124D.59, must identify and report
46.7 appropriate and effective measures to improve current categories of language difficulty and
46.8 assessments, and monitor and report data on students' English proficiency levels, program
46.9 placement, and academic language development, including oral academic language.

46.10 (g) When reporting four- and six-year graduation rates, the commissioner or school
46.11 district must disaggregate the data by student categories according to paragraph (a), clause
46.12 (2).

46.13 (h) A school district must inform parents and guardians that volunteering information
46.14 on student categories not required by the most recent reauthorization of the Elementary and
46.15 Secondary Education Act is optional and will not violate the privacy of students or their
46.16 families, parents, or guardians. The notice must state the purpose for collecting the student
46.17 data.

46.18 **EFFECTIVE DATE.** This section is effective the day following final enactment. The
46.19 next update to the data used to determine the most populous groups must be implemented
46.20 in 2026 using the 2021-2025 dataset.

46.21 Sec. 23. Minnesota Statutes 2020, section 120B.35, subdivision 4, is amended to read:

46.22 Subd. 4. **Improving schools.** Consistent with the requirements of this section, ~~beginning~~
46.23 ~~June 20, 2012,~~ the commissioner of education must annually report to the public and the
46.24 legislature best practices implemented in those schools that are identified as high performing
46.25 ~~under federal expectations.~~

46.26 Sec. 24. **[121A.041] AMERICAN INDIAN MASCOTS PROHIBITED.**

46.27 Subdivision 1. **Prohibition.** (a) A public school may not have or adopt a name, symbol,
46.28 or image that depicts or refers to an American Indian Tribe, individual, custom, or tradition
46.29 to be used as a mascot, nickname, logo, letterhead, or team name of the district or school
46.30 within the district.

46.31 (b) A public school may seek an exemption to paragraph (a) by submitting a request in
46.32 writing to the Tribal Nations Education Committee and the Indian Affairs Council, which

47.1 jointly shall have discretion to grant such an exemption. A public school that has a mascot
47.2 prohibited by this section must request an exemption by January 1, 2022.

47.3 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
47.4 meanings given.

47.5 (b) "American Indian" means an individual who is:

47.6 (1) a member of an Indian Tribe or band, as membership is defined by the Tribe or band,
47.7 including:

47.8 (i) any Tribe or band terminated since 1940; and

47.9 (ii) any Tribe or band recognized by the state in which the Tribe or band resides;

47.10 (2) a descendant, in the first or second degree, of an individual described in clause (1);

47.11 (3) considered by the Secretary of the Interior to be an Indian for any purpose;

47.12 (4) an Eskimo, Aleut, or other Alaska Native; or

47.13 (5) a member of an organized Indian group that received a grant under the Indian

47.14 Education Act of 1988 as in effect the day preceding October 20, 1994.

47.15 (c) "District" means a district under section 120A.05, subdivision 8.

47.16 (d) "Mascot" means any human, nonhuman animal, or object used to represent a school
47.17 and its population.

47.18 (e) "Public school" or "school" means a public school under section 120A.05, subdivisions
47.19 9, 11, 13, and 17, and a charter school under chapter 124E.

47.20 Sec. 25. Minnesota Statutes 2020, section 121A.41, subdivision 10, is amended to read:

47.21 Subd. 10. **Suspension.** (a) "In-school suspension" means an instance in which a pupil
47.22 is temporarily removed from the pupil's regular classroom for at least half a day for
47.23 disciplinary purposes but remains under the direct supervision of school personnel. Direct
47.24 supervision means school personnel are physically present in the same location as the pupil
47.25 under supervision.

47.26 (b) "Out-of-school suspension" means an action by the school administration, under
47.27 rules promulgated by the school board, prohibiting a pupil from attending school for a period
47.28 of no more than ten school days. If a suspension is longer than five days, the suspending
47.29 administrator must provide the superintendent with a reason for the longer suspension. This
47.30 definition does not apply to dismissal from school for ~~one school day or less~~ than one school
47.31 day, except as provided in federal law for a student with a disability. Each suspension action

48.1 ~~may~~ must include a readmission plan. The readmission plan shall include, where appropriate,
48.2 a provision for implementing alternative educational services upon readmission and may
48.3 not be used to extend the current suspension. Consistent with section 125A.091, subdivision
48.4 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication
48.5 for the parent's child as a condition of readmission. The school administration may not
48.6 impose consecutive suspensions against the same pupil for the same course of conduct, or
48.7 incident of misconduct, except where the pupil will create an immediate and substantial
48.8 danger to self or to surrounding persons or property, or where the district is in the process
48.9 of initiating an expulsion, in which case the school administration may extend the suspension
48.10 to a total of 15 school days.

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

48.12 Sec. 26. Minnesota Statutes 2020, section 121A.41, is amended by adding a subdivision
48.13 to read:

48.14 **Subd. 12. Nonexclusionary disciplinary policies and practices; alternatives to pupil**
48.15 **removal and dismissal.** "Nonexclusionary disciplinary policies and practices" means
48.16 policies and practices that are alternatives to removing a pupil from class or dismissing a
48.17 pupil from school, including evidence-based positive behavior interventions and supports,
48.18 social and emotional services, school-linked mental health services, counseling services,
48.19 social work services, referrals for special education or section 504 evaluations, academic
48.20 screening for title one services or reading interventions, and alternative education services.
48.21 Nonexclusionary disciplinary policies and practices require school officials to intervene in,
48.22 redirect, and support a pupil's behavior before removing a pupil from class or beginning
48.23 dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are
48.24 not limited to the policies and practices under sections 120B.12; 121A.031, subdivision 4,
48.25 paragraph (a), clause (1); 121A.575, clauses (1) and (2); 121A.61, subdivision 3, paragraph
48.26 (p); and 122A.627, clause (3).

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

48.28 Sec. 27. Minnesota Statutes 2020, section 121A.41, is amended by adding a subdivision
48.29 to read:

48.30 **Subd. 13. Pupil withdrawal agreement.** "Pupil withdrawal agreement" means a verbal
48.31 or written agreement between a school or district administrator and a pupil's parent to
48.32 withdraw a student from the school district to avoid expulsion or exclusion dismissal
48.33 proceedings. A pupil withdrawal agreement expires at the end of a 12-month period.

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

49.2 Sec. 28. Minnesota Statutes 2020, section 121A.425, is amended to read:

49.3 **121A.425 FULL AND EQUITABLE PARTICIPATION IN ~~PRESCHOOL AND~~**
49.4 **PREKINDERGARTEN EARLY LEARNING.**

49.5 Subdivision 1. **Disciplinary dismissals prohibited.** (a) A pupil enrolled in the following
49.6 is not subject to dismissals under this chapter:

49.7 (1) a preschool or prekindergarten program, including ~~a child participating in early~~
49.8 childhood family education, school readiness, school readiness plus, voluntary
49.9 prekindergarten, Head Start, or other school-based preschool or prekindergarten program;
49.10 ~~may not be subject to dismissals under this chapter; or~~

49.11 (2) kindergarten through grade 3.

49.12 (b) Notwithstanding this subdivision, expulsions and exclusions may be used only after
49.13 resources outlined in subdivision 2 have been exhausted, and only in circumstances where
49.14 there is an ongoing serious safety threat to the child or others.

49.15 Subd. 2. **Nonexclusionary discipline.** For purposes of this section, nonexclusionary
49.16 discipline must include at least one of the following:

49.17 (1) collaborating with the pupil's family or guardian, child mental health consultant or
49.18 provider, education specialist, or other community-based support;

49.19 (2) creating a plan, written with the parent or guardian, that details the action and support
49.20 needed for the pupil to fully participate in the current educational program, including a
49.21 preschool or prekindergarten program; or

49.22 (3) providing a referral for needed support services, including parenting education, home
49.23 visits, other supportive education interventions, or, where appropriate, an evaluation to
49.24 determine if the pupil is eligible for special education services or section 504 services.

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

49.26 Sec. 29. Minnesota Statutes 2020, section 121A.45, subdivision 1, is amended to read:

49.27 Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil
49.28 without attempting to ~~provide alternative educational services~~ use nonexclusionary
49.29 disciplinary policies and practices before dismissal proceedings or pupil withdrawal
49.30 agreements, except where it appears that the pupil will create an immediate and substantial
49.31 danger to self or to surrounding persons or property.

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

50.2 Sec. 30. Minnesota Statutes 2020, section 121A.46, subdivision 4, is amended to read:

50.3 Subd. 4. **Suspension pending expulsion or exclusion hearing.** Notwithstanding the
50.4 provisions of subdivisions 1 and 3, the pupil may be suspended pending the school board's
50.5 decision in the expulsion or exclusion hearing; provided that alternative educational services
50.6 are implemented to the extent that suspension exceeds five consecutive school days.

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

50.8 Sec. 31. Minnesota Statutes 2020, section 121A.46, is amended by adding a subdivision
50.9 to read:

50.10 Subd. 5. **Student suspensions exceeding five consecutive school days.** A school
50.11 administrator must ensure that alternative educational services are provided when a pupil
50.12 is suspended for more than five consecutive school days.

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

50.14 Sec. 32. Minnesota Statutes 2020, section 121A.46, is amended by adding a subdivision
50.15 to read:

50.16 Subd. 6. **Minimum education services.** School officials must give a suspended pupil
50.17 the opportunity to complete all school work assigned during the period of the pupil's
50.18 suspension and to receive full credit for satisfactorily completing the assignments. The
50.19 school principal or other person having administrative control of the school building or
50.20 program is encouraged to designate a district or school employee as a liaison to work with
50.21 the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and
50.22 other information, and (2) complete all school work assignments and receive teachers'
50.23 feedback.

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

50.25 Sec. 33. Minnesota Statutes 2020, section 121A.47, subdivision 2, is amended to read:

50.26 Subd. 2. **Written notice.** Written notice of intent to take action shall:

50.27 (a) be served upon the pupil and the pupil's parent or guardian personally or by mail;

50.28 (b) contain a complete statement of the facts, a list of the witnesses and a description of
50.29 their testimony;

- 51.1 (c) state the date, time, and place of the hearing;
- 51.2 (d) be accompanied by a copy of sections 121A.40 to 121A.56;
- 51.3 (e) describe ~~alternative educational services~~ the nonexclusionary disciplinary policies
- 51.4 and practices accorded the pupil in an attempt to avoid the expulsion proceedings; and
- 51.5 (f) inform the pupil and parent or guardian of the right to:
- 51.6 (1) have a representative of the pupil's own choosing, including legal counsel, at the
- 51.7 hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost
- 51.8 legal assistance may be available and that a legal assistance resource list is available from
- 51.9 the Department of Education and is posted on the department's website;
- 51.10 (2) examine the pupil's records before the hearing;
- 51.11 (3) present evidence; and
- 51.12 (4) confront and cross-examine witnesses.

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

51.14 Sec. 34. Minnesota Statutes 2020, section 121A.47, subdivision 14, is amended to read:

51.15 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare

51.16 and enforce an admission or readmission plan for any pupil who is excluded or expelled

51.17 from school. The plan ~~may~~ must include measures to improve the pupil's behavior, ~~including~~

51.18 which may include completing a character education program; consistent with section

51.19 120B.232, subdivision 1, ~~and~~ social and emotional learning, counseling, social work services,

51.20 mental health services, referrals for special education or section 504 evaluation, and

51.21 evidence-based academic interventions. The plan must require parental involvement in the

51.22 admission or readmission process, and may indicate the consequences to the pupil of not

51.23 improving the pupil's behavior.

51.24 (b) The definition of suspension under section 121A.41, subdivision 10, does not apply

51.25 to a student's dismissal from school for ~~one school day or less~~ than one school day, except

51.26 as provided under federal law for a student with a disability. Each suspension action may

51.27 include a readmission plan. A readmission plan must provide, where appropriate, alternative

51.28 education services, which must not be used to extend the student's current suspension period.

51.29 Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a

51.30 parent or guardian to provide psychotropic drugs to their student as a condition of

51.31 readmission. School officials must not use the refusal of a parent or guardian to consent to

51.32 the administration of psychotropic drugs to their student or to consent to a psychiatric

52.1 evaluation, screening or examination of the student as a ground, by itself, to prohibit the
 52.2 student from attending class or participating in a school-related activity, or as a basis of a
 52.3 charge of child abuse, child neglect or medical or educational neglect.

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

52.5 Sec. 35. Minnesota Statutes 2020, section 121A.53, subdivision 1, is amended to read:

52.6 Subdivision 1. **Exclusions and expulsions; student withdrawals; and physical**
 52.7 **assaults.** Consistent with subdivision 2, the school board must report through the department
 52.8 electronic reporting system each exclusion or expulsion ~~and,~~ each physical assault of a
 52.9 district employee by a ~~student~~ pupil, and each pupil withdrawal agreement within 30 days
 52.10 of the effective date of the dismissal action, pupil withdrawal, or assault to the commissioner
 52.11 of education. This report must include a statement of ~~alternative educational services~~
 52.12 nonexclusionary disciplinary practices, or other sanction, intervention, or resolution in
 52.13 response to the assault given the pupil and the reason for, the effective date, and the duration
 52.14 of the exclusion or expulsion or other sanction, intervention, or resolution. The report must
 52.15 also include the ~~student's~~ pupil's age, grade, gender, race, and special education status.

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

52.17 Sec. 36. Minnesota Statutes 2020, section 121A.55, is amended to read:

52.18 **121A.55 POLICIES TO BE ESTABLISHED.**

52.19 (a) The commissioner of education shall promulgate guidelines including guidance on
 52.20 how to appropriately and equitably engage stakeholders to review and revise discipline
 52.21 policies that are restorative and responsive to assist each school board. Each school board
 52.22 ~~shall~~ must establish uniform criteria for dismissal and adopt written policies and rules to
 52.23 effectuate the purposes of sections 121A.40 to 121A.56. The policies ~~shall~~ must include
 52.24 nonexclusionary disciplinary policies and practices consistent with section 121A.41,
 52.25 subdivision 12, and emphasize preventing dismissals through early and individual detection
 52.26 of problems and shall needs and providing the necessary multitiered supports to meet
 52.27 students' needs. The policies must be designed to ~~address~~ prevent students' inappropriate
 52.28 behavior from recurring.

52.29 (b) The policies ~~shall~~ must recognize the school's continuing responsibility ~~of the school~~
 52.30 for the education of the pupil during the dismissal period.

52.31 (1) A school is responsible for ensuring that the alternative educational services, if the
 52.32 pupil wishes to take advantage of them, provided to a pupil must be adequate to allow the

53.1 pupil to make progress ~~towards~~ toward meeting the graduation standards adopted under
 53.2 section 120B.02 and help prepare the pupil for readmission, and are in accordance with
 53.3 section 121A.46, subdivision 5.

53.4 (2) For expulsions and exclusionary dismissals, as well as for pupil withdrawal
 53.5 agreements as defined in section 121A.41, subdivision 13:

53.6 (i) A school district's continuing responsibility includes reviewing the pupil's school
 53.7 work and grades on a quarterly basis to ensure the pupil is on track for readmission with
 53.8 the pupil's peers. A school district must communicate on a regular basis with the pupil's
 53.9 parent to ensure the pupil is completing the work assigned through the alternative educational
 53.10 services.

53.11 (ii) Nothing in this section prohibits a school-linked mental health provider from
 53.12 continuing to provide services after the student enrolls in a new school district.

53.13 (iii) A school district must provide to the pupil's parent or guardian information on how
 53.14 to access mental health services, including a list of any free or sliding fee providers in the
 53.15 community. The information must also be posted on the district or charter school website.

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

53.20 ~~(e)~~ (d) Each school district shall develop a policy and report it to the commissioner on
 53.21 the appropriate use of peace officers and crisis teams to remove students who have an
 53.22 individualized education program from school grounds.

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

53.24 Sec. 37. Minnesota Statutes 2020, section 121A.58, is amended to read:

53.25 **121A.58 CORPORAL PUNISHMENT.**

53.26 Subdivision 1. **Definition.** (a) For the purpose of this section, "corporal punishment"
 53.27 means conduct involving:

53.28 (1) hitting or spanking a person with or without an object; or

53.29 (2) unreasonable physical force that causes bodily harm or substantial emotional harm.

53.30 (b) For the purposes of this section, "prone restraint" means placing a pupil in a face-down
 53.31 position.

54.1 Subd. 2. **Corporal punishment not allowed.** An employee or agent of a district shall
 54.2 not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil
 54.3 to reform unacceptable conduct or as a penalty for unacceptable conduct.

54.4 Subd. 2a. **Prone restraint not allowed.** An employee or agent of a district, including a
 54.5 school resource officer or police officer contracted with the district, must not inflict prone
 54.6 restraint or cause prone restraint to be inflicted upon a pupil to reform unacceptable conduct
 54.7 or as a penalty for unacceptable conduct. Further, an employee or agent of a district, including
 54.8 a school resource officer or police officer contracted with the district, must not inflict any
 54.9 form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or
 54.10 impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's
 54.11 head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in
 54.12 straddling a pupil's torso.

54.13 Subd. 3. **Violation.** Conduct that violates subdivision 2 or 2a is not a crime under section
 54.14 645.241, but may be a crime under chapter 609 if the conduct violates a provision of chapter
 54.15 609.

54.16 Sec. 38. Minnesota Statutes 2020, section 121A.61, is amended to read:

54.17 **121A.61 DISCIPLINE AND REMOVAL OF STUDENTS FROM CLASS.**

54.18 Subdivision 1. **Required policy.** Each school board must adopt, and annually review
 54.19 and revise, a written districtwide school discipline policy which includes ~~written rules a~~
 54.20 student code of conduct for students, minimum consequences for violations of the rules,
 54.21 and grounds and procedures for removal of a student from class and parameters for when
 54.22 input into discipline decisions by all those involved in an incident is allowed. The policy
 54.23 must be developed in consultation with administrators, teachers, employees, pupils, parents,
 54.24 community members, law enforcement agencies, county attorney offices, social service
 54.25 agencies, and such other individuals or organizations as the board determines appropriate.
 54.26 A school site council may adopt additional provisions to the policy subject to the approval
 54.27 of the school board.

54.28 Subd. 2. **Grounds for removal from class.** The policy must establish the various grounds
 54.29 for which a student may be removed from a class in the district for a period of time under
 54.30 the procedures specified in the policy. The policy must include a procedure for notifying
 54.31 and meeting with a student's parent or guardian to discuss the problem that is causing the
 54.32 student to be removed from class after the student has been removed from class more than
 54.33 ten times in one school year. The grounds in the policy must ~~include at least the following~~

55.1 ~~provisions as well as other grounds determined appropriate by the board:~~ at least include
55.2 provisions pertaining to addressing

55.3 ~~(a) willful conduct that significantly disrupts the rights of others to an education, including~~
55.4 ~~conduct that interferes with a teacher's ability to teach or communicate effectively with~~
55.5 ~~students in a class or with the ability of other students to learn;~~

55.6 ~~(b) willful conduct that endangers surrounding persons, including school district~~
55.7 ~~employees, the student or other students, or the property of the school; and~~

55.8 ~~(c) willful violation of any rule of conduct specified in the discipline policy adopted by~~
55.9 ~~the board.~~

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

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

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

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

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

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

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

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

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

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

55.27 (j) any procedures determined appropriate for encouraging early detection of behavioral
55.28 problems;

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

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

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

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

56.7 ~~(o)~~ (n) procedures for ~~immediate~~ timely and appropriate interventions tied to violations
 56.8 of the code;

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

56.12 ~~(q)~~ (p) an agreement regarding procedures to coordinate crisis services to the extent
 56.13 funds are available with the county board responsible for implementing sections 245.487
 56.14 to 245.4889 for students with a serious emotional disturbance or other students who have
 56.15 an individualized education program whose behavior may be addressed by crisis intervention;
 56.16 ~~and~~

56.17 ~~(r)~~ (q) a provision that states a student must be removed from class immediately if the
 56.18 student engages in assault or violent behavior. For purposes of this paragraph, "assault" has
 56.19 the meaning given it in section 609.02, subdivision 10. The removal shall be for a period
 56.20 of time deemed appropriate by the principal, in consultation with the teacher; and

56.21 (r) a prohibition on the use of exclusionary practices to address attendance and truancy
 56.22 issues.

56.23 **EFFECTIVE DATE.** This section is effective July 1, 2022.

56.24 Sec. 39. Minnesota Statutes 2020, section 124D.09, subdivision 3, is amended to read:

56.25 Subd. 3. **Definitions.** For purposes of this section, the following terms have the meanings
 56.26 given to them.

56.27 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,
 56.28 nonprofit two-year trade and technical school granting associate degrees, an opportunities
 56.29 industrialization center accredited by an accreditor recognized by the United States
 56.30 Department of Education, or a private, residential, two-year or four-year, liberal arts,
 56.31 degree-granting college or university located in Minnesota. An eligible institution cannot
 56.32 require or base any part of the admission decision on a student's race, color, creed, religion,

57.1 national origin, sex, age, marital status, status with regard to public assistance, sexual
 57.2 orientation, disability, or gender.

57.3 (b) "Course" means a course or program.

57.4 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under
 57.5 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by
 57.6 a secondary teacher or a postsecondary faculty member, and are offered at a high school
 57.7 for which the district is eligible to receive concurrent enrollment program aid under section
 57.8 124D.091.

57.9 Sec. 40. Minnesota Statutes 2020, section 124D.09, subdivision 7, is amended to read:

57.10 Subd. 7. **Dissemination of information; Notification of intent to enroll.** By the earlier
 57.11 of (1) three weeks prior to the date by which a student must register for district courses for
 57.12 the following school year, or (2) March 1 of each year, a district must provide up-to-date
 57.13 information on the district's website and in materials that are distributed to parents and
 57.14 students about the program, including information about enrollment requirements and the
 57.15 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the
 57.16 district in planning, a pupil must inform the district ~~by May 30 of each year~~ of the pupil's
 57.17 intent to enroll in postsecondary courses during the following school year. ~~A pupil is bound~~
 57.18 ~~by notifying or not notifying the district by May 30~~ term. A pupil who does not notify the
 57.19 district of their intent to enroll by May 30 for the fall term or October 30 for the spring term
 57.20 may not enroll in postsecondary courses under this section.

57.21 Sec. 41. Minnesota Statutes 2020, section 124D.09, subdivision 8, is amended to read:

57.22 Subd. 8. **Limit on participation.** A pupil who first enrolls in grade 9 may not enroll in
 57.23 postsecondary courses under this section for secondary credit for more than the equivalent
 57.24 of four academic years. A pupil who first enrolls in grade 10 may not enroll in postsecondary
 57.25 courses under this section for secondary credit for more than the equivalent of three academic
 57.26 years. A pupil who first enrolls in grade 11 may not enroll in postsecondary courses under
 57.27 this section for secondary credit for more than the equivalent of two academic years. A
 57.28 pupil who first enrolls in grade 12 may not enroll in postsecondary courses under this section
 57.29 for secondary credit for more than the equivalent of one academic year. If a pupil in grade
 57.30 9, 10, 11, or 12 first enrolls in a postsecondary course for secondary credit during the school
 57.31 year, the time of participation shall be reduced proportionately. If a pupil is in a learning
 57.32 year or other year-round program and begins each grade in the summer session, summer
 57.33 sessions shall not be counted against the time of participation. If a school district determines

58.1 a pupil is not on track to graduate, the limit on participation does not apply to that pupil. A
58.2 ~~pupil who has graduated from high school cannot participate in a program under this section.~~
58.3 A pupil who has completed course requirements for graduation ~~but who has not received a~~
58.4 ~~diploma may participate in the program under this section~~ may only participate in the
58.5 program under this section until the earlier of the end of the school year in which those
58.6 requirements are met or the school year in which the pupil's peers graduated.

58.7 Sec. 42. Minnesota Statutes 2020, section 124D.09, subdivision 13, is amended to read:

58.8 Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this section,
58.9 the department must make payments according to this subdivision for courses that were
58.10 taken for secondary credit.

58.11 The department must not make payments to a school district or postsecondary institution
58.12 for a course taken for postsecondary credit only. The department must not make payments
58.13 to a postsecondary institution for a course from which a student officially withdraws during
58.14 the first ~~14~~ ten business days of the postsecondary institution's quarter or semester or who
58.15 has been absent from the postsecondary institution for the first ~~15 consecutive school~~ ten
58.16 business days of the postsecondary institution's quarter or semester and is not receiving
58.17 instruction in the home or hospital.

58.18 A postsecondary institution shall receive the following:

58.19 (1) for an institution granting quarter credit, the reimbursement per credit hour shall be
58.20 an amount equal to 88 percent of the product of the formula allowance minus \$425, multiplied
58.21 by 1.2, and divided by 45; or

58.22 (2) for an institution granting semester credit, the reimbursement per credit hour shall
58.23 be an amount equal to 88 percent of the product of the general revenue formula allowance
58.24 minus \$425, multiplied by 1.2, and divided by 30.

58.25 The department must pay to each postsecondary institution 100 percent of the amount
58.26 in clause (1) or (2) within 45 days of receiving initial enrollment information each quarter
58.27 or semester. If changes in enrollment occur during a quarter or semester, the change shall
58.28 be reported by the postsecondary institution at the time the enrollment information for the
58.29 succeeding quarter or semester is submitted. At any time the department notifies a
58.30 postsecondary institution that an overpayment has been made, the institution shall promptly
58.31 remit the amount due.

59.1 Sec. 43. Minnesota Statutes 2020, section 124D.095, subdivision 2, is amended to read:

59.2 Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings
59.3 given them.

59.4 (a) "Digital learning" is learning facilitated by technology that offers students an element
59.5 of control over the time, place, path, or pace of their learning and includes blended and
59.6 online learning.

59.7 (b) "Blended learning" is a form of digital learning that occurs when a student learns
59.8 part time in a supervised physical setting and part time through digital delivery of instruction,
59.9 or a student learns in a supervised physical setting where technology is used as a primary
59.10 method to deliver instruction.

59.11 (c) "Online learning" is a form of digital learning delivered by an approved online
59.12 learning provider under paragraph ~~(d)~~ (e).

59.13 (d) "Hybrid learning" uses blended learning in a way that combines scheduled in-person
59.14 instruction and distance learning.

59.15 (e) "Online learning provider" is a school district, an intermediate school district, an
59.16 organization of two or more school districts operating under a joint powers agreement, or
59.17 a charter school located in Minnesota that provides online learning to students and is approved
59.18 by the department to provide online learning courses.

59.19 ~~(e)~~ (f) "Student" is a Minnesota resident enrolled in a school under section 120A.22,
59.20 subdivision 4, in kindergarten through grade 12.

59.21 ~~(f)~~ (g) "Online learning student" is a student enrolled in an online learning course or
59.22 program delivered by an online learning provider under paragraph ~~(d)~~ (e).

59.23 ~~(g)~~ (h) "Enrolling district" means the school district or charter school in which a student
59.24 is enrolled under section 120A.22, subdivision 4, for purposes of compulsory attendance.

59.25 ~~(h)~~ (i) "Supplemental online learning" means an online learning course taken in place
59.26 of a course period at a local district school.

59.27 ~~(i)~~ (j) "Full-time online learning provider" means an enrolling school authorized by the
59.28 department to deliver comprehensive public education at any or all of the elementary, middle,
59.29 or high school levels.

59.30 ~~(j)~~ (k) "Online learning course syllabus" is a written document that an online learning
59.31 provider transmits to the enrolling district using a format prescribed by the commissioner
59.32 to identify the state academic standards embedded in an online course, the course content

60.1 outline, required course assessments, expectations for actual teacher contact time and other
60.2 student-to-teacher communications, and the academic support available to the online learning
60.3 student.

60.4 Sec. 44. Minnesota Statutes 2020, section 124D.095, subdivision 7, is amended to read:

60.5 Subd. 7. **Department of Education.** (a) The department must review and approve or
60.6 disapprove online learning providers within 90 calendar days of receiving an online learning
60.7 provider's completed application. The commissioner, using research-based standards of
60.8 quality for online learning programs, must review all approved online learning providers
60.9 on a cyclical three-year basis. Approved online learning providers annually must submit
60.10 program data to, confirm statements of assurances for, and provide program updates including
60.11 a current course list to the commissioner.

60.12 (b) The online learning courses and programs must be rigorous, aligned with state
60.13 academic standards, and contribute to grade progression in a single subject. The online
60.14 learning provider, other than a digital learning provider offering digital learning to its enrolled
60.15 students only under subdivision 4, paragraph (d), must give the commissioner written
60.16 assurance that: (1) all courses meet state academic standards; and (2) the online learning
60.17 curriculum, instruction, and assessment, expectations for actual teacher-contact time or
60.18 other student-to-teacher communication, and academic support meet nationally recognized
60.19 professional standards and are described as such in an online learning course syllabus that
60.20 meets the commissioner's requirements. Once an online learning provider is approved under
60.21 this paragraph, all of its online learning course offerings are eligible for payment under this
60.22 section unless a course is successfully challenged by an enrolling district or the department
60.23 under paragraph (c).

60.24 (c) An enrolling district may challenge the validity of a course offered by an online
60.25 learning provider. The department must review such challenges based on the approval
60.26 procedures under paragraph (b). The department may initiate its own review of the validity
60.27 of an online learning course offered by an online learning provider.

60.28 (d) The department may collect a fee not to exceed \$250 for approving online learning
60.29 providers or \$50 per course for reviewing a challenge by an enrolling district.

60.30 (e) The department must develop, publish, and maintain a list of online learning providers
60.31 that it has reviewed and approved.

60.32 (f) The department may review a complaint about an online learning provider, or a
60.33 complaint about a provider based on the provider's response to notice of a violation. If the

61.1 department determines that an online learning provider violated a law or rule, the department
61.2 may:

61.3 (1) create a compliance plan for the provider; or

61.4 (2) withhold funds from the provider under sections 124D.095, 124E.25, and 127A.42.

61.5 The department must notify an online learning provider in writing about withholding funds
61.6 and provide detailed calculations.

61.7 (g) An online learning program fee administration account is created in the special
61.8 revenue fund. Funds retained under paragraph (d) shall be deposited in the account. Money
61.9 in the account is appropriated to the commissioner for costs associated with administering
61.10 and monitoring online and digital learning programs.

61.11 Sec. 45. Minnesota Statutes 2020, section 124D.128, subdivision 1, is amended to read:

61.12 Subdivision 1. **Program established.** A learning year program provides instruction
61.13 throughout the year on an extended year calendar, ~~extended school day calendar, or both.~~
61.14 ~~A pupil may participate in the program and accelerate attainment of grade level requirements~~
61.15 ~~or graduation requirements.~~ A learning year program may begin after the close of the regular
61.16 school year in June. The program may be for students in one or more grade levels from
61.17 kindergarten through grade 12.

61.18 Sec. 46. Minnesota Statutes 2020, section 124D.128, subdivision 3, is amended to read:

61.19 Subd. 3. **Student planning.** A district, ~~charter school,~~ or state-approved alternative
61.20 program must inform all pupils and their parents about the learning year program and that
61.21 participation in the program is optional. A continual learning plan must be developed at
61.22 least annually for each pupil with the participation of the pupil, parent or guardian, teachers,
61.23 and other staff; each participant must sign and date the plan. The plan must specify the
61.24 learning experiences that must occur during the entire fiscal year and are necessary for grade
61.25 progression or, for secondary students, graduation. The plan must include:

61.26 (1) the pupil's learning objectives and experiences, including courses or credits the pupil
61.27 plans to complete each year and, for a secondary pupil, the graduation requirements the
61.28 student must complete;

61.29 (2) the assessment measurements used to evaluate a pupil's objectives;

61.30 (3) requirements for grade level or other appropriate progression; and

62.1 (4) for pupils generating more than one average daily membership in a given grade, an
62.2 indication of which objectives were unmet.

62.3 The plan may be modified to conform to district schedule changes. The district may not
62.4 modify the plan if the modification would result in delaying the student's time of graduation.

62.5 Sec. 47. Minnesota Statutes 2020, section 124D.74, subdivision 1, is amended to read:

62.6 Subdivision 1. **Program described.** American Indian education programs are programs
62.7 in public elementary and secondary schools, nonsectarian nonpublic, community, Tribal,
62.8 charter, or alternative schools enrolling American Indian children designed to:

62.9 (1) support postsecondary preparation for pupils;

62.10 (2) support the academic achievement of American Indian students;

62.11 (3) make the curriculum relevant to the needs, interests, and cultural heritage of American
62.12 Indian pupils;

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

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

62.15 (6) supplement, not supplant, state and federal educational and cocurricular programs.

62.16 Program services designed to increase completion and graduation rates of American Indian
62.17 students must emphasize academic achievement, retention, and attendance; development
62.18 of support services for staff, including in-service training and technical assistance in methods
62.19 of teaching American Indian pupils; research projects, including innovative teaching
62.20 approaches and evaluation of methods of relating to American Indian pupils; provision of
62.21 career counseling to American Indian pupils; modification of curriculum, instructional
62.22 methods, and administrative procedures to meet the needs of American Indian pupils; and
62.23 ~~supplemental~~ instruction in American Indian language, literature, history, and culture.

62.24 Districts offering programs may make contracts for the provision of program services by
62.25 establishing cooperative liaisons with Tribal programs and American Indian social service
62.26 agencies. These programs may also be provided as components of early childhood and
62.27 family education programs.

62.28 Sec. 48. Minnesota Statutes 2020, section 124D.74, subdivision 3, is amended to read:

62.29 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent it is
62.30 ~~economically feasible~~ that the unique educational and culturally related academic needs of
62.31 American Indian people are met and American Indian student accountability factors are the

63.1 same or higher than their non-Indian peers, a district or participating school may make
63.2 provision for the voluntary enrollment of non-American Indian children in the instructional
63.3 components of an American Indian education program in order that they may acquire an
63.4 understanding of the cultural heritage of the American Indian children for whom that
63.5 particular program is designed. However, in determining eligibility to participate in a
63.6 program, priority must be given to American Indian children. American Indian children
63.7 and other children enrolled in an existing nonpublic school system may be enrolled on a
63.8 shared time basis in American Indian education programs.

63.9 Sec. 49. Minnesota Statutes 2020, section 124D.78, subdivision 1, is amended to read:

63.10 Subdivision 1. **Parent committee.** School boards and American Indian schools must
63.11 provide for the maximum involvement of parents of children enrolled in education programs,
63.12 programs for elementary and secondary grades, special education programs, and support
63.13 services. Accordingly, the board of a school district in which there are ten or more American
63.14 Indian students enrolled and each American Indian school must establish an American
63.15 Indian education parent advisory committee. For purposes of this section, American Indian
63.16 students are defined as persons having origins in any of the original peoples of North America
63.17 who maintain cultural identification through Tribal affiliation or community recognition.
63.18 If a committee whose membership consists of a majority of parents of American Indian
63.19 children has been or is established according to federal, Tribal, or other state law, that
63.20 committee may serve as the committee required by this section and is subject to, at least,
63.21 the requirements of this subdivision and subdivision 2.

63.22 The American Indian education parent advisory committee must develop its
63.23 recommendations in consultation with the curriculum advisory committee required by
63.24 section 120B.11, subdivision 3. This committee must afford parents the necessary information
63.25 and the opportunity effectively to express their views concerning all aspects of American
63.26 Indian education and the educational needs of the American Indian children enrolled in the
63.27 school or program. The school board or American Indian school must ensure that programs
63.28 are planned, operated, and evaluated with the involvement of and in consultation with parents
63.29 of students served by the programs.

63.30 Sec. 50. Minnesota Statutes 2020, section 124D.78, subdivision 3, is amended to read:

63.31 Subd. 3. **Membership.** The American Indian education parent advisory committee must
63.32 be composed of parents of children eligible to be enrolled in American Indian education
63.33 programs; secondary students eligible to be served; American Indian language and culture

64.1 education teachers and paraprofessionals; American Indian teachers; counselors; adult
64.2 American Indian people enrolled in educational programs; and representatives from
64.3 community groups. A majority of each committee must be parents of American Indian
64.4 children enrolled or eligible to be enrolled in the programs. ~~The number of parents of~~
64.5 ~~American Indian and non-American Indian children shall reflect approximately the proportion~~
64.6 ~~of children of those groups enrolled in the programs.~~

64.7 Sec. 51. Minnesota Statutes 2020, section 124D.791, subdivision 4, is amended to read:

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

64.9 (1) ~~serve as the liaison for the~~ department relations with the Tribal Nations Education
64.10 Committee, the 11 Tribal communities in Minnesota, the Minnesota Chippewa Tribe, and
64.11 the Minnesota Indian Affairs Council;

64.12 (2) ~~evaluate~~ the evaluation of the state of American Indian education in Minnesota;

64.13 (3) ~~engage~~ the engagement of Tribal bodies, community groups, parents of children
64.14 eligible to be served by American Indian education programs, American Indian administrators
64.15 and teachers, persons experienced in the training of teachers for American Indian education
64.16 programs, the Tribally controlled schools, and other persons knowledgeable in the field of
64.17 American Indian education and seek their advice on policies that can improve the quality
64.18 of American Indian education;

64.19 (4) ~~advise~~ advice to the commissioner on American Indian education issues, including:

64.20 (i) issues facing American Indian students;

64.21 (ii) policies for American Indian education;

64.22 (iii) awarding scholarships to eligible American Indian students and in administering
64.23 the commissioner's duties regarding awarding of American Indian education grants to school
64.24 districts; and

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

64.27 (5) ~~propose~~ proposals to the commissioner on legislative changes that will improve the
64.28 quality of American Indian education;

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

- 65.1 (i) increase American Indian student achievement, including increased levels of
65.2 proficiency and growth on statewide accountability assessments;
- 65.3 (ii) increase the number of American Indian teachers in public schools;
- 65.4 (iii) close the achievement gap between American Indian students and their more
65.5 advantaged peers;
- 65.6 (iv) increase the statewide graduation rate for American Indian students; and
- 65.7 (v) increase American Indian student placement in postsecondary programs and the
65.8 workforce; and
- 65.9 (7) ~~keep~~ keeping the American Indian community informed about the work of the
65.10 department by reporting to the Tribal Nations Education Committee at each committee
65.11 meeting.

65.12 **Sec. 52. [124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND**
65.13 **OBJECTS OF CULTURAL SIGNIFICANCE.**

65.14 A school district or charter school must not prohibit an American Indian student from
65.15 wearing American Indian regalia, Tribal regalia, or objects of cultural significance at
65.16 graduation ceremonies.

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

65.18 Sec. 53. Minnesota Statutes 2020, section 124D.81, is amended to read:

65.19 **124D.81 AMERICAN INDIAN EDUCATION AID.**

65.20 Subdivision 1. **Procedures.** A school district, charter school, cooperative unit as defined
65.21 in section 123A.24, subdivision 2, or American Indian-controlled tribal contract or grant
65.22 school enrolling at least 20 American Indian students on October 1 of the previous school
65.23 year and operating an American Indian education program according to section 124D.74 is
65.24 eligible for Indian education aid if it meets the requirements of this section. Programs may
65.25 provide for contracts for the provision of program components by nonsectarian nonpublic,
65.26 community, tribal, charter, or alternative schools. The commissioner shall prescribe the
65.27 form and manner of application for aids, and no aid shall be made for a program not
65.28 complying with the requirements of sections 124D.71 to 124D.82.

65.29 Subd. 2. **Plans.** To qualify for aid, an eligible district, charter school, cooperative unit
65.30 as defined in section 123A.24, subdivision 2, or tribal contract school must develop and
65.31 submit a plan for approval by the Indian education director that shall:

66.1 (a) Identify the measures to be used to meet the requirements of sections 124D.71 to
66.2 124D.82;

66.3 (b) Identify the activities, methods and programs to meet the identified educational needs
66.4 of the children to be enrolled in the program;

66.5 (c) Describe how district goals and objectives as well as the objectives of sections
66.6 124D.71 to 124D.82 are to be achieved;

66.7 (d) Demonstrate that required and elective courses as structured do not have a
66.8 discriminatory effect within the meaning of section 124D.74, subdivision 5;

66.9 (e) Describe how each school program will be organized, staffed, coordinated, and
66.10 monitored; and

66.11 (f) Project expenditures for programs under sections 124D.71 to 124D.82.

66.12 Subd. 2a. **American Indian education aid.** (a) The American Indian education aid
66.13 allowance equals \$358 for fiscal years 2022 and 2023. The American Indian education aid
66.14 allowance for fiscal year 2024 and later equals the product of \$358 times the ratio of the
66.15 formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the
66.16 formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

66.17 (b) The American Indian education aid minimum equals \$20,000 for fiscal years 2022
66.18 and 2023. The American Indian education aid minimum for fiscal year 2024 and later equals
66.19 the product of \$20,000 times the ratio of the formula allowance under section 126C.10,
66.20 subdivision 2, for the current fiscal year to the formula allowance under section 126C.10,
66.21 subdivision 2, for fiscal year 2023.

66.22 ~~(a)~~ (c) The American Indian education aid for an eligible district, cooperative unit, or
66.23 tribal contract school equals the greater of (1) the sum of ~~\$20,000~~ the American Indian
66.24 education aid minimum plus the product of ~~\$358~~ the American Indian education aid
66.25 allowance times the difference between the number of American Indian students enrolled
66.26 on October 1 of the previous school year and 20; or (2) if the district or school received a
66.27 grant under this section for fiscal year 2015, the amount of the grant for fiscal year 2015.

66.28 ~~(b)~~ (d) Notwithstanding paragraph ~~(a)~~ (c), the American Indian education aid must not
66.29 exceed the district, cooperative unit, or tribal contract school's actual expenditure according
66.30 to the approved plan under subdivision 2.

66.31 Subd. 3. **Additional requirements.** Each district or cooperative unit receiving aid under
66.32 this section must each year conduct a count of American Indian children in the schools of
66.33 the district; test for achievement; identify the extent of other educational needs of the children

67.1 to be enrolled in the American Indian education program; and classify the American Indian
67.2 children by grade, level of educational attainment, age and achievement. Participating
67.3 schools must maintain records concerning the needs and achievements of American Indian
67.4 children served.

67.5 Subd. 4. **Nondiscrimination; testing.** In accordance with recognized professional
67.6 standards, all testing and evaluation materials and procedures utilized for the identification,
67.7 testing, assessment, and classification of American Indian children must be selected and
67.8 administered so as not to be racially or culturally discriminatory and must be valid for the
67.9 purpose of identifying, testing, assessing, and classifying American Indian children.

67.10 Subd. 5. **Records.** Participating schools ~~and~~, districts, and cooperative units must keep
67.11 records and afford access to them as the commissioner finds necessary to ensure that
67.12 American Indian education programs are implemented in conformity with sections 124D.71
67.13 to 124D.82. Each school district, cooperative unit, or participating school must keep accurate,
67.14 detailed, and separate revenue and expenditure accounts for pilot American Indian education
67.15 programs funded under this section.

67.16 Subd. 6. **Money from other sources.** A district, cooperative unit, or participating school
67.17 providing American Indian education programs shall be eligible to receive moneys for these
67.18 programs from other government agencies and from private sources when the moneys are
67.19 available.

67.20 Subd. 7. **Exceptions.** Nothing in sections 124D.71 to 124D.82 shall be construed as
67.21 prohibiting a district, cooperative unit, or school from implementing an American Indian
67.22 education program which is not in compliance with sections 124D.71 to 124D.82 if the
67.23 proposal and plan for that program is not funded pursuant to this section.

67.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

67.25 Sec. 54. Minnesota Statutes 2020, section 124D.861, subdivision 2, is amended to read:

67.26 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible
67.27 district must formally develop and implement a long-term plan under this section. The plan
67.28 must be incorporated into the district's comprehensive strategic plan under section 120B.11.
67.29 ~~Plan components may include: innovative and integrated prekindergarten through grade 12~~
67.30 ~~learning environments that offer students school enrollment choices; family engagement~~
67.31 ~~initiatives that involve families in their students' academic life and success; professional~~
67.32 ~~development opportunities for teachers and administrators focused on improving the academic~~
67.33 ~~achievement of all students, including teachers and administrators who are members of~~

68.1 ~~populations underrepresented among the licensed teachers or administrators in the district~~
68.2 ~~or school and who reflect the diversity of students under section 120B.35, subdivision 3,~~
68.3 ~~paragraph (b), clause (2), who are enrolled in the district or school; increased programmatic~~
68.4 ~~opportunities and effective and more diverse instructors focused on rigor and college and~~
68.5 ~~career readiness for underserved students, including students enrolled in alternative learning~~
68.6 ~~centers under section 123A.05, public alternative programs under section 126C.05,~~
68.7 ~~subdivision 15, and contract alternative programs under section 124D.69, among other~~
68.8 ~~underserved students; or recruitment and retention of teachers and administrators with~~
68.9 ~~diverse racial and ethnic backgrounds.~~

68.10 (b) The plan must contain goals for:

68.11 (1) reducing the disparities in academic achievement and in equitable access to effective
68.12 and more diverse teachers among all students and specific categories of students under
68.13 section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender,
68.14 disability, and English learners; and

68.15 (2) increasing racial and economic diversity and integration in schools and districts.

68.16 (c) The plan must include strategies to validate, affirm, embrace, and integrate cultural
68.17 and community strengths of all students, families, and employees in the district's curriculum
68.18 as well as learning and work environments, and to address issues of institutional racism as
68.19 defined in section 120B.11, subdivision 1, in schools that create opportunity and achievement
68.20 gaps for students, families, and staff who are of color or American Indian. Examples of
68.21 institutional racism experienced by students who are of color or American Indian include
68.22 policies and practices that intentionally or unintentionally result in disparate discipline
68.23 referrals and suspension, inequitable access to advanced coursework, overrepresentation in
68.24 lower-level coursework, inequitable participation in cocurricular activities, inequitable
68.25 parent involvement, and lack of equitable access to racially and ethnically diverse teachers
68.26 who reflect the racial or ethnic diversity of students because it has not been a priority to
68.27 hire or retain such teachers.

68.28 (d) School districts must use local data, to the extent practicable, to develop plan
68.29 components and strategies. Plans may include:

68.30 (1) innovative and integrated prekindergarten through grade 12 learning environments
68.31 that offer students school enrollment choices;

68.32 (2) family engagement initiatives that involve families in their students' academic life
68.33 and success and improve relations between home and school;

69.1 (3) opportunities for students, families, staff, and community members who are of color
69.2 or American Indian to share their experiences in the school setting with school staff and
69.3 administration and to inform development of specific proposals for making school
69.4 environments more validating, affirming, embracing, and integrating of their cultural and
69.5 community strengths;

69.6 (4) professional development opportunities for teachers and administrators focused on
69.7 improving the academic achievement of all students, including knowledge, skills, and
69.8 dispositions needed to be anti-racist and culturally sustaining as defined in section 120B.11,
69.9 subdivision 1, for serving students who are from racially and ethnically diverse backgrounds;

69.10 (5) recruitment and retention of teachers, administrators, cultural and family liaisons,
69.11 paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented
69.12 in the student population to strengthen relationships with all students, families, and other
69.13 members of the community;

69.14 (6) collection, examination, and evaluation of academic and discipline data for
69.15 institutional racism as defined in section 120B.11, subdivision 1, in structures, policies, and
69.16 practices that result in the education disparities, in order to propose anti-racist changes as
69.17 defined in section 120B.11, subdivision 1, that increase access, meaningful participation,
69.18 representation, and positive outcomes for students of color and American Indian students;

69.19 (7) increased programmatic opportunities and effective and more diverse instructors
69.20 focused on rigor and college and career readiness for students who are impacted by racial,
69.21 gender, linguistic, and economic disparities, including students enrolled in area learning
69.22 centers or alternative learning programs under section 123A.05, state-approved alternative
69.23 programs under section 126C.05, subdivision 15, and contract alternative programs under
69.24 section 124D.69, among other underserved students;

69.25 (8) ethnic studies curriculum as defined in section 120B.11, subdivision 1, to provide
69.26 all students with opportunities to learn about their own and others' cultures and historical
69.27 experiences; or

69.28 (9) examination and revision of district curricula in all subjects to be inclusive of diverse
69.29 racial and ethnic groups while meeting state academic standards and being culturally
69.30 sustaining as defined in section 120B.11, subdivision 1, ensuring content being studied
69.31 about any group is accurate and based in knowledge from that group.

69.32 ~~(b)~~ (e) Among other requirements, an eligible district must implement effective,
69.33 research-based interventions that include formative multiple measures of assessment practices
69.34 and engagement in order to reduce the eliminate academic disparities in student academic

70.1 ~~performance among the specific categories of students as measured by student progress and~~
 70.2 ~~growth on state reading and math assessments and~~ for students impacted by racial, gender,
 70.3 linguistic, and economic inequities as aligned with section 120B.11.

70.4 ~~(e)~~ (f) Eligible districts must create efficiencies and eliminate duplicative programs and
 70.5 services under this section, which may include forming collaborations or a single,
 70.6 seven-county metropolitan areawide partnership of eligible districts for this purpose.

70.7 **EFFECTIVE DATE.** This section is effective for all plans reviewed and updated after
 70.8 the day following final enactment.

70.9 Sec. 55. Minnesota Statutes 2020, section 125A.094, is amended to read:

70.10 **125A.094 RESTRICTIVE PROCEDURES FOR CHILDREN WITH**
 70.11 **DISABILITIES.**

70.12 The use of restrictive procedures ~~for children with disabilities~~ for all pupils attending
 70.13 public school is governed by sections 125A.0941 and 125A.0942.

70.14 Sec. 56. Minnesota Statutes 2020, section 125A.0942, is amended to read:

70.15 **125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES.**

70.16 Subdivision 1. **Restrictive procedures plan.** (a) Schools that intend to use restrictive
 70.17 procedures shall maintain and make publicly accessible in an electronic format on a school
 70.18 or district website or make a paper copy available upon request describing a restrictive
 70.19 procedures plan for children with disabilities that at least:

70.20 (1) lists the restrictive procedures the school intends to use;

70.21 (2) describes how the school will implement a range of positive behavior strategies and
 70.22 provide links to mental health services;

70.23 (3) describes how the school will provide training on de-escalation techniques, consistent
 70.24 with section 122A.187, subdivision 4;

70.25 (4) describes how the school will monitor and review the use of restrictive procedures,
 70.26 including:

70.27 (i) conducting post-use debriefings, consistent with subdivision 3, paragraph (a), clause
 70.28 (5); and

70.29 (ii) convening an oversight committee to undertake a quarterly review of the use of
 70.30 restrictive procedures based on patterns or problems indicated by similarities in the time of
 70.31 day, day of the week, duration of the use of a procedure, the individuals involved, or other

71.1 factors associated with the use of restrictive procedures; the number of times a restrictive
71.2 procedure is used schoolwide and for individual children; the number and types of injuries,
71.3 if any, resulting from the use of restrictive procedures; whether restrictive procedures are
71.4 used in nonemergency situations; the need for additional staff training; disproportionality
71.5 or racial disparities in the usage of restrictive procedures; the usage of school resource
71.6 officer's handling of the behaviors; student documentation to determine if the staff followed
71.7 the standards for using restrictive procedures and if there is updated information about
71.8 whether the restrictive procedures are contraindicated for the particular student; and proposed
71.9 actions to minimize the use of restrictive procedures; and

71.10 (5) includes a written description and documentation of the training staff completed
71.11 under subdivision 5.

71.12 (b) Schools annually must publicly identify oversight committee members who must at
71.13 least include:

71.14 (1) a mental health professional, school psychologist, or school social worker;

71.15 (2) an expert in positive behavior strategies;

71.16 (3) a special education administrator; and

71.17 (4) a general education administrator.

71.18 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only by a
71.19 licensed special education teacher, school social worker, school psychologist, behavior
71.20 analyst certified by the National Behavior Analyst Certification Board, a person with a
71.21 master's degree in behavior analysis, other licensed education professional, paraprofessional
71.22 under section 120B.363, or mental health professional under section 245.4871, subdivision
71.23 27, who has completed the training program under subdivision 5.

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

71.28 (c) The district must hold a meeting of the individualized education program team, if
71.29 the student is a student with a disability, or a meeting of relevant members of the student's
71.30 team including a parent, if the student is not a student with a disability, conduct or review
71.31 a functional behavioral analysis, review data, consider developing additional or revised
71.32 positive behavioral interventions and supports, consider actions to reduce the use of restrictive
71.33 procedures, and modify the individualized education program or behavior intervention plan

72.1 as appropriate. The district must hold the meeting: within ten calendar days after district
72.2 staff use restrictive procedures on two separate school days within 30 calendar days or a
72.3 pattern of use emerges and the child's individualized education program or behavior
72.4 intervention plan does not provide for using restrictive procedures in an emergency; or at
72.5 the request of a parent or the district after restrictive procedures are used. The district must
72.6 review use of restrictive procedures at a child's annual individualized education program
72.7 meeting when the child's individualized education program provides for using restrictive
72.8 procedures in an emergency.

72.9 (d) If the ~~individualized education program~~ meeting team under paragraph (c) determines
72.10 that existing interventions and supports are ineffective in reducing the use of restrictive
72.11 procedures or the district uses restrictive procedures on a child on ten or more school days
72.12 during the same school year, the team, as appropriate, either must consult with other
72.13 professionals working with the child; consult with experts in behavior analysis, mental
72.14 health, communication, or autism; consult with culturally competent professionals; review
72.15 existing evaluations, resources, and successful strategies; or consider whether to reevaluate
72.16 the child.

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

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

72.28 **Subd. 3. Physical holding or seclusion.** (a) Physical holding or seclusion may be used
72.29 only in an emergency. A school that uses physical holding or seclusion shall meet the
72.30 following requirements:

72.31 (1) physical holding or seclusion is the least intrusive intervention that effectively
72.32 responds to the emergency;

72.33 (2) physical holding or seclusion is not used to discipline a noncompliant child;

- 73.1 (3) physical holding or seclusion ends when the threat of harm ends and the staff
73.2 determines the child can safely return to the classroom or activity;
- 73.3 (4) staff directly observes the child while physical holding or seclusion is being used;
- 73.4 (5) each time physical holding or seclusion is used, the staff person who implements or
73.5 oversees the physical holding or seclusion documents, as soon as possible after the incident
73.6 concludes, the following information:
- 73.7 (i) a description of the incident that led to the physical holding or seclusion;
- 73.8 (ii) why a less restrictive measure failed or was determined by staff to be inappropriate
73.9 or impractical;
- 73.10 (iii) the time the physical holding or seclusion began and the time the child was released;
- 73.11 ~~and~~
- 73.12 (iv) a brief record of the child's behavioral and physical status; and
- 73.13 (v) a brief description of the post-use debriefing process that occurred following the use
73.14 of the restrictive procedure;
- 73.15 (6) the room used for seclusion must:
- 73.16 (i) be at least six feet by five feet;
- 73.17 (ii) be well lit, well ventilated, adequately heated, and clean;
- 73.18 (iii) have a window that allows staff to directly observe a child in seclusion;
- 73.19 (iv) have tamperproof fixtures, electrical switches located immediately outside the door,
73.20 and secure ceilings;
- 73.21 (v) have doors that open out and are unlocked, locked with keyless locks that have
73.22 immediate release mechanisms, or locked with locks that have immediate release mechanisms
73.23 connected with a fire and emergency system; and
- 73.24 (vi) not contain objects that a child may use to injure the child or others; and
- 73.25 (7) before using a room for seclusion, a school must:
- 73.26 (i) receive written notice from local authorities that the room and the locking mechanisms
73.27 comply with applicable building, fire, and safety codes; and
- 73.28 (ii) register the room with the commissioner, who may view that room.
- 73.29 (b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary,
73.30 recommend to the commissioner specific and measurable implementation and outcome

74.1 goals for reducing the use of restrictive procedures and the commissioner must submit to
74.2 the legislature a report on districts' progress in reducing the use of restrictive procedures
74.3 that recommends how to further reduce these procedures and eliminate the use of seclusion.
74.4 The statewide plan includes the following components: measurable goals; the resources,
74.5 training, technical assistance, mental health services, and collaborative efforts needed to
74.6 significantly reduce districts' use of seclusion; and recommendations to clarify and improve
74.7 the law governing districts' use of restrictive procedures. The commissioner must consult
74.8 with interested stakeholders when preparing the report, including representatives of advocacy
74.9 organizations, special education directors, teachers, paraprofessionals, intermediate school
74.10 districts, school boards, day treatment providers, county social services, state human services
74.11 department staff, mental health professionals, and autism experts. Beginning with the
74.12 2016-2017 school year, in a form and manner determined by the commissioner, districts
74.13 must report data quarterly to the department by January 15, April 15, July 15, and October
74.14 15 about individual students who have been secluded. By July 15 each year, districts must
74.15 report summary data on their use of restrictive procedures to the department for the prior
74.16 school year, July 1 through June 30, in a form and manner determined by the commissioner.
74.17 The summary data must include information about the use of restrictive procedures, including
74.18 use of reasonable force under section 121A.582.

74.19 Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:

74.20 (1) engaging in conduct prohibited under section 121A.58;

74.21 (2) requiring a child to assume and maintain a specified physical position, activity, or
74.22 posture that induces physical pain;

74.23 (3) totally or partially restricting a child's senses as punishment;

74.24 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,
74.25 substance, or spray as punishment;

74.26 (5) denying or restricting a child's access to equipment and devices such as walkers,
74.27 wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,
74.28 except when temporarily removing the equipment or device is needed to prevent injury to
74.29 the child or others or serious damage to the equipment or device, in which case the equipment
74.30 or device shall be returned to the child as soon as possible;

74.31 (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical
74.32 abuse under chapter 260E;

74.33 (7) withholding regularly scheduled meals or water;

- 75.1 (8) denying access to bathroom facilities;
- 75.2 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs
- 75.3 a child's ability to communicate distress, places pressure or weight on a child's head, throat,
- 75.4 neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's
- 75.5 torso; ~~and~~
- 75.6 (10) prone restraint; and
- 75.7 (11) utilizing a restrictive procedure on any child under the age of five.

75.8 Subd. 5. **Training for staff.** (a) To meet the requirements of subdivision 1, staff who

75.9 use restrictive procedures, including paraprofessionals, shall complete training in the

75.10 following skills and knowledge areas:

- 75.11 (1) positive behavioral interventions;
- 75.12 (2) communicative intent of behaviors;
- 75.13 (3) relationship building;
- 75.14 (4) alternatives to restrictive procedures, including techniques to identify events and
- 75.15 environmental factors that may escalate behavior;
- 75.16 (5) de-escalation methods;
- 75.17 (6) standards for using restrictive procedures only in an emergency;
- 75.18 (7) obtaining emergency medical assistance;
- 75.19 (8) the physiological and psychological impact of physical holding and seclusion;
- 75.20 (9) monitoring and responding to a child's physical signs of distress when physical
- 75.21 holding is being used;
- 75.22 (10) recognizing the symptoms of and interventions that may cause positional asphyxia
- 75.23 when physical holding is used;
- 75.24 (11) district policies and procedures for timely reporting and documenting each incident
- 75.25 involving use of a restricted procedure; and
- 75.26 (12) schoolwide programs on positive behavior strategies.

75.27 (b) The commissioner, after consulting with the commissioner of human services, must

75.28 develop and maintain a list of training programs that satisfy the requirements of paragraph

75.29 (a). The commissioner also must develop and maintain a list of experts to help individualized

75.30 education program teams reduce the use of restrictive procedures. The district shall maintain

76.1 records of staff who have been trained and the organization or professional that conducted
 76.2 the training. The district may collaborate with children's community mental health providers
 76.3 to coordinate trainings.

76.4 Subd. 6. **Behavior supports; reasonable force.** (a) School districts are encouraged to
 76.5 establish effective schoolwide systems of positive behavior interventions and supports.

76.6 (b) Nothing in this section or section 125A.0941 precludes the use of reasonable force
 76.7 under sections 121A.582; 609.06, subdivision 1; and 609.379. For the 2014-2015 school
 76.8 year and later, districts must collect and submit to the commissioner summary data, consistent
 76.9 with subdivision 3, paragraph (b), on district use of reasonable force that is consistent with
 76.10 the definition of physical holding or seclusion for a child with a disability under this section.

76.11 Sec. 57. Minnesota Statutes 2020, section 144.4165, is amended to read:

76.12 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

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

76.19 (b) Nothing in this section shall prohibit the lighting of tobacco ~~by an adult~~ as a part of
 76.20 a traditional Indian spiritual or cultural ceremony. An American Indian may carry a medicine
 76.21 pouch containing loose tobacco intended in observance of traditional spiritual or cultural
 76.22 practices. For purposes of this section, an Indian is a person who is a member of an Indian
 76.23 Tribe as defined in section 260.755, subdivision 12, or a person who maintains cultural
 76.24 identification through Tribal affiliation or community recognition.

76.25 Sec. 58. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5,
 76.26 as amended by Laws 2020, chapter 116, article 6, section 9, is amended to read:

76.27 Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota
 76.28 Statutes, section 124D.83:

76.29	\$	2,766,000	2020
76.30		3,106,000		
76.31	\$	<u>2,319,000</u>	2021

76.32 The 2020 appropriation includes \$299,000 for 2019 and \$2,467,000 for 2020.

77.1 The 2021 appropriation includes \$274,000 for 2020 and ~~\$2,832,000~~ \$2,045,000 for
77.2 2021.

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

77.4 Sec. 59. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision
77.5 27, is amended to read:

77.6 Subd. 27. **Singing-based pilot program to improve student reading.** (a) For a grant
77.7 to pilot a research-supported, computer-based educational program that uses singing to
77.8 improve the reading ability of students in grades 2 through 5:

77.9		230,000		
77.10	\$	<u>155,000</u>	2020

77.11 (b) The commissioner of education shall award a grant to the Rock 'n' Read Project to
77.12 implement a research-supported, computer-based educational program that uses singing to
77.13 improve the reading ability of students in grades 2 through 5. The grantee shall be responsible
77.14 for selecting participating school sites; providing any required hardware and software,
77.15 including software licenses, for the duration of the grant period; providing technical support,
77.16 training, and staff to install required project hardware and software; providing on-site
77.17 professional development and instructional monitoring and support for school staff and
77.18 students; administering preintervention and postintervention reading assessments; evaluating
77.19 the impact of the intervention; and other project management services as required. To the
77.20 extent practicable, the grantee must select participating schools in urban, suburban, and
77.21 greater Minnesota, and give priority to schools in which a high proportion of students do
77.22 not read proficiently at grade level and are eligible for free or reduced-price lunch.

77.23 (c) By February 15, 2021, the grantee must submit a report detailing expenditures and
77.24 outcomes of the grant to the commissioner of education and the chairs and ranking minority
77.25 members of the legislative committees with primary jurisdiction over kindergarten through
77.26 grade 12 education policy and finance.

77.27 (d) Any balance in the first year does not cancel but is available in the second year.

77.28 (e) This is a onetime appropriation. \$75,000 of the initial fiscal year 2020 appropriation
77.29 is canceled to the general fund on June 29, 2021.

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

78.1 Sec. 60. **ONETIME AMERICAN INDIAN TRIBAL CONTRACT COMPENSATORY**
78.2 **AID; FISCAL YEAR 2022.**

78.3 Notwithstanding Minnesota Statutes, section 124D.83, for fiscal year 2022 only,
78.4 American Indian Tribal contract aid shall be increased by an amount equal to the greater
78.5 of zero or the product of:

78.6 (1) the number of pupils enrolled at the school on October 1, 2020; and

78.7 (2) the difference between the amount generated for fiscal year 2021 by compensation
78.8 revenue pupil units divided by the pupils enrolled on October 1, 2019, and the amount
78.9 generated for fiscal year 2022 by compensation revenue pupil units divided by the pupils
78.10 enrolled on October 1, 2020.

78.11 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022.

78.12 Sec. 61. **EXTENSION FOR POSTING STUDENT PROGRESS AND OTHER DATA.**

78.13 Notwithstanding Minnesota Statutes, section 120B.36, subdivision 2, for the 2020-2021
78.14 school year only, the commissioner must post federal expectations and state student, learning,
78.15 and outcome data to the department's public website no later than October 1, 2021.

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

78.17 Sec. 62. **INSTRUCTION MODEL WORKING GROUP.**

78.18 Subdivision 1. **Working group.** A working group is established to review how school
78.19 districts and charter schools implemented distance and hybrid instruction due to disruptions
78.20 to on-site instruction caused by COVID-19 and make recommendations to increase flexibility
78.21 for school districts and charter schools to implement instruction models that meet students'
78.22 diverse learning needs.

78.23 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
78.24 meanings given them.

78.25 (b) "Distance instruction" means instruction provided to students remotely, with students
78.26 and teachers interacting through synchronous and other online interactions, and students
78.27 being provided appropriate education materials.

78.28 (c) "Hybrid instruction" means a manner of instruction that includes both on-site
78.29 instruction as well as distance instruction.

78.30 (d) "On-site instruction" means instruction delivered in person by a teacher at a school
78.31 facility.

79.1 Subd. 3. Duties. (a) The working group must study the outcomes, challenges, and
79.2 successes of distance instruction during the 2019-2020 and 2020-2021 school years. In
79.3 particular, the group must consider:

79.4 (1) the impact of lower class sizes on student engagement and academic growth;

79.5 (2) how modifications to the school calendar would affect learning retention and student
79.6 engagement;

79.7 (3) the impact of distance instruction on students requiring special education services
79.8 and supports, students identified as English learners, and students experiencing homelessness
79.9 or who are highly mobile;

79.10 (4) the effect of distance instruction on students' social and emotional growth, student
79.11 discipline, and bullying;

79.12 (5) how students' educational needs vary by age group; and

79.13 (6) students' access to technology.

79.14 (b) The working group must report its findings and recommendations to the chairs and
79.15 ranking minority members of the legislative committees with jurisdiction over kindergarten
79.16 through grade 12 education by January 17, 2022. The report must be submitted in accordance
79.17 with Minnesota Statutes, section 3.195.

79.18 (c) The commissioner of education must provide technical assistance and public data
79.19 on student academic needs and performance, to the extent it is available, to help the working
79.20 group make evidence-based recommendations.

79.21 (d) The working group expires January 18, 2022.

79.22 Subd. 4. Members. (a) The commissioner of education or the commissioner's designee
79.23 must serve as a member of the working group. In addition, by July 1, 2021, the commissioner
79.24 of education must review applications to be named to the group and appoint the following
79.25 group members:

79.26 (1) two superintendents;

79.27 (2) two elementary school teachers;

79.28 (3) two secondary school teachers;

79.29 (4) one special education teacher;

79.30 (5) one teacher in a state-approved alternative program;

79.31 (6) one school counselor;

- 80.1 (7) two school board members;
- 80.2 (8) two students;
- 80.3 (9) one curriculum director;
- 80.4 (10) one assessment coordinator;
- 80.5 (11) one technology director;
- 80.6 (12) one technology coordinator;
- 80.7 (13) one parent of a student enrolled in a school district or charter school;
- 80.8 (14) one special education director; and
- 80.9 (15) one teacher and one administrator from an online learning provider approved under
- 80.10 Minnesota Statutes, section 124D.095.

80.11 (b) When appointing members to the working group, the commissioner must consider

80.12 whether the working group represents communities of color, American Indian communities,

80.13 and communities from throughout Minnesota.

80.14 Subd. 5. **Meetings.** (a) The commissioner of education must convene the first meeting

80.15 of the working group no later than August 30, 2021. The working group must select a chair

80.16 or cochairs from among its members at the first meeting. The working group must meet

80.17 periodically.

80.18 (b) The commissioner must provide technical and administrative assistance to the working

80.19 group upon request.

80.20 (c) Working group members are not eligible to receive expenses or per diem payments

80.21 for serving on the working group.

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

80.23 Sec. 63. **DISTANCE AND HYBRID LEARNING.**

80.24 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have

80.25 the meanings given them.

80.26 (b) "Distance learning" is learning in which a student has access to appropriate educational

80.27 materials and interacts with a licensed teacher.

80.28 (c) "Hybrid learning" is learning that combines distance learning with scheduled in-person

80.29 instruction by a licensed teacher in a supervised physical setting.

81.1 Subd. 2. Distance and hybrid learning options. (a) In response to the COVID-19
81.2 pandemic, a school district or charter school may offer distance and hybrid learning options
81.3 to enrolled students. A student may participate in distance or hybrid learning options only
81.4 if the student and family so choose. Districts and charter schools must provide students
81.5 participating in distance or hybrid learning options the option to participate in in-person
81.6 instruction on the same basis as other enrolled students subject to reasonable limits on
81.7 students changing between in-person and distance or hybrid learning options. Districts and
81.8 charter schools must not prevent students from enrolling in courses offered by online learning
81.9 providers approved under Minnesota Statutes, section 124D.095.

81.10 (b) A school district or charter school offering distance or hybrid learning options must:

81.11 (1) ensure that students and families in a distance or hybrid learning options program
81.12 have access to digital devices, in-home broadband that meets or exceeds Federal
81.13 Communications Commissions recommendations of 25 megabytes to download and three
81.14 megabytes to upload, and digital literacy skills support;

81.15 (2) employ or contract with another district or a cooperative unit for licensed teachers
81.16 to provide online instruction to no more than 40 students in an online learning course. The
81.17 contract of a teacher employed by a district must meet the requirements of Minnesota
81.18 Statutes, section 122A.40 or 122A.41, and a charter school must employ or contract with
81.19 a teacher in accordance with Minnesota Statutes, section 124E.12, subdivision 1;

81.20 (3) provide direct supervision and control of the education program by an administrator
81.21 holding an appropriate license;

81.22 (4) provide a curriculum that meets state academic standards under Minnesota Statutes,
81.23 section 120B.021, and locally established learning goals consistent with those provided in
81.24 the in-person school settings;

81.25 (5) provide instruction that meets the school calendar's instructional days and hours
81.26 requirements;

81.27 (6) provide a student with a disability with special instruction and services as defined
81.28 in Minnesota Statutes, section 125A.03, in accordance with Minnesota Statutes, chapter
81.29 125A, Minnesota Rules, chapter 3525, and the Individuals with Disabilities Education Act,
81.30 including special education evaluation and development of individualized education programs
81.31 under Minnesota Statutes, section 125A.08. A district offering distance or hybrid learning
81.32 options must develop systems designed to identify pupils with disabilities under Minnesota
81.33 Rules, part 3525.0750;

82.1 (7) provide students identified as English learners with instruction by a teacher licensed
82.2 to teach bilingual education or English as a second language, and differentiated instruction
82.3 in all courses consistent with state and federal law, and communicate with the families of
82.4 students identified as English learners and encourage their involvement in the students'
82.5 educational program; and

82.6 (8) provide meals for students participating in distance learning, including an option for
82.7 delivery of weekly meals.

82.8 (c) A school district or charter school that offers distance learning does not generate
82.9 revenue as an online learning provider and is not subject to application approval under
82.10 Minnesota Statutes, section 124D.095.

82.11 (d) A school district or charter school offering distance or hybrid learning options must
82.12 not require a teacher to provide simultaneous instruction to students in person and doing
82.13 online learning at the same time.

82.14 (e) A district or charter school must provide an additional 30 minutes of daily preparation
82.15 time to a teacher providing instruction to students in person and to students doing online
82.16 learning at different times in one day. The district or charter school must provide the
82.17 additional preparation time in one or two uninterrupted blocks of time during the regular
82.18 school day. A district or charter school and the exclusive representative of teachers may
82.19 agree to waive, limit, or modify the additional preparation time requirement.

82.20 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year only.

82.21 **Sec. 64. PROFESSIONAL DEVELOPMENT ON LITERACY INSTRUCTION.**

82.22 Notwithstanding any law to the contrary, a district must use up to 0.5 percent of its staff
82.23 development revenue under Minnesota Statutes, section 122A.61 or its literacy incentive
82.24 aid under Minnesota Statutes, section 124D.98 on rigorous professional development for
82.25 teachers based on the science of reading that includes:

82.26 (1) explicit, systematic, and sequential instruction in foundational reading skills and
82.27 higher-order literacy skills;

82.28 (2) instruction on using structured, phonemic, phonetic multisensory methods to teach
82.29 students to read; and

82.30 (3) instruction on assessing student needs and interpreting student assessment data.

82.31 **EFFECTIVE DATE.** This sections is effective for the 2021-2022 and 2022-2023 school
82.32 years only.

83.1 Sec. 65. ONETIME AMERICAN INDIAN TRIBAL CONTRACT DECLINING
83.2 ENROLLMENT AID; FISCAL YEAR 2021.

83.3 Notwithstanding Minnesota Statutes, section 124D.83, for fiscal year 2021 only,
83.4 American Indian Tribal contract aid shall be increased by an amount equal to the greater
83.5 of zero or the product of:

83.6 (1) 20.5 percent of the formula allowance for fiscal year 2021; and

83.7 (2) the difference between the adjusted pupil units for fiscal year 2020 and the adjusted
83.8 pupil units for fiscal year 2021.

83.9 EFFECTIVE DATE. This section is effective the day following final enactment for
83.10 fiscal year 2021.

83.11 Sec. 66. ACADEMIC STANDARDS.

83.12 Subdivision 1. Social studies standards. (a) The commissioner of education must ensure
83.13 that the revised social studies standards adopted as a result of the review beginning in the
83.14 2020-2021 school year include personal finance standards that improve students' financial
83.15 literacy. The related benchmarks must address creating a household budget, taking out loans
83.16 and accruing debt, how interest works, home mortgages, how to file taxes, the impact of
83.17 student loan debt, and how to read a paycheck and payroll deductions. In developing the
83.18 standards and benchmarks, the commissioner must consider the needs of young adults,
83.19 low-income individuals, immigrants, and students who are American Indian or who are of
83.20 color. The commissioner is encouraged to consult with the Minnesota Council on Economic
83.21 Education, the University of Minnesota Extension, and community-based organizations
83.22 that promote financial literacy in underserved communities.

83.23 (b) The commissioner of education must ensure that the revised social studies standards
83.24 adopted as a result of the review beginning in the 2020-2021 school year include benchmarks
83.25 in government and citizenship in 11th or 12th grade.

83.26 Subd. 2. Other standards. Notwithstanding Minnesota Statutes, section 120B.021, the
83.27 commissioner of education must suspend the review and revision of academic standards
83.28 and related benchmarks in mathematics and the implementation of revised physical education
83.29 and arts academic standards under Minnesota Statutes, section 120B.021, until June 1, 2022.
83.30 This suspension does not prevent the commissioner from supporting schools and districts
83.31 with future implementation, continuing with current rulemaking activities, or developing
83.32 future statewide assessments in science or reading. The commissioner must implement a

84.1 review and revision of the academic standards and related benchmarks in mathematics
 84.2 beginning in the 2022-2023 school year.

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

84.4 Sec. 67. **APPROPRIATIONS.**

84.5 Subdivision 1. **Department of Education.** The sums indicated in this section are
 84.6 appropriated from the general fund to the Department of Education for the fiscal years
 84.7 designated.

84.8 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
 84.9 Minnesota Statutes, section 124D.862:

84.10 \$ 84,057,000 2022

84.11 \$ 83,431,000 2023

84.12 The 2022 appropriation includes \$7,912,000 for 2021 and \$76,145,000 for 2022.

84.13 The 2023 appropriation includes \$8,460,000 for 2022 and \$74,971,000 for 2023.

84.14 Subd. 3. **American Indian education aid.** For American Indian education aid under
 84.15 Minnesota Statutes, section 124D.81, subdivision 2a:

84.16 \$ 11,351,000 2022

84.17 \$ 11,775,000 2023

84.18 The 2022 appropriation includes \$1,087,000 for 2021 and \$10,264,000 for 2022.

84.19 The 2023 appropriation includes \$1,140,000 for 2022 and \$10,635,000 for 2023.

84.20 Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota
 84.21 Statutes, section 124E.22:

84.22 \$ 93,547,000 2022

84.23 \$ 99,819,000 2023

84.24 The 2022 appropriation includes \$8,806,000 for 2021 and \$84,741,000 for 2022.

84.25 The 2023 appropriation includes \$9,415,000 for 2022 and \$90,404,000 for 2023.

84.26 Subd. 5. **Civic education grants.** (a) For a grant to the Minnesota Civic Education
 84.27 Coalition for grants to Youth in Government, the Learning Law and Democracy Foundation,
 84.28 and the YMCA Center for Youth Voice to support civic education programs for youth age
 84.29 18 and under to provide teacher professional development, educational resources, and
 84.30 program support:

85.1 \$ 75,000 2022

85.2 \$ 75,000 2023

85.3 (b) The programs must instruct students in:

85.4 (1) the constitutional principles and the democratic foundation of our national, state,
85.5 and local institutions; and

85.6 (2) the political processes and structures of government, grounded in the understanding
85.7 of constitutional government and individual rights.

85.8 (c) Any balance in the first year does not cancel but is available in the second year.

85.9 (d) The base for fiscal year 2024 is \$0.

85.10 Subd. 6. **College entrance examination reimbursement.** (a) To reimburse districts for
85.11 students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph
85.12 (e), for payment of their college entrance examination fee:

85.13 \$ 1,011,000 2022

85.14 \$ 1,011,000 2023

85.15 (b) The commissioner must reimburse school districts for the costs for free or
85.16 reduced-price meal eligible students who take the ACT or SAT test under Minnesota Statutes,
85.17 section 120B.30, subdivision 1.

85.18 (c) Any balance in the first year does not cancel but is available in the second year.

85.19 Subd. 7. **Concurrent enrollment aid.** (a) For concurrent enrollment aid under Minnesota
85.20 Statutes, section 124D.091:

85.21 \$ 5,000,000 2022

85.22 \$ 5,000,000 2023

85.23 (b) If the appropriation is insufficient, the commissioner must proportionately reduce
85.24 the aid payment to each school district.

85.25 (c) Any balance in the first year does not cancel but is available in the second year.

85.26 Subd. 8. **Early childhood literacy programs.** (a) For early childhood literacy programs
85.27 under Minnesota Statutes, section 119A.50, subdivision 3:

85.28 \$ 7,950,000 2022

85.29 \$ 7,950,000 2023

85.30 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support
85.31 AmeriCorps members serving in the Minnesota reading corps program established by

86.1 Serve Minnesota, including costs associated with training and teaching early literacy skills
 86.2 to children ages three through grade 3 and evaluating the impact of the program under
 86.3 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

86.4 (c) Any balance in the first year does not cancel but is available in the second year.

86.5 Subd. 9. **Equitable school enhancement grants.** (a) To support schools in their efforts
 86.6 to close opportunity and achievement gaps under Minnesota Statutes, section 120B.113:

86.7 \$ 3,000,000 2022

86.8 \$ 3,000,000 2023

86.9 (b) The department may use up to five percent of this appropriation to administer the
 86.10 grant program.

86.11 (c) Any balance in the first year does not cancel but is available in the second year.

86.12 Subd. 10. **Examination fees; teacher training and support programs.** (a) For students'
 86.13 advanced placement and international baccalaureate examination fees under Minnesota
 86.14 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and
 86.15 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

86.16 \$ 4,500,000 2022

86.17 \$ 4,500,000 2023

86.18 (b) The advanced placement program shall receive 75 percent of the appropriation each
 86.19 year and the international baccalaureate program shall receive 25 percent of the appropriation
 86.20 each year. The department, in consultation with representatives of the advanced placement
 86.21 and international baccalaureate programs selected by the Advanced Placement Advisory
 86.22 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts
 86.23 of the expenditures each year for examination fees and training and support programs for
 86.24 each program.

86.25 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000
 86.26 each year is for teachers to attend subject matter summer training programs and follow-up
 86.27 support workshops approved by the advanced placement or international baccalaureate
 86.28 programs. The amount of the subsidy for each teacher attending an advanced placement or
 86.29 international baccalaureate summer training program or workshop shall be the same. The
 86.30 commissioner shall determine the payment process and the amount of the subsidy.

86.31 (d) The commissioner shall pay all examination fees for all students of low-income
 86.32 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of

87.1 available appropriations, shall also pay examination fees for students sitting for an advanced
 87.2 placement examination, international baccalaureate examination, or both.

87.3 (e) Any balance in the first year does not cancel but is available in the second year.

87.4 Subd. 11. **Expand rigorous coursework for Black students, Indigenous students,**
 87.5 **students of color, and students in greater Minnesota.** (a) For grants to expand rigorous
 87.6 coursework primarily for but not limited to disadvantaged and underrepresented students
 87.7 and students in greater Minnesota, such as through advanced placement courses, international
 87.8 baccalaureate programs, career and technical education, and concurrent enrollment courses:

87.9 \$ 4,000,000 2022

87.10 \$ 4,000,000 2023

87.11 (b) Eligible recipients include school districts, charter schools, intermediate school
 87.12 districts, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision
 87.13 2.

87.14 (c) Of this amount, \$1,400,000 is for grants to support professional development and
 87.15 incentives for high school teachers to develop and expand course offerings approved by the
 87.16 state. An eligible recipient must offer the professional development or course through a
 87.17 regional partnership or statewide program. Compensation for teachers to teach courses
 87.18 beyond the contract day or year is an allowable expenditure. Funds may supplement, but
 87.19 not replace, current state and federal program funds. Grants are limited to \$50,000 per
 87.20 recipient.

87.21 (d) Of this amount, \$2,600,000 is for matching grants to support rigorous course
 87.22 expansion and statewide career and technical education program quality improvements.
 87.23 The department must provide technical support and guidance. Funds may supplement, but
 87.24 not replace, current state and federal program funds. Grants are limited to \$100,000 per
 87.25 recipient.

87.26 (e) The department must require an applicant for grant funds to submit a plan that
 87.27 describes how the applicant would use grant funds to increase participation by disadvantaged
 87.28 and underrepresented students in rigorous coursework. The department must consider an
 87.29 applicant's goals, strategies, and capacity to increase participation by disadvantaged and
 87.30 underrepresented students when awarding funds.

87.31 (f) At least 50 percent of the funds in this subdivision must be appropriated to grant
 87.32 recipients in greater Minnesota.

88.1 (g) Up to five percent of this appropriation is available for program and grant
 88.2 administration.

88.3 (h) Any balance in the first year does not cancel but is available in the second year.

88.4 Subd. 12. Full-service community schools. (a) For comprehensive program support
 88.5 for full-service community schools:

88.6 \$ 5,000,000 2022

88.7 \$ 5,000,000 2023

88.8 (b) Of this amount, priority must be given to programs in the following order:

88.9 (1) current grant recipients issued under Minnesota Statutes, section 124D.231;

88.10 (2) schools identified as low-performing under the Federal Every Student Succeeds Act;

88.11 and

88.12 (3) any other applicants.

88.13 (c) Any balance in the first year does not cancel but is available in the second year.

88.14 Subd. 13. Girls in Action grant. (a) For a grant to the Girls in Action program to enable
 88.15 Girls in Action to continue to provide and expand Twin Cities metropolitan area school and
 88.16 community-based programs that encourage and support low-income girls of color:

88.17 \$ 1,500,000 2022

88.18 \$ 0 2023

88.19 (b) Of the appropriated funds, \$1,000,000 must be used to sustain 16 current Girls in
 88.20 Action program sites and expand to reach an additional four sites in inner ring suburban
 88.21 communities with growing ethnic diversity among students.

88.22 (c) Of the appropriated funds, \$500,000 must be used to sustain three community-based
 88.23 Girls in Action programs for Asian, East African, and Latina girls in Hennepin, Ramsey,
 88.24 and Dakota Counties, and to expand an additional two community-based programs in these
 88.25 counties to reach Native American and African-American girls.

88.26 (d) Girls in Action programs supported by these funds must include programs focused
 88.27 on:

88.28 (1) increasing academic performance, high school graduation rates, and enrollment in
 88.29 postsecondary education for girls faced with social, demographic, racial, and economic
 88.30 barriers and challenges;

89.1 (2) increasing mentoring, literacy, career development, positive community engagement,
 89.2 and number of qualified female employees of color in the workforce pipeline, particularly
 89.3 in science, technology, engineering, and mathematics fields;

89.4 (3) providing coaching, mentoring, health and wellness counseling, resources to girls
 89.5 whose experience with sexual assault has negatively impacted their academics and behavior,
 89.6 and culturally sensitive therapy resources and counseling services to sexual assault victims;
 89.7 and

89.8 (4) increasing financial literacy and knowledge of options for financing college or
 89.9 postsecondary education.

89.10 (e) This is a onetime appropriation.

89.11 (f) Any balance in the first year does not cancel but is available until June 30, 2024.

89.12 **Subd. 14. Grants to increase science, technology, engineering, and math course**
 89.13 **offerings.** (a) For grants to schools to encourage low-income and other underserved students
 89.14 to participate in advanced placement and international baccalaureate programs according
 89.15 to Minnesota Statutes, section 120B.132:

89.16 \$ 250,000 2022

89.17 \$ 250,000 2023

89.18 (b) Any balance in the first year does not cancel but is available in the second year.

89.19 **Subd. 15. Indigenous education for all.** (a) For the implementation of indigenous
 89.20 education for all legislation based on the standards and benchmarks in place with the
 89.21 contributions of Minnesota's Tribal Nations and communities under Minnesota Statutes,
 89.22 section 120B.17:

89.23 \$ 887,000 2022

89.24 \$ 437,000 2023

89.25 (b) Of this amount, \$450,000 in 2022 is for onetime competitive grants to provide
 89.26 curricular resources to schools.

89.27 (c) Of this amount, \$150,000 annually is for a grant to the Tribal Nations Education
 89.28 Committee.

89.29 (d) Of this amount, \$287,000 annually is for department administration and
 89.30 implementation of the standards.

90.1 Subd. 16. Interdistrict desegregation or integration transportation grants. For
 90.2 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
 90.3 section 124D.87:

90.4 \$ 12,310,000 2022

90.5 \$ 14,823,000 2023

90.6 Subd. 17. Literacy incentive aid. For literacy incentive aid under Minnesota Statutes,
 90.7 section 124D.98:

90.8 \$ 45,075,000 2022

90.9 \$ 45,968,000 2023

90.10 The 2022 appropriation includes \$4,463,000 for 2021 and \$40,612,000 for 2022.

90.11 The 2023 appropriation includes \$4,512,000 for 2022 and \$41,456,000 for 2023.

90.12 Subd. 18. Minnesota Council on Economic Education. (a) For a grant to the Minnesota
 90.13 Council on Economic Education:

90.14 \$ 250,000 2022

90.15 \$ 250,000 2023

90.16 (b) The grant must be used to:

90.17 (1) provide professional development to Minnesota's kindergarten through grade 12
 90.18 teachers implementing state graduation standards in learning areas related to economic
 90.19 education;

90.20 (2) support the direct-to-student ancillary economic and personal finance programs that
 90.21 Minnesota teachers supervise and coach; and

90.22 (3) provide support to geographically diverse affiliated higher education-based centers
 90.23 for economic education, including those based at Minnesota State University Mankato,
 90.24 Minnesota State University Moorhead, St. Cloud State University, St. Catherine University,
 90.25 and the University of St. Thomas, as their work relates to activities in clauses (1) and (2)
 90.26 above.

90.27 (c) By February 15 of each year following the receipt of a grant, the Minnesota Council
 90.28 on Economic Education must report to the commissioner of education on the number and
 90.29 type of in-person and online teacher professional development opportunities provided by
 90.30 the Minnesota Council on Economic Education or its affiliated state centers for economic
 90.31 education. The report must include a description of the content, length, and location of the
 90.32 programs; the number of preservice and licensed teachers receiving professional development

91.1 through each of these opportunities; and a summary of evaluations of teacher professional
 91.2 opportunities.

91.3 (d) On August 15, 2021, the Department of Education must pay the full amount of the
 91.4 grant for fiscal year 2022 to the Minnesota Council on Economic Education. On August
 91.5 15, 2022, the Department of Education must pay the full amount of the grant for fiscal year
 91.6 2023 to the Minnesota Council on Economic Education. The Minnesota Council on Economic
 91.7 Education must submit its fiscal reporting in the form and manner specified by the
 91.8 commissioner. The commissioner may request additional information as necessary.

91.9 (e) Any balance in the first year does not cancel but is available in the second year.

91.10 (f) The base for fiscal year 2024 is \$0.

91.11 Subd. 19. **Minnesota Independence College and Community.** (a) For transfer to the
 91.12 Office of Higher Education for grants to Minnesota Independence College and Community
 91.13 for tuition reduction and institutional support:

91.14 \$ 625,000 2022

91.15 \$ 625,000 2023

91.16 (b) Any balance in the first year does not cancel but is available in the second year.

91.17 Subd. 20. **Minnesota math corps program.** (a) For the Minnesota math corps program
 91.18 under Minnesota Statutes, section 124D.42, subdivision 9:

91.19 \$ 2,500,000 2022

91.20 \$ 2,500,000 2023

91.21 (b) Any balance in the first year does not cancel but is available in the second year.

91.22 Subd. 21. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota
 91.23 College of Education and Human Development for the operation of the Minnesota Principals
 91.24 Academy:

91.25 \$ 200,000 2022

91.26 \$ 200,000 2023

91.27 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals
 91.28 and school leaders from schools identified for intervention under the state's accountability
 91.29 system as implemented to comply with the federal Every Student Succeeds Act. To the
 91.30 extent funds are available, the Department of Education is encouraged to use up to \$200,000
 91.31 of federal Title II funds to support additional participation in the Principals Academy by
 91.32 principals and school leaders from schools identified for intervention under the state's

92.1 accountability system as implemented to comply with the federal Every Student Succeeds
 92.2 Act.

92.3 (c) Any balance in the first year does not cancel but is available in the second year.

92.4 Subd. 22. **Minnesota Youth Council.** (a) For grants to the Minnesota Alliance With
 92.5 Youth for the activities of the Minnesota Youth Council:

92.6 \$ 187,000 2022

92.7 \$ 187,000 2023

92.8 (b) Any balance in the first year does not cancel but is available in the second year.

92.9 Subd. 23. **Multitiered systems of support.** (a) For the Minnesota Department of
 92.10 Education to support schools in reinforcing systemic approaches to meet the needs of
 92.11 individual students and ensure effective implementation of multitiered systems of support
 92.12 in the areas of academics, social and emotional learning, and physical health services:

92.13 \$ 5,000,000 2022

92.14 \$ 5,000,000 2023

92.15 (b) Of this amount, \$3,200,000 is for regional centers of excellence under the Minnesota
 92.16 service cooperatives to fund staff to support the implementation of multitiered systems of
 92.17 support, ensuring research-validated models are supported for prekindergarten through
 92.18 grade 12 in school districts and charter schools.

92.19 (c) Of this amount, \$1,800,000 is reserved for grants to school districts and charter
 92.20 schools to partner with community-based organizations and programs.

92.21 (d) Grant funds must be used for implementation of evidence-based policies, procedures,
 92.22 and practices within the multitiered systems of support prioritizing before and after school
 92.23 programming for historically underserved students and access to mental health services for
 92.24 students.

92.25 (e) Eligible grantees include school districts, charter schools, intermediate school districts,
 92.26 and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2.

92.27 (f) Up to five percent of this appropriation is available for program and grant
 92.28 administration.

92.29 (g) Any balance in the first year does not cancel but is available in the second year.

92.30 Subd. 24. **Museums and education centers.** (a) For grants to museums and education
 92.31 centers:

93.1 \$ 610,000 2022

93.2 \$ 610,000 2023

93.3 (b) \$269,000 each year is for the Minnesota Children's Museum.

93.4 (c) \$50,000 each year is for the Minnesota Children's Museum, Rochester.

93.5 (d) \$50,000 each year is for the Duluth Children's Museum.

93.6 (e) \$41,000 each year is for the Minnesota Academy of Science.

93.7 (f) \$50,000 each year is for the Headwaters Science Center.

93.8 (g) \$50,000 each year is for the Children's Museum of Southern Minnesota.

93.9 (h) \$50,000 each year is for the Works Museum in Bloomington.

93.10 (i) \$50,000 each year is for the Children's Discovery Museum of Grand Rapids.

93.11 (j) A recipient of a grant under this subdivision, must use the funds to encourage and
93.12 increase access for historically underserved communities.

93.13 (k) Any balance in the first year does not cancel but is available in the second year.

93.14 Subd. 25. P-TECH schools. (a) For P-TECH support grants under Minnesota Statutes,
93.15 section 124D.093, subdivision 5:

93.16 \$ 791,000 2022

93.17 \$ 791,000 2023

93.18 (b) The amounts in this subdivision are for grants to a public-private partnership that
93.19 includes Independent School District No. 535, Rochester.

93.20 (c) Any balance in the first year does not cancel but is available in the second year.

93.21 Subd. 26. Recovery program grants. (a) For recovery program grants under Minnesota
93.22 Statutes, section 124D.695:

93.23 \$ 750,000 2022

93.24 \$ 750,000 2023

93.25 (b) Any balance in the first year does not cancel but is available in the second year.

93.26 Subd. 27. Rural career and technical education consortium. (a) For rural career and
93.27 technical education consortium grants:

93.28 \$ 3,000,000 2022

93.29 \$ 3,000,000 2023

93.30 (b) Any balance in the first year does not cancel but is available in the second year.

94.1 Subd. 28. **Sanneh Foundation.** (a) For grants to the Sanneh Foundation for purposes
 94.2 of subdivision 3:

94.3 \$ 2,000,000 2022

94.4 \$ 2,000,000 2023

94.5 (b) The grants to the Sanneh Foundation must be directed toward programs for
 94.6 low-performing and chronically absent students with a focus on low-income students and
 94.7 students of color. The goals of the grants include decreasing absenteeism, encouraging
 94.8 school engagement, improving grades, and improving graduation rates. The grants may be
 94.9 used to:

94.10 (1) provide all-day, in-school academic and behavioral interventions and social and
 94.11 emotional learning throughout the school year;

94.12 (2) provide year-round, out-of-school behavioral, social, and emotional learning
 94.13 interventions and enrichment activities;

94.14 (3) enhance career exploration opportunities, including exposure to businesses and
 94.15 business activities; and

94.16 (4) develop pathways in cooperation with business higher education partners for
 94.17 participants to pursue careers in education and youth development.

94.18 (c) Any balance in the first year does not cancel but is available in the second year.

94.19 (d) The base for fiscal year 2024 is \$1,000,000.

94.20 Subd. 29. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under
 94.21 Minnesota Statutes, sections 124D.37 to 124D.45:

94.22 \$ 900,000 2022

94.23 \$ 900,000 2023

94.24 (b) A grantee organization may provide health and child care coverage to the dependents
 94.25 of each participant enrolled in a full-time ServeMinnesota program to the extent such
 94.26 coverage is not otherwise available.

94.27 (c) Any balance in the first year does not cancel but is available in the second year.

94.28 Subd. 30. **Singing-based pilot program to improve student reading.** (a) For a grant
 94.29 to pilot a research-supported, computer-based educational program that uses singing to
 94.30 improve the reading ability of students in grades 2 through 5:

95.1 \$ 75,000 2022

95.2 (b) The commissioner of education shall award a grant to the Rock 'n' Read Project to
 95.3 implement a research-supported, computer-based educational program that uses singing to
 95.4 improve the reading ability of students in grades 2 through 5. The grantee shall be responsible
 95.5 for selecting participating school sites; providing any required hardware and software,
 95.6 including software licenses, for the duration of the grant period; providing technical support,
 95.7 training, and staff to install required project hardware and software; providing on-site
 95.8 professional development and instructional monitoring and support for school staff and
 95.9 students; administering preintervention and postintervention reading assessments; evaluating
 95.10 the impact of the intervention; and other project management services as required. To the
 95.11 extent practicable, the grantee must select participating schools in urban, suburban, and
 95.12 greater Minnesota, and give priority to schools in which a high proportion of students do
 95.13 not read proficiently at grade level and are eligible for free or reduced-price lunch.

95.14 (c) By February 15, 2023, the grantee must submit a report detailing expenditures and
 95.15 outcomes of the grant to the commissioner of education and the chairs and ranking minority
 95.16 members of the legislative committees with primary jurisdiction over kindergarten through
 95.17 grade 12 education policy and finance.

95.18 (d) Any balance in the first year does not cancel but is available in the second year.

95.19 (e) This is a onetime appropriation.

95.20 Subd. 31. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,
 95.21 technology, engineering, and math (STEM) program providing students in grades 4 through
 95.22 6 with a multisensory learning experience and a hands-on curriculum in an aerospace
 95.23 environment using state-of-the-art technology:

95.24 \$ 500,000 2022

95.25 \$ 500,000 2023

95.26 (b) Any balance in the first year does not cancel but is available in the second year.

95.27 Subd. 32. **Statewide testing and reporting system.** (a) For the statewide testing and
 95.28 reporting system under Minnesota Statutes, section 120B.30:

95.29 \$ 9,692,000 2022

95.30 \$ 9,692,000 2023

95.31 (b) Any balance in the first year does not cancel but is available in the second year.

95.32 (c) The base in 2024 and 2025 is \$10,892,000 per year.

96.1 Subd. 33. Student organizations. (a) For student organizations:

96.2 \$ 768,000 2022

96.3 \$ 768,000 2023

96.4 (b) \$46,000 each year is for student organizations serving health occupations (HOSA).

96.5 (c) \$100,000 each year is for student organizations serving trade and industry occupations
 96.6 (Skills USA, secondary and postsecondary).

96.7 (d) \$95,000 each year is for student organizations serving business occupations (BPA,
 96.8 secondary and postsecondary).

96.9 (e) \$193,000 each year is for student organizations serving agriculture occupations (FFA,
 96.10 PAS).

96.11 (f) \$185,000 each year is for student organizations serving family and consumer science
 96.12 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and
 96.13 31, the student organizations serving FCCLA shall continue to serve students younger than
 96.14 grade 9.

96.15 (g) \$109,000 each year is for student organizations serving marketing occupations (DECA
 96.16 and DECA collegiate).

96.17 (h) \$40,000 each year is for the Minnesota Foundation for Student Organizations.

96.18 (i) Any balance in the first year does not cancel but is available in the second year.

96.19 Subd. 34. Tribal contract school aid. For Tribal contract school aid under Minnesota
 96.20 Statutes, section 124D.83, and Tribal contract onetime compensatory aid:

96.21 \$ 2,775,000 2022

96.22 \$ 3,138,000 2023

96.23 The 2022 appropriation includes \$227,000 for 2021 and \$2,548,000 for 2022.

96.24 The 2023 appropriation includes \$283,000 for 2022 and \$2,855,000 for 2023.

96.25 Sec. 68. REVISOR INSTRUCTION.

96.26 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column
 96.27 A with the number listed in column B. The revisor shall also make necessary cross-reference
 96.28 changes consistent with the renumbering. The revisor shall also make any technical language
 96.29 and other changes necessitated by the renumbering and cross-reference changes in this act.

97.1	<u>Column A</u>	<u>Column B</u>
97.2	<u>General Requirements Statewide Assessments</u>	
97.3	<u>120B.30, subdivision 1a, paragraph (h)</u>	<u>120B.30, subdivision 1</u>
97.4	<u>120B.30, subdivision 1, paragraph (q)</u>	<u>120B.30, subdivision 2</u>
97.5	<u>120B.30, subdivision 1a, paragraph (g)</u>	<u>120B.30, subdivision 3</u>
97.6	<u>120B.30, subdivision 1b</u>	<u>120B.30, subdivision 4</u>
97.7	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.30, subdivision 5, paragraph (a)</u>
97.8	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.30, subdivision 5, paragraph (b)</u>
97.9	<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>
97.10	<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>
97.11	<u>120B.30, subdivision 2, paragraph (b),</u>	<u>120B.30, subdivision 6, paragraph (c)</u>
97.12	<u>clauses (1) and (2)</u>	
97.13	<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
97.14	<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
97.15	<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
97.16	<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
97.17	<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>
97.18	<u>General Requirements Test Design</u>	
97.19	<u>120B.30, subdivision 1a, paragraph (a),</u>	<u>120B.301, subdivision 1</u>
97.20	<u>clauses (1) to (5)</u>	
97.21	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>
97.22	<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>
97.23	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>
97.24	<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>
97.25	<u>120B.30, subdivision 1a, paragraph (c),</u>	<u>120B.301, subdivision 3, paragraph (d)</u>
97.26	<u>clauses (1) and (2)</u>	
97.27	<u>Assessment Graduation Requirements</u>	
97.28	<u>120B.30, subdivision 1, paragraph (c),</u>	<u>120B.304, subdivision 1</u>
97.29	<u>clauses (1) and (2)</u>	
97.30	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.304, subdivision 2</u>
97.31	<u>120B.30, subdivision 1, paragraph (i)</u>	<u>120B.304, subdivision 3</u>
97.32	<u>Assessment Reporting Requirements</u>	
97.33	<u>120B.30, subdivision 1a, paragraph (f),</u>	<u>120B.305, subdivision 1</u>
97.34	<u>clauses (1) to (3)</u>	
97.35	<u>120B.30, subdivision 1a, paragraph (d),</u>	<u>120B.305, subdivision 2, paragraph (a)</u>
97.36	<u>clauses (1) to (4)</u>	
97.37	<u>120B.30, subdivision 1, paragraph (m)</u>	<u>120B.305, subdivision 2, paragraph (b)</u>
97.38	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.305, subdivision 2, paragraph (c)</u>
97.39	<u>120B.30, subdivision 1, paragraph (o),</u>	<u>120B.305, subdivision 3, paragraph (a)</u>
97.40	<u>clauses (1) to (4)</u>	

98.1	<u>120B.30, subdivision 3</u>	<u>120B.305, subdivision 3, paragraph (b)</u>
98.2	<u>District Assessment Requirements</u>	
98.3	<u>120B.301, paragraphs (a) to (c)</u>	<u>120B.306, subdivision 1</u>
98.4	<u>120B.304, paragraphs (a) and (b)</u>	<u>120B.306, subdivision 2</u>
98.5	<u>College and Career Readiness</u>	
98.6	<u>120B.30, subdivision 1, paragraph (p)</u>	<u>120B.307, subdivision 1</u>
98.7	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.307, subdivision 2</u>
98.8	<u>120B.30, subdivision 1, paragraph (f)</u>	<u>120B.307, subdivision 3</u>
98.9	<u>120B.30, subdivision 1, paragraph (g)</u>	<u>120B.307, subdivision 4, paragraph (a)</u>
98.10	<u>120B.30, subdivision 1, paragraph (h)</u>	<u>120B.307, subdivision 4, paragraph (b)</u>
98.11	<u>120B.30, subdivision 1, paragraph (j)</u>	<u>120B.307, subdivision 4, paragraph (c)</u>
98.12	<u>120B.30, subdivision 1, paragraph (k)</u>	<u>120B.307, subdivision 4, paragraph (d)</u>
98.13	<u>120B.30, subdivision 1, paragraph (l)</u>	<u>120B.307, subdivision 4, paragraph (e)</u>

98.14 Sec. 69. **REPEALER.**

98.15 Minnesota Statutes 2020, section 120B.35, subdivision 5, is repealed.

98.16 **ARTICLE 3**

98.17 **TEACHERS**

98.18 Section 1. **[120B.117] INCREASING PERCENTAGE OF TEACHERS OF COLOR**
 98.19 **AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

98.20 Subdivision 1. **Purpose.** This section sets short-term and long-term state goals for
 98.21 increasing the percentage of teachers of color and American Indian teachers in Minnesota
 98.22 and for ensuring all students have equitable access to effective and racially and ethnically
 98.23 diverse teachers who reflect the diversity of students. The goals and report required under
 98.24 this section are also important for meeting state goals for the world's best workforce under
 98.25 section 120B.11, achievement and integration under section 124D.861, and higher education
 98.26 attainment under section 135A.012, all of which have been established to close persistent
 98.27 opportunity and achievement gaps that limit students' success in school and life and impede
 98.28 the state's economic growth.

98.29 Subd. 2. **Equitable access to racially and ethnically diverse teachers.** The percentage
 98.30 of teachers who are of color or American Indian in Minnesota should increase at least two
 98.31 percentage points per year to have a teaching workforce that more closely reflects the state's
 98.32 increasingly diverse student population and to ensure all students have equitable access to
 98.33 effective and diverse teachers by 2040.

99.1 Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion
99.2 of any other goals and does not confer a right or create a claim for any person.

99.3 Subd. 4. **Reporting.** Beginning in 2022 and every even-numbered year thereafter, the
99.4 Professional Educator Licensing and Standards Board must collaborate with the Department
99.5 of Education and the Office of Higher Education to publish a summary report of each of
99.6 the programs they administer and any other programs receiving state appropriations that
99.7 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's
99.8 teacher workforce to more closely reflect the diversity of students. The report must include
99.9 programs under sections 122A.094, 122A.63, 122A.635, 122A.70, 124D.09, 124D.861,
99.10 136A.1275, and 136A.1791, along with any other programs or initiatives that receive state
99.11 appropriations to address the shortage of teachers of color and American Indian teachers.
99.12 The board must, in coordination with the Office of Higher Education and Department of
99.13 Education, provide policy and funding recommendations related to state-funded programs
99.14 to increase the recruitment, preparation, licensing, hiring, and retention of racially and
99.15 ethnically diverse teachers and the state's progress toward meeting or exceeding the goals
99.16 of this section. The report must also include recommendations for state policy and funding
99.17 needed to achieve the goals of this section, as well as plans for sharing the report and
99.18 activities of grant recipients, and opportunities among grant recipients of various programs
99.19 to share effective practices with each other. The 2022 report must include a recommendation
99.20 of whether a state advisory council should be established to address the shortage of racially
99.21 and ethnically diverse teachers and what the composition and charge of such an advisory
99.22 council would be if established. The board must consult with the Indian Affairs Council
99.23 and other ethnic councils along with other community partners, including students of color
99.24 and American Indian students, in developing the report. By November 1 of each
99.25 even-numbered year, the board must submit the report to the chairs and ranking minority
99.26 members of the legislative committees with jurisdiction over education and higher education
99.27 policy and finance. The report must be available to the public on the board's website.

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

99.29 Sec. 2. **[120B.25] CURRICULUM POLICY.**

99.30 A school board must adopt a written policy that prohibits discrimination or discipline
99.31 for a teacher or principal on the basis of incorporating into curriculum contributions by
99.32 persons in a federally protected class or protected class under section 363A.13, consistent
99.33 with local collective bargaining agreements.

100.1 Sec. 3. **[122A.04] LICENSE REQUIRED.**

100.2 Pursuant to section 120A.22, subdivision 10, a teacher must hold a license or a permission
100.3 aligned to the content area and scope of the teacher's assignment to provide instruction in
100.4 a public school or a charter school.

100.5 Sec. 4. Minnesota Statutes 2020, section 122A.06, subdivision 2, is amended to read:

100.6 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional
100.7 employee required by law to hold a license or permission from the Professional Educator
100.8 Licensing and Standards Board.

100.9 Sec. 5. Minnesota Statutes 2020, section 122A.06, subdivision 5, is amended to read:

100.10 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in
100.11 which a teacher may become licensed to teach.

100.12 Sec. 6. Minnesota Statutes 2020, section 122A.06, subdivision 6, is amended to read:

100.13 Subd. 6. **Shortage area.** "Shortage area" means:

100.14 (1) licensure fields and economic development regions reported by the ~~commissioner~~
100.15 ~~of education~~ Office of Higher Education or the Professional Educator Licensing and
100.16 Standards Board as experiencing a teacher shortage; and

100.17 (2) economic development regions where ~~there is a shortage of licensed teachers who~~
100.18 ~~reflect the racial or ethnic diversity of students in the region.~~ the aggregate percentage of
100.19 Indigenous teachers and teachers of color in the region is lower than the aggregate percentage
100.20 of kindergarten through grade 12 Indigenous students and students of color in that region.
100.21 Only individuals who close the gap between these percentages qualify as filling a shortage
100.22 by this definition.

100.23 Sec. 7. Minnesota Statutes 2020, section 122A.06, subdivision 7, is amended to read:

100.24 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a
100.25 program approved by the Professional Educator Licensing and Standards Board for the
100.26 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~
100.27 ~~preparation programs include traditional programs delivered by postsecondary institutions,~~
100.28 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

101.1 Sec. 8. Minnesota Statutes 2020, section 122A.06, subdivision 8, is amended to read:

101.2 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program
101.3 provider" or "unit" means an entity that has primary responsibility for overseeing and
101.4 delivering a teacher preparation program. Teacher preparation program providers include
101.5 postsecondary institutions and alternative teacher preparation providers aligned to section
101.6 122A.094.

101.7 Sec. 9. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision to
101.8 read:

101.9 Subd. 9. **District.** "District" means a public school district or charter school.

101.10 Sec. 10. **122A.094] TEACHER PREPARATION PROVIDERS.**

101.11 Subdivision 1. **Purpose.** Teacher preparation providers must be approved by the
101.12 Professional Educator Licensing and Standards Board to prepare candidates for teacher
101.13 licensure in Minnesota. To provide alternative pathways toward Minnesota teacher licensure
101.14 outside of the traditional means, improve ethnic and cultural diversity in the classroom, and
101.15 to close the achievement gap, the Professional Educator Licensing and Standards Board
101.16 must approve qualified teacher preparation providers and programs under this section that
101.17 are a means to acquire a Tier 2 license under section 122A.182 and prepare for acquiring a
101.18 Tier 3 license under section 122A.183.

101.19 Subd. 2. **Eligibility.** The following organizations are eligible to seek approval to be a
101.20 teacher preparation provider:

101.21 (1) Minnesota institutions of higher education;

101.22 (2) school districts;

101.23 (3) charter schools; and

101.24 (4) nonprofit corporations organized under chapter 317A for an education-related purpose.

101.25 Subd. 3. **Requirements for provider approval.** An eligible entity must be approved
101.26 as a provider before being approved to provide programs toward licensure. The Professional
101.27 Educator Licensing and Standards Board must approve an eligible entity under subdivision
101.28 3 that meets the following requirements:

101.29 (1) has evidence and history of fiscal solvency, capacity, and operation;

102.1 (2) possesses necessary infrastructure to provide accurate, timely, and secure data for
102.2 the purposes of admission, candidate monitoring, testing, and program completion
102.3 requirements;

102.4 (3) has policies and procedures in place ensuring the security of candidate records under
102.5 the federal Family Educational Rights and Privacy Act;

102.6 (4) has developed a research-based, results-oriented curriculum that focuses on the skills
102.7 teachers need to be effective;

102.8 (5) provides a clinical experience that meets criteria set in rule for initial and additional
102.9 licensure programs;

102.10 (6) includes a common core of teaching knowledge and skills. The Professional Educator
102.11 Licensing and Standards Board must adopt and revise rules to maintain a common core of
102.12 teaching knowledge and skills;

102.13 (7) includes instruction on the knowledge and skills needed to provide appropriate
102.14 instruction to English learners to support and accelerate their academic literacy, including
102.15 oral academic language and achievement in content areas in a regular classroom setting;
102.16 and

102.17 (8) includes culturally competent training on instructional strategies consistent with
102.18 section 120B.30, subdivision 1, paragraph (q), and Minnesota Rules, part 8710.0310, subpart
102.19 1, item D.

102.20 Subd. 4. **Program approval.** The board must adopt and revise rules outlining the criteria
102.21 by which programs offered by approved providers may be approved. If the board determines
102.22 that a teacher preparation provider or licensure program fails to meet or is deficient in any
102.23 of the requirements in rule, it may suspend or revoke the approval of the provider or program
102.24 after it notifies the provider of the deficiencies and gives the provider an opportunity to
102.25 remedy the deficiencies.

102.26 Subd. 5. **Specialized credentials.** The board may adopt and revise rules creating flexible,
102.27 specialized teaching licenses, credentials, and other endorsement forms.

102.28 Subd. 6. **Teacher educators.** (a) The board must adopt and revise rules requiring teacher
102.29 educators to work directly with elementary or secondary school teachers in elementary or
102.30 secondary schools to obtain periodic exposure to the elementary and secondary teaching
102.31 environments.

102.32 (b) The board must adopt and revise rules for the qualifications for teacher educators.
102.33 The board may use nontraditional criteria to determine qualifications of teacher educators,

103.1 including permitting instructors to hold a baccalaureate degree only. Nontraditional criteria
103.2 may include previous work experiences, teaching experiences, educator evaluations,
103.3 industry-recognized certifications, and other equivalent demonstrations of qualifications.

103.4 Subd. 7. **Reading strategies.** (a) A teacher preparation provider approved by the
103.5 Professional Educator Licensing and Standards Board to prepare persons for classroom
103.6 teacher licensure must include in its teacher preparation programs research-based best
103.7 practices in reading, consistent with section 122A.06, subdivision 4, that enable the licensure
103.8 candidate to teach reading in the candidate's content areas. Teacher candidates must be
103.9 instructed in using students' native languages as a resource in creating effective differentiated
103.10 instructional strategies for English learners developing literacy skills. A teacher preparation
103.11 provider must also prepare early childhood and elementary teacher candidates for Tier 3
103.12 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the
103.13 portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering
103.14 assessment of reading instruction.

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

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

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

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

103.30 (1) the nature and symptoms of dyslexia;

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

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

104.1 (4) outcomes of intervention and lack of intervention for students who show
104.2 characteristics of dyslexia.

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

104.5 Subd. 8. **Technology strategies.** All preparation providers approved by the Professional
104.6 Educator Licensing and Standards Board to prepare persons for classroom teacher licensure
104.7 must include in their teacher preparation programs the knowledge and skills teacher
104.8 candidates need to engage students with technology and deliver digital and blended learning
104.9 and curriculum.

104.10 Subd. 9. **Reports.** (a) The Professional Educator Licensing and Standards Board must
104.11 report annually to the education committees of the legislature on the performance of teacher
104.12 candidates aligned to section 122A.091, subdivision 1.

104.13 (b) The board must also submit a biennial report on the alternative teacher preparation
104.14 providers to legislative committees having jurisdiction over kindergarten through grade 12
104.15 education policy and finance by January 15 of each odd-numbered year.

104.16 Sec. 11. Minnesota Statutes 2020, section 122A.15, subdivision 1, is amended to read:

104.17 Subdivision 1. **Teachers.** The term "teachers" for the purpose of licensure, means all
104.18 persons employed in a public school or education district or by a service cooperative as
104.19 members of the instructional, supervisory, and support staff including superintendents,
104.20 principals, supervisors, secondary vocational and other classroom teachers, librarians, school
104.21 counselors, school psychologists, school nurses, school social workers, audio-visual directors
104.22 and coordinators, recreation personnel, media generalists, media supervisors, and ~~speech~~
104.23 ~~therapists~~ school speech-language pathologists. This definition does not apply to sections
104.24 122A.05 to 122A.093.

104.25 Sec. 12. Minnesota Statutes 2020, section 122A.16, is amended to read:

104.26 **122A.16 QUALIFIED TEACHER DEFINED.**

104.27 A qualified teacher is one holding a valid license, or permission under this chapter, to
104.28 perform the particular service for which the teacher is employed in a public school.

105.1 Sec. 13. Minnesota Statutes 2020, section 122A.18, subdivision 7a, is amended to read:

105.2 Subd. 7a. **Permission License to substitute teach.** (a) The Professional Educator
 105.3 Licensing and Standards Board must issue licenses to substitute teach to applicants who
 105.4 meet the qualifications prescribed in this subdivision and in Minnesota Rules.

105.5 ~~(a)~~ (b) The Professional Educator Licensing and Standards Board may ~~allow a person~~
 105.6 issue a short-call substitute teaching license to an applicant who otherwise qualifies for a
 105.7 Tier 1 license in accordance with section 122A.181, subdivision 2, or is enrolled in and
 105.8 making satisfactory progress in a ~~board-approved~~ state-approved teacher program and who
 105.9 has successfully completed student teaching ~~to be employed as a short-call substitute teacher.~~

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

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

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

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

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

105.25 (i) a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184,
 105.26 respectively, and must again complete ~~continuing education clock hours~~ renewal requirements
 105.27 pursuant to section 122A.187 one school year after receiving the Tier 3 or Tier 4 teaching
 105.28 license; or

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

106.1 Sec. 14. Minnesota Statutes 2020, section 122A.18, subdivision 8, is amended to read:

106.2 Subd. 8. **Background ~~checks~~ studies.** (a) The Professional Educator Licensing and
106.3 Standards Board and the Board of School Administrators must ~~obtain~~ initiate a criminal
106.4 history background ~~check~~ study on all first-time ~~teaching~~ applicants for educator licenses
106.5 under their jurisdiction. Applicants must include with their licensure applications:

106.6 (1) an executed criminal history consent form, including fingerprints; and

106.7 (2) payment to conduct the background check. The Professional Educator Licensing and
106.8 Standards Board must deposit payments received under this subdivision in an account in
106.9 the special revenue fund. Amounts in the account are annually appropriated to the
106.10 Professional Educator Licensing and Standards Board to pay for the costs of background
106.11 checks on applicants for licensure.

106.12 (b) The background check for all first-time teaching applicants for licenses must include
106.13 a review of information from the Bureau of Criminal Apprehension, including criminal
106.14 history data as defined in section 13.87, and must also include a review of the national
106.15 criminal records repository. The superintendent of the Bureau of Criminal Apprehension
106.16 is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes
106.17 of the criminal history check. The superintendent shall recover the cost to the bureau of a
106.18 background check through the fee charged to the applicant under paragraph (a).

106.19 (c) The Professional Educator Licensing and Standards Board ~~must contract with~~ and
106.20 the Board of School Administrators may initiate criminal background studies through the
106.21 commissioner of human services to ~~conduct background checks and~~ obtain background
106.22 check data required under this chapter.

106.23 Sec. 15. Minnesota Statutes 2020, section 122A.18, subdivision 10, is amended to read:

106.24 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
106.25 Board must adopt and revise rules establishing a process for an eligible ~~candidate~~ applicant
106.26 to obtain ~~any teacher~~ an initial Tier 3 license under subdivision 4, or to add a licensure field;
106.27 to a Tier 3 or Tier 4 license via portfolio. The portfolio licensure application process must
106.28 be consistent with the requirements in this subdivision.

106.29 (b) ~~A candidate~~ An applicant for a an initial Tier 3 license via portfolio must submit to
106.30 the board one portfolio demonstrating pedagogical competence and one portfolio
106.31 demonstrating content competence.

107.1 (c) ~~A candidate~~ An applicant seeking to add a licensure field via portfolio must submit
 107.2 to the board one portfolio demonstrating content competence for each licensure field the
 107.3 candidate seeks to add.

107.4 (d) The board must notify ~~a candidate~~ an applicant who submits a portfolio under
 107.5 paragraph (b) or (c) within ~~90~~ 120 calendar days after the portfolio is received whether or
 107.6 not the portfolio is approved. If the portfolio is not approved, the board must ~~immediately~~
 107.7 inform the ~~candidate~~ applicant how to revise the portfolio to successfully demonstrate the
 107.8 requisite competence. The ~~candidate~~ applicant may resubmit a revised portfolio ~~at any time~~
 107.9 within two years and the board must approve or disapprove the revised portfolio within ~~60~~
 107.10 90 calendar days of receiving it.

107.11 (e) ~~A candidate~~ An applicant must pay a fee for a portfolio in accordance with section
 107.12 122A.21, subdivision 4.

107.13 Sec. 16. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

107.14 Subdivision 1. **Application requirements.** The Professional Educator Licensing and
 107.15 Standards Board must approve ~~a request from a district or charter school to issue a Tier 1~~
 107.16 ~~license in a specified content area to a candidate~~ an application for a Tier 1 license in a
 107.17 specified content area if:

107.18 (1) the application has been submitted jointly by the applicant and the district;

107.19 (2) the application has been paid for by the district or the applicant;

107.20 (3) ~~the candidate~~ applicant meets the professional requirement in subdivision 2;

107.21 ~~(2)~~ (4) the district or charter school affirms that the ~~candidate~~ applicant has the necessary
 107.22 skills and knowledge to teach in the specified content area; ~~and~~

107.23 ~~(3)~~ (5) the district or charter school demonstrates that: ~~(i)~~ a criminal background check
 107.24 under section 122A.18, subdivision 8, has been completed on the ~~candidate~~ applicant; and

107.25 ~~(ii)~~ (6) the district or charter school has posted the teacher position but was unable to
 107.26 hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

107.27 Sec. 17. Minnesota Statutes 2020, section 122A.181, subdivision 2, is amended to read:

107.28 Subd. 2. **Professional requirements.** ~~(a) A candidate~~ An applicant for a Tier 1 license
 107.29 must have a bachelor's degree to teach a class or course ~~outside a career and technical~~
 107.30 ~~education or career pathways course of study, unless specifically exempt by state statute or~~
 107.31 rule.

108.1 ~~(b) A candidate for a Tier 1 license must have one of the following credentials in a~~
108.2 ~~relevant content area to teach a class in a career and technical education or career pathways~~
108.3 ~~course of study:~~

108.4 ~~(1) an associate's degree;~~

108.5 ~~(2) a professional certification; or~~

108.6 ~~(3) five years of relevant work experience.~~

108.7 Sec. 18. Minnesota Statutes 2020, section 122A.181, is amended by adding a subdivision
108.8 to read:

108.9 Subd. 2a. Exemptions from a bachelor's degree. (a) The following applicants for a
108.10 Tier 1 license are exempt from the requirement to hold a bachelor's degree in subdivision
108.11 2:

108.12 (1) an applicant for a Tier 1 license to teach career and technical education or career
108.13 pathways courses of study if the applicant has:

108.14 (i) an associate's degree;

108.15 (ii) a professional certification; or

108.16 (iii) five years of relevant work experience;

108.17 (2) an applicant for a Tier 1 license to teach world languages and culture pursuant to
108.18 Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language;

108.19 (3) an applicant for a Tier 1 license in the performing or visual arts pursuant to Minnesota
108.20 Rules, parts 8710.4300 (dance and theater), 8710.4310 (dance), 8710.4320 (theater),
108.21 8710.4650 (vocal music and instrumental music), and 8710.4900 (visual arts), if the applicant
108.22 has at least five years of relevant work experience; and

108.23 (4) an applicant for a Tier 1 license who is enrolled in a state-approved teacher preparation
108.24 program classified as a residency model aligned to the scope and field of the assignment.
108.25 The residency program must lead to a bachelor's degree unless the program is aligned to
108.26 one of the licensure areas outlined in this subdivision.

108.27 (b) The Professional Educator Licensing and Standards Board must adopt and revise
108.28 rules regarding the qualifications and determinations for applicants exempt from paragraph
108.29 (a).

109.1 Sec. 19. Minnesota Statutes 2020, section 122A.181, subdivision 3, is amended to read:

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

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

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

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

109.15 ~~(3) (2) the teacher holding the Tier 1 license participated in cultural competency training~~
109.16 ~~consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board~~
109.17 ~~approving the request for the initial Tier 1 license; and~~

109.18 ~~(4) (3) the teacher holding the Tier 1 license met the mental illness training renewal~~
109.19 ~~requirement under section 122A.187, subdivision 6; and~~

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

109.22 (4) the district demonstrates professional development opportunities and other supports
109.23 provided to move the teacher from a Tier 1 license to a higher tier.

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

109.29 Sec. 20. Minnesota Statutes 2020, section 122A.181, subdivision 4, is amended to read:

109.30 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
109.31 accept and review applications for a Tier 1 teaching license beginning July 1 of the school
109.32 year for which the license is requested ~~and must issue or deny the Tier 1 teaching license~~

110.1 ~~within 30 days of receiving the completed application, unless permitted by the board to~~
 110.2 ~~accept and review applications earlier.~~

110.3 Sec. 21. Minnesota Statutes 2020, section 122A.181, subdivision 5, is amended to read:

110.4 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter
 110.5 indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and
 110.6 limited to the district or charter school that requested the initial Tier 1 license.

110.7 (b) A Tier 1 license does not bring an individual within the definition of a teacher for
 110.8 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

110.9 ~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under~~
 110.10 ~~section 179A.03, subdivision 18.~~

110.11 Sec. 22. Minnesota Statutes 2020, section 122A.181, subdivision 6, is amended to read:

110.12 Subd. 6. **Mentorship and evaluation.** ~~(a) A teacher holding a Tier 1 license must~~
 110.13 ~~participate in the employing district or charter school's mentorship program and professional~~
 110.14 ~~development. A district that hires a Tier 1 teacher must provide mentorship aligned to~~
 110.15 ~~board-adopted criteria and professional development opportunities to that teacher.~~

110.16 (b) A teacher holding a Tier 1 license must participate in an evaluation aligned, to the
 110.17 extent practicable, with the evaluation under section 122A.40, subdivision 8, or 122A.41,
 110.18 subdivision 5.

110.19 Sec. 23. Minnesota Statutes 2020, section 122A.182, subdivision 1, is amended to read:

110.20 Subdivision 1. **Requirements.** ~~(a) The Professional Educator Licensing and Standards~~
 110.21 ~~Board must approve a request from a district or charter school to issue an application for a~~
 110.22 ~~Tier 2 license in a specified content area to a candidate if:~~

110.23 ~~(1) the candidate meets the educational or professional requirements in paragraph (b)~~
 110.24 ~~or (c) the application has been submitted jointly by the applicant and the district;~~

110.25 ~~(2) the candidate:~~

110.26 ~~(i) has completed the coursework required under subdivision 2;~~

110.27 ~~(ii) is enrolled in a Minnesota-approved teacher preparation program; or~~

110.28 ~~(iii) has a master's degree in the specified content area; and~~

110.29 ~~(3) the district or charter school demonstrates that a criminal background check under~~
 110.30 ~~section 122A.18, subdivision 8, has been completed on the candidate.~~

111.1 ~~(b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside~~
 111.2 ~~a career and technical education or career pathways course of study.~~

111.3 ~~(c) A candidate for a Tier 2 license must have one of the following credentials in a~~
 111.4 ~~relevant content area to teach a class or course in a career and technical education or career~~
 111.5 ~~pathways course of study:~~

111.6 ~~(1) an associate's degree;~~

111.7 ~~(2) a professional certification; or~~

111.8 ~~(3) five years of relevant work experience.~~

111.9 (2) the application has been paid for by the district or the applicant;

111.10 (3) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;

111.11 (4) the district demonstrates that a criminal background check under section 122A.18,

111.12 subdivision 8, has been completed for the applicant; and

111.13 (5) the applicant:

111.14 (i) has a master's degree in the specified content area;

111.15 (ii) is enrolled in a state-approved teacher preparation program; or

111.16 (iii) for a license to teach career and technical education and career pathways, has

111.17 completed two years of field-specific teaching experience on a Tier 1 license and completed

111.18 training in classroom management, cultural competency, and teacher ethics.

111.19 Sec. 24. Minnesota Statutes 2020, section 122A.182, subdivision 2, is amended to read:

111.20 Subd. 2. **Coursework Exemptions from a bachelor's degree.** ~~(a) A candidate for a~~

111.21 ~~Tier 2 license must meet the coursework requirement by demonstrating completion of two~~

111.22 ~~of the following:~~

111.23 ~~(1) at least eight upper division or graduate-level credits in the relevant content area;~~

111.24 ~~(2) field-specific methods of training, including coursework;~~

111.25 ~~(3) at least two years of teaching experience in a similar content area in any state, as~~

111.26 ~~determined by the board;~~

111.27 ~~(4) a passing score on the pedagogy and content exams under section 122A.185; or~~

111.28 ~~(5) completion of a state-approved teacher preparation program.~~

112.1 ~~(b) For purposes of paragraph (a), "upper division" means classes normally taken at the~~
 112.2 ~~junior or senior level of college which require substantial knowledge and skill in the field.~~
 112.3 ~~Candidates must identify the upper division credits that fulfill the requirement in paragraph~~
 112.4 ~~(a), clause (1).~~

112.5 (a) The following applicants for a Tier 2 license are exempt from the requirement to
 112.6 hold a bachelor's degree in subdivision 1:

112.7 (1) an applicant for a Tier 2 license to teach career and technical education or career
 112.8 pathways courses of study when the applicant has:

112.9 (i) an associate's degree;

112.10 (ii) a professional certification; or

112.11 (iii) five years of relevant work experience;

112.12 (2) an applicant for a Tier 2 license to teach world languages and culture pursuant to
 112.13 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language.

112.14 (3) an applicant for a Tier 2 license in the performing or visual arts pursuant to Minnesota
 112.15 Rules, parts 8710.4300 (dance and theater), 8710.4310 (dance), 8710.4320 (theater),
 112.16 8710.4650 (vocal music and instrumental music), and 8710.4900 (visual arts), when the
 112.17 applicant has at least five years of relevant work experience.

112.18 (b) The Professional Educator Licensing and Standards Board must adopt and revise
 112.19 rules regarding the qualifications and determinations for applicants exempt from the
 112.20 requirement to hold a bachelor's degree in subdivision 1.

112.21 Sec. 25. Minnesota Statutes 2020, section 122A.182, subdivision 3, is amended to read:

112.22 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and
 112.23 Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license
 112.24 may be renewed ~~three~~ two times. The board must adopt rules establishing good cause
 112.25 justifications for additional renewals after the initial license has been renewed two times.

112.26 (b) A teacher holding a Tier 2 license in career and technical education or career pathways
 112.27 course of study may receive unlimited renewals.

112.28 (c) Before a Tier 2 license is renewed ~~for the first time~~, a teacher holding a Tier 2 license
 112.29 must participate in cultural competency training consistent with section 120B.30, subdivision
 112.30 1, paragraph (q), ~~and~~ mental illness training under section 122A.187, subdivision 6. ~~The~~
 112.31 ~~board must issue rules setting forth the conditions for additional renewals after the initial~~

113.1 ~~license has been renewed three times; and the district demonstrates professional development~~
113.2 ~~opportunities and other supports provided to move the teacher to a higher tier.~~

113.3 Sec. 26. Minnesota Statutes 2020, section 122A.182, subdivision 4, is amended to read:

113.4 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
113.5 accept and review applications for a Tier 2 teaching license beginning July 1 of the school
113.6 year for which the license is requested ~~and must issue or deny the Tier 2 teaching license~~
113.7 ~~within 30 days of receiving the completed application, unless permitted by the board to~~
113.8 accept and review applications earlier.

113.9 Sec. 27. Minnesota Statutes 2020, section 122A.182, subdivision 7, is amended to read:

113.10 Subd. 7. **Mentorship and evaluation.** ~~(a) A teacher holding a Tier 2 license must~~
113.11 ~~participate in the employing district or charter school's mentorship and evaluation program,~~
113.12 ~~including an individual growth and development plan that includes cultural competency~~
113.13 ~~under section 120B.30, subdivision 1, paragraph (c).~~ A district that hires a teacher holding
113.14 a Tier 2 license must provide mentorship aligned to board-adopted criteria to that teacher
113.15 and professional development opportunities.

113.16 (b) A teacher holding a Tier 2 license must participate in an evaluation aligned, to the
113.17 extent practicable, with the evaluation under section 122A.40, subdivision 8, or section
113.18 122A.41, subdivision 5.

113.19 Sec. 28. Minnesota Statutes 2020, section 122A.183, subdivision 1, is amended to read:

113.20 Subdivision 1. **Requirements.** ~~(a)~~ The Professional Educator Licensing and Standards
113.21 Board must issue a Tier 3 license to ~~a candidate~~ an applicant who provides information
113.22 sufficient to demonstrate all of the following:

113.23 ~~(1) the candidate meets the educational or professional requirements in paragraphs (b)~~
113.24 ~~and (c);~~

113.25 ~~(2) the candidate has obtained a passing score on the required licensure exams under~~
113.26 ~~section 122A.185; and~~

113.27 (1) the applicant for a Tier 3 license must have a bachelor's degree to teach a class or
113.28 course, unless specifically exempt by state statute or rule; and

113.29 ~~(3)~~ (2) the candidate applicant has completed the coursework required under subdivision
113.30 2.

114.1 ~~(b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or~~
 114.2 ~~course outside a career and technical education or career pathways course of study.~~

114.3 ~~(c) A candidate for a Tier 3 license must have one of the following credentials in a~~
 114.4 ~~relevant content area to teach a class or course in a career and technical education or career~~
 114.5 ~~pathways course of study:~~

114.6 ~~(1) an associate's degree;~~

114.7 ~~(2) a professional certification; or~~

114.8 ~~(3) five years of relevant work experience.~~

114.9 ~~In consultation with the governor's Workforce Development Board established under section~~
 114.10 ~~116L.665, the board must establish a list of qualifying certifications, and may add additional~~
 114.11 ~~professional certifications in consultation with school administrators, teachers, and other~~
 114.12 ~~stakeholders.~~

114.13 Sec. 29. Minnesota Statutes 2020, section 122A.183, subdivision 2, is amended to read:

114.14 Subd. 2. **Coursework.** ~~A candidate~~ An applicant for a Tier 3 license must meet the
 114.15 coursework requirement by demonstrating one of the following:

114.16 (1) completion of a Minnesota-approved teacher preparation program;

114.17 (2) completion of a ~~state-approved~~ teacher preparation program approved by another
 114.18 state, territory, or country, including culturally specific Minority Serving Institutions in the
 114.19 United States, such as Historically Black Colleges and Universities, Tribal Colleges, or
 114.20 Hispanic-Serving Institutions including those in Puerto Rico, that includes field-specific
 114.21 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
 114.22 preparation programs. The field-specific student teaching requirement does not apply to a
 114.23 ~~candidate~~ an applicant that has two years of field-specific teaching experience;

114.24 (3) submission of a content-specific licensure portfolio;

114.25 (4) a professional teaching license from another state, evidence that the ~~candidate's~~
 114.26 applicant's license is in good standing, and two years of field-specific teaching experience;
 114.27 or

114.28 (5) the applicant fills a shortage area under section 122A.06, subdivision 6, clause (2),
 114.29 and has three years of teaching experience under a Tier 2 license and evidence of summative
 114.30 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
 114.31 improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,
 114.32 subdivision 5.

115.1 Sec. 30. Minnesota Statutes 2020, section 122A.183, is amended by adding a subdivision
115.2 to read:

115.3 Subd. 2a. Exemptions from a bachelor's degree. (a) The following applicants for a
115.4 Tier 3 license are exempt from the requirement to hold a bachelor's degree in subdivision
115.5 1:

115.6 (1) an applicant for a Tier 3 license to teach career and technical education or career
115.7 pathways courses of study when the applicant has:

115.8 (i) an associate's degree;

115.9 (ii) a professional certification; or

115.10 (iii) five years of relevant work experience;

115.11 (2) an applicant for a Tier 3 license to teach world languages and culture pursuant to
115.12 Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language; and

115.13 (3) an applicant for a Tier 3 license in the performing or visual arts pursuant to Minnesota
115.14 Rules, parts 8710.4300 (dance and theater), 8710.4310 (dance), 8710.4320 (theater),
115.15 8710.4650 (vocal music and instrumental music), and 8710.4900 (visual arts), if the applicant
115.16 has at least five years of relevant work experience.

115.17 (b) The Professional Educator Licensing and Standards Board must adopt and revise
115.18 rules regarding the qualifications and determinations for applicants exempt from subdivision
115.19 1.

115.20 Sec. 31. Minnesota Statutes 2020, section 122A.183, subdivision 3, is amended to read:

115.21 **Subd. 3. Term of license and renewal.** The Professional Educator Licensing and
115.22 Standards Board must issue an initial Tier 3 license for a term of three years. Before a Tier
115.23 3 license is renewed for the first time, the applicant must meet initial teacher renewal
115.24 requirements in section 122A.187. A Tier 3 license may be renewed every three years
115.25 without limitation.

115.26 Sec. 32. Minnesota Statutes 2020, section 122A.184, subdivision 1, is amended to read:

115.27 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
115.28 Board must issue a Tier 4 license to ~~a candidate~~ an applicant who provides information
115.29 sufficient to demonstrate all of the following:

116.1 (1) the ~~candidate~~ applicant meets all requirements for a Tier 3 license under section
 116.2 122A.183, and has completed a teacher preparation program under section 122A.183,
 116.3 subdivision 2, clause (1) or (2);

116.4 (2) the ~~candidate~~ applicant has at least three years of field-specific teaching experience
 116.5 ~~in Minnesota~~ as a teacher of record;

116.6 (3) the ~~candidate~~ applicant has obtained a passing score on all required licensure exams
 116.7 under section 122A.185; and

116.8 (4) ~~the candidate's most recent summative teacher evaluation did not result in placing~~
 116.9 ~~or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,~~
 116.10 ~~subdivision 8, or 122A.41, subdivision 5~~ if the applicant previously held a Tier 3 license
 116.11 under section 122A.183, the applicant has completed the initial teacher renewal requirements
 116.12 in section 122A.187.

116.13 Sec. 33. Minnesota Statutes 2020, section 122A.184, subdivision 2, is amended to read:

116.14 Subd. 2. **Term of license and renewal.** The Professional Educator Licensing and
 116.15 Standards Board must issue an initial Tier 4 license for a term of five years. A Tier 4 license
 116.16 may be renewed every five years without limitation if the applicant meets the continuing
 116.17 teacher renewal requirements in section 122A.187.

116.18 Sec. 34. Minnesota Statutes 2020, section 122A.185, subdivision 1, is amended to read:

116.19 Subdivision 1. **Tests.** ~~(a) The Professional Educator Licensing and Standards Board~~
 116.20 ~~must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted~~
 116.21 ~~examination of skills in reading, writing, and mathematics before being granted a Tier 4~~
 116.22 ~~teaching license under section 122A.184 to provide direct instruction to pupils in elementary,~~
 116.23 ~~secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier~~
 116.24 ~~3 license to provide direct instruction to pupils in elementary, secondary, or special education~~
 116.25 ~~programs if candidates meet the other requirements in section 122A.181, 122A.182, or~~
 116.26 ~~122A.183, respectively.~~

116.27 ~~(b)~~ (a) The board must adopt and revise rules requiring candidates applicants for Tier 3
 116.28 ~~and~~ Tier 4 licenses to pass an examination or performance assessment of general pedagogical
 116.29 knowledge and examinations of licensure field specific content, including an examination
 116.30 taken in another state, if the applicant has not completed a board-approved preparation
 116.31 program assuring candidates from the program recommended for licensure meet content
 116.32 and pedagogy licensure standards in Minnesota. The content examination requirement does

117.1 not apply if no relevant content exam exists. Applicants who have satisfactorily completed
117.2 a preparation program in another state and passed licensure examinations in that state are
117.3 not additionally required to pass similar examinations required in Minnesota.

117.4 ~~(e) Candidates~~ (b) Applicants for initial ~~Tier 3 and~~ Tier 4 licenses to teach elementary
117.5 students must pass test items assessing the ~~candidates'~~ applicants' knowledge, skill, and
117.6 ability in comprehensive, scientifically based reading instruction under section 122A.06,
117.7 subdivision 4, knowledge and understanding of the foundations of reading development,
117.8 development of reading comprehension and reading assessment and instruction, and the
117.9 ability to integrate that knowledge and understanding into instruction strategies under section
117.10 122A.06, subdivision 4.

117.11 ~~(d) The requirement to pass a board-adopted reading, writing, and mathematics skills~~
117.12 ~~examination does not apply to nonnative English speakers, as verified by qualified Minnesota~~
117.13 ~~school district personnel or Minnesota higher education faculty, who, after meeting the~~
117.14 ~~content and pedagogy requirements under this subdivision, apply for a teaching license to~~
117.15 ~~provide direct instruction in their native language or world language instruction under section~~
117.16 ~~120B.022, subdivision 1.~~

117.17 (c) All testing centers in the state must provide regular opportunities for extended time
117.18 content and pedagogy examinations. These opportunities must be advertised on the test
117.19 registration website. The board must require the exam vendor to provide other equitable
117.20 opportunities to pass exams, including providing financial assistance for test takers who
117.21 qualify for federal grants; providing free, multiple, full-length practice tests for each exam
117.22 and free, comprehensive study guides on the test registration website; making content and
117.23 pedagogy exams available in languages other than English for teachers seeking licensure
117.24 to teach in language immersion programs; and providing a free, detailed exam results analysis
117.25 by test objective to assist candidates who do not pass an exam in identifying areas for
117.26 improvement. Any candidate who has not passed a required exam after two attempts must
117.27 be allowed to retake the exam, including new versions of the exam, without being charged
117.28 an additional fee.

117.29 Sec. 35. Minnesota Statutes 2020, section 122A.185, subdivision 4, is amended to read:

117.30 Subd. 4. **Remedial assistance.** (a) A board-approved teacher preparation program must
117.31 make available upon request remedial assistance that includes a formal diagnostic component
117.32 to persons enrolled in their ~~institution~~ teacher preparation program who did not achieve a
117.33 qualifying score on a board-adopted ~~skills~~ examination, including those for whom English
117.34 is a second language. The teacher preparation programs must make available assistance in

118.1 the specific academic areas of candidates' deficiency. Teacher preparation providers must
118.2 report annually on supports provided, number of candidates supported, and demographic
118.3 data of those candidates.

118.4 (b) School districts may make available upon request similar, appropriate, and timely
118.5 remedial assistance that includes a formal diagnostic component to those persons employed
118.6 by the district who completed their teacher education program, who did not achieve a
118.7 qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2,
118.8 or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in
118.9 Minnesota.

118.10 Sec. 36. Minnesota Statutes 2020, section 122A.187, is amended to read:

118.11 **122A.187 EXPIRATION AND RENEWAL.**

118.12 Subdivision 1. **License form requirements.** Each license issued under this chapter must
118.13 bear the date of issue and the name of the state-approved teacher training provider or
118.14 alternative teaching program, as applicable. Licenses must expire and be renewed according
118.15 to rules adopted by the Professional Educator Licensing and Standards Board or the Board
118.16 of School Administrators. ~~The rules adopted by the Professional Educator Licensing and~~
118.17 ~~Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and~~
118.18 ~~122A.184, respectively, must include showing satisfactory evidence of successful teaching~~
118.19 ~~or administrative experience for at least one school year during the period covered by the~~
118.20 ~~license in grades or subjects for which the license is valid or completing such additional~~
118.21 ~~preparation as required under this section, or as the Professional Educator Licensing and~~
118.22 ~~Standards Board prescribes.~~ The Board of School Administrators shall establish requirements
118.23 for renewing the licenses of supervisory personnel except athletic coaches. The Professional
118.24 Educator Licensing and Standards Board shall establish requirements for renewing the
118.25 licenses of athletic coaches.

118.26 Subd. 2. **Local committees.** The Professional Educator Licensing and Standards Board
118.27 must receive recommendations from local committees as established by the board for the
118.28 renewal of teaching licenses.

118.29 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
118.30 license under sections 122A.183 and 122A.184, respectively, who have been employed as
118.31 a teacher during the renewal period of the expiring license, as a condition of license renewal,
118.32 must present to their local continuing education and relicensure committee or other local
118.33 relicensure committee evidence of work that demonstrates professional reflection and growth
118.34 in best teaching practices, ~~including among other things, cultural competence in accordance~~

119.1 ~~with section 120B.30, subdivision 1, paragraph (c), and practices in meeting the varied~~
119.2 ~~needs of English learners, from young children to adults under section 124D.59, subdivisions~~
119.3 ~~2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's~~
119.4 ~~most recent summative evaluation or improvement plan under section 122A.40, subdivision~~
119.5 ~~8, or 122A.41, subdivision 5.~~

119.6 (b) The Professional Educator Licensing and Standards Board must ensure that its teacher
119.7 relicensing requirements include paragraph (a).

119.8 (c) The board may adopt and revise rule setting criteria for initial Tier 3 license renewal
119.9 requirements that must be completed before a teacher may move to a Tier 4 license.

119.10 Subd. 4. **Behavior interventions.** The Professional Educator Licensing and Standards
119.11 Board must adopt and revise rules that require all licensed teachers who are renewing a Tier
119.12 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include
119.13 in the renewal requirements further preparation in the areas of using positive behavior
119.14 interventions and in accommodating, modifying, and adapting curricula, materials, and
119.15 strategies to appropriately meet the needs of individual students and ensure adequate progress
119.16 toward the state's graduation rule.

119.17 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards
119.18 Board must adopt and revise rules that require all licensed teachers who are renewing a Tier
119.19 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include
119.20 in the renewal requirements further reading preparation, consistent with section 122A.06,
119.21 subdivision 4. ~~The rules do not take effect until they are approved by law.~~ Teachers who
119.22 do not provide direct instruction including, at least, counselors, school psychologists, school
119.23 nurses, school social workers, audiovisual directors and coordinators, and recreation
119.24 personnel are exempt from this section.

119.25 Subd. 6. **Mental ~~illness~~ health.** The Professional Educator Licensing and Standards
119.26 Board must adopt and revise rules that require all licensed teachers renewing a teaching
119.27 license under sections 122A.181 to 122A.184 to include in the renewal requirements at least
119.28 one hour of suicide prevention best practices training in each licensure renewal period based
119.29 on nationally recognized evidence-based programs and practices, among the continuing
119.30 education credits required to renew a license under this subdivision. Initial training must
119.31 include understanding the key warning signs of early-onset mental illness in children and
119.32 adolescents, and during subsequent licensure renewal periods, training must include a more
119.33 in-depth understanding of students' mental illness trauma, accommodations for students'
119.34 mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol Spectrum

120.1 Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures,
120.2 and de-escalation methods, among other similar topics.

120.3 Subd. 7. **Cultural competency.** The Professional Educator Licensing and Standards
120.4 Board must adopt and revise rules that require all licensed teachers renewing a Tier 3 or
120.5 Tier 4 license under sections 122A.183 and 122A.184, respectively, to include cultural
120.6 competency training.

120.7 Subd. 8. **Meeting needs of multilingual learners.** The Professional Educator Licensing
120.8 and Standards Board must adopt and revise rules requiring all licensed teachers renewing
120.9 a Tier 3 or Tier 4 license under sections 122A.183 and 122A.184, respectively, to include
120.10 a training on meeting the varied needs of multilingual learners from young children to adults
120.11 under section 124D.59, subdivisions 2 and 2a.

120.12 Subd. 9. **Mandatory renewal requirements.** The board must adopt and revise rules
120.13 setting forth standards that meet all mandatory renewal requirements. All trainings meeting
120.14 the renewal requirements for subdivisions 4 to 8 must align to board-adopted criteria. Any
120.15 training provided outside of a district, charter school, cooperative unit, or state agency must
120.16 be approved by the board to be accepted to meet this renewal requirement.

120.17 Sec. 37. Minnesota Statutes 2020, section 122A.19, subdivision 4, is amended to read:

120.18 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual
120.19 and English as a second language teachers, the board may approve teacher preparation
120.20 programs at colleges or universities designed for their training.

120.21 (b) Programs that prepare English as a second language teachers must provide instruction
120.22 in implementing research-based practices designed specifically for English learners. The
120.23 programs must focus on developing English learners' academic language proficiency in
120.24 English, including oral academic language, giving English learners meaningful access to
120.25 the full school curriculum, developing culturally relevant teaching practices appropriate for
120.26 immigrant students, and providing more intensive instruction and resources to English
120.27 learners with lower levels of academic English proficiency and varied needs, consistent
120.28 with section 124D.59, subdivisions 2 and 2a.

120.29 Sec. 38. Minnesota Statutes 2020, section 122A.26, subdivision 2, is amended to read:

120.30 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program
120.31 which that qualifies for aid pursuant to section 124D.52 shall continue to meet licensure
120.32 requirements as a teacher. A person who teaches in an early childhood and family education

121.1 program ~~which~~ that is offered through a community education program and ~~which~~ that
121.2 qualifies for community education aid pursuant to section 124D.20 or early childhood and
121.3 family education aid pursuant to section 124D.135 shall continue to meet licensure
121.4 requirements as a teacher. A person who teaches in a community education course ~~which~~
121.5 that is offered for credit for graduation to persons under 18 years of age shall continue to
121.6 meet licensure requirements as a teacher.

121.7 (b) A person who teaches a driver training course ~~which~~ that is offered through a
121.8 community education program to persons under 18 years of age shall be licensed by the
121.9 Professional Educator Licensing and Standards Board or be subject to section 171.35. A
121.10 license which is required for an instructor in a community education program pursuant to
121.11 this ~~subdivision~~ paragraph shall not be construed to bring an individual within the definition
121.12 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,
121.13 ~~clause~~ paragraph (a).

121.14 Sec. 39. Minnesota Statutes 2020, section 122A.40, subdivision 5, is amended to read:

121.15 **Subd. 5. Probationary period.** (a) The first three consecutive years of a teacher's first
121.16 teaching experience in Minnesota in a single district is deemed to be a probationary period
121.17 of employment, and, the probationary period in each district in which the teacher is thereafter
121.18 employed shall be one year. The school board must adopt a plan for written evaluation of
121.19 teachers during the probationary period that is consistent with subdivision 8. Evaluation
121.20 must occur at least three times periodically throughout each school year for a teacher
121.21 performing services during that school year; the first evaluation must occur within the first
121.22 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops,
121.23 and other staff development opportunities and days on which a teacher is absent from school
121.24 must not be included in determining the number of school days on which a teacher performs
121.25 services. Except as otherwise provided in paragraph (b), during the probationary period any
121.26 annual contract with any teacher may or may not be renewed as the school board shall see
121.27 fit. However, the board must give any such teacher whose contract it declines to renew for
121.28 the following school year written notice to that effect before July 1. If the teacher requests
121.29 reasons for any nonrenewal of a teaching contract, the board must give the teacher its reason
121.30 in writing, including a statement that appropriate supervision was furnished describing the
121.31 nature and the extent of such supervision furnished the teacher during the employment by
121.32 the board, within ten days after receiving such request. The school board may, after a hearing
121.33 held upon due notice, discharge a teacher during the probationary period for cause, effective
121.34 immediately, under section 122A.44.

122.1 (b) A board must discharge a probationary teacher, effective immediately, upon receipt
122.2 of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has
122.3 been revoked due to a conviction for child abuse or sexual abuse.

122.4 (c) A probationary teacher whose first three years of consecutive employment are
122.5 interrupted for active military service and who promptly resumes teaching consistent with
122.6 federal reemployment timelines for uniformed service personnel under United States Code,
122.7 title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes
122.8 of paragraph (a).

122.9 (d) A probationary teacher whose first three years of consecutive employment are
122.10 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
122.11 months of when the leave began is considered to have a consecutive teaching experience
122.12 for purposes of paragraph (a) if the probationary teacher completes a combined total of
122.13 three years of teaching service immediately before and after the leave.

122.14 (e) A probationary teacher must complete at least 120 days of teaching service each year
122.15 during the probationary period. Days devoted to parent-teacher conferences, teachers'
122.16 workshops, and other staff development opportunities and days on which a teacher is absent
122.17 from school do not count as days of teaching service under this paragraph.

122.18 (f) Notwithstanding any law to the contrary, a teacher who has taught for three
122.19 consecutive years in a single school district or charter school in Minnesota or another state
122.20 must serve a one-year probationary period in a Minnesota school district.

122.21 (g) A board may renew a probationary teacher while placing teachers with continuing
122.22 contract on unrequested leave of absence pursuant to a plan adopted under subdivisions 10
122.23 and 10a.

122.24 **EFFECTIVE DATE.** Paragraph (f) is effective for collective bargaining agreements
122.25 effective July 1, 2021, and thereafter. Paragraph (g) is effective the day following final
122.26 enactment.

122.27 Sec. 40. Minnesota Statutes 2020, section 122A.40, subdivision 8, is amended to read:

122.28 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
122.29 **teachers.** (a) To improve student learning and success, a school board and an exclusive
122.30 representative of the teachers in the district, consistent with paragraph (b), may develop a
122.31 teacher evaluation and peer review process for probationary and continuing contract teachers
122.32 through joint agreement. If a school board and the exclusive representative of the teachers
122.33 do not agree to an annual teacher evaluation and peer review process, then the school board

123.1 and the exclusive representative of the teachers must implement the state teacher evaluation
123.2 plan under paragraph (c). The process must include having trained observers serve as peer
123.3 coaches or having teachers participate in professional learning communities, consistent with
123.4 paragraph (b).

123.5 (b) To develop, improve, and support qualified teachers and effective teaching practices,
123.6 improve student learning and success, and provide all enrolled students in a district or school
123.7 with improved and equitable access to more effective and diverse teachers, the annual
123.8 evaluation process for teachers:

123.9 (1) must, for probationary teachers, provide for all evaluations required under subdivision
123.10 5;

123.11 (2) must establish a three-year professional review cycle for each teacher that includes
123.12 an individual growth and development plan, a peer review process, and at least one
123.13 summative evaluation performed by a qualified and trained evaluator such as a school
123.14 administrator. For the years when a tenured teacher is not evaluated by a qualified and
123.15 trained evaluator, the teacher must be evaluated by a peer review;

123.16 (3) ~~must be based on professional teaching standards established in rule~~ create, adopt,
123.17 or revise a rubric of performance standards for teacher practice that (i) is based on
123.18 professional teaching standards established in rule, (ii) includes culturally responsive
123.19 methodologies, and (iii) provides common descriptions of effectiveness using at least three
123.20 levels of performance;

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

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

123.25 (6) may include job-embedded learning opportunities such as professional learning
123.26 communities;

123.27 (7) may include mentoring and induction programs for teachers, including teachers who
123.28 are members of populations underrepresented among the licensed teachers in the district or
123.29 school and who reflect the diversity of students under section 120B.35, subdivision 3,
123.30 paragraph (b), clause (2), who are enrolled in the district or school;

123.31 (8) must include an option for teachers to develop and present a portfolio demonstrating
123.32 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
123.33 3, and include teachers' own performance assessment based on student work samples and

124.1 examples of teachers' work, which may include video among other activities for the
124.2 summative evaluation;

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

124.7 (10) must use longitudinal data on student engagement and connection, and other student
124.8 outcome measures explicitly aligned with the elements of curriculum for which teachers
124.9 are responsible, including academic literacy, oral academic language, and achievement of
124.10 content areas of English learners;

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

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

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

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

124.24 (c) The department, in consultation with parents who may represent parent organizations
124.25 and teacher and administrator representatives appointed by their respective organizations,
124.26 representing the Professional Educator Licensing and Standards Board, the Minnesota
124.27 Association of School Administrators, the Minnesota School Boards Association, the
124.28 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
124.29 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
124.30 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
124.31 research expertise in teacher evaluation, must create and publish a teacher evaluation process
124.32 that complies with the requirements in paragraph (b) and applies to all teachers under this
124.33 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
124.34 teacher evaluation and peer review process. The teacher evaluation process created under

125.1 this subdivision does not create additional due process rights for probationary teachers under
125.2 subdivision 5.

125.3 (d) Consistent with the measures of teacher effectiveness under this subdivision:

125.4 (1) for students in kindergarten through grade 4, a school administrator must not place
125.5 or approve the placement of a student in the classroom of a teacher who is in the improvement
125.6 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
125.7 in the prior year, that student was in the classroom of a teacher who received discipline
125.8 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
125.9 grade; and

125.10 (2) for students in grades 5 through 12, a school administrator must not place or approve
125.11 the placement of a student in the classroom of a teacher who is in the improvement process
125.12 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
125.13 prior year, that student was in the classroom of a teacher who received discipline pursuant
125.14 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
125.15 and grade.

125.16 All data created and used under this paragraph retains its classification under chapter 13.

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

125.18 Sec. 41. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

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

125.24 (b) A plan may include a process to exempt up to five percent of the teachers in the
125.25 district from unrequested leave of absence or nonrenewal regardless of a teacher's
125.26 probationary status or seniority if the plan meets the requirements of subdivision 10a, and
125.27 if the board and the exclusive representative of the teachers agree in writing to the process
125.28 by October 1 of each school year.

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

126.1 Sec. 42. Minnesota Statutes 2020, section 122A.40, is amended by adding a subdivision
126.2 to read:

126.3 Subd. 10a. **Unrequested leave of absence exemption process.** (a) A plan to exempt
126.4 up to five percent of the teachers in the district from unrequested leave of absence or
126.5 nonrenewal must establish a committee to select teachers to receive the exemption. The
126.6 committee must have an equal number of representatives selected by the superintendent
126.7 and the exclusive representative, and must have at least three representatives appointed by
126.8 the superintendent and three representatives appointed by the exclusive representative.
126.9 School districts and exclusive representatives are strongly encouraged to include members
126.10 of underrepresented communities as their committee representatives. The committee must
126.11 complete comprehensive anti-racism training by a training provider approved by the
126.12 Professional Educator Licensing and Standards Board before beginning the selection process.

126.13 (b) A teacher selected for exemption from unrequested leave of absence or nonrenewal
126.14 must have demonstrated excellent teaching or professional performance, as determined by
126.15 colleagues, mentors, and administrators. In addition, the teacher must be a member of a
126.16 protected class that:

126.17 (1) is underrepresented among either (i) teachers in the district relative to the percentage
126.18 of students in the protected class enrolled in the district, or (ii) licensed teachers in Minnesota;
126.19 and

126.20 (2) has experienced systemic barriers to entering and remaining in the teaching profession,
126.21 as determined by the committee.

126.22 (c) The district and exclusive representative may negotiate additional criteria for the
126.23 committee to consider, including licensure tier. The committee may annually determine by
126.24 majority vote the percentage of teachers eligible for the exemption, not to exceed five percent
126.25 of teachers in the district.

126.26 (d) The committee must make final decisions and notify affected teachers no later than
126.27 February 1 of each school year. The exemption is valid for the school year in which the
126.28 exemption is granted unless the committee renews the exemption in a subsequent year. The
126.29 committee may, by majority vote, grant a teacher a two-year exemption from nonrenewal.

126.30 (e) If the committee is unable to reach a consensus regarding its selections, the committee
126.31 must vote on each candidate for the exemption. The candidates receiving the most votes
126.32 must be granted the exemption until the number of teachers receiving the exemption reaches
126.33 the lower of five percent of the teachers in the district or the percentage determined by
126.34 majority vote of the committee.

127.1 (f) Data on individual teachers collected, created, received, maintained, or disseminated
127.2 by the committee are private personnel data pursuant to section 13.43.

127.3 (g) A dispute over violations of procedures under this section is subject to the grievance
127.4 procedure in the applicable collective bargaining agreement.

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

127.6 Sec. 43. Minnesota Statutes 2020, section 122A.41, subdivision 2, is amended to read:

127.7 Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in the public
127.8 schools in cities of the first class during the first three years of consecutive employment
127.9 shall be deemed to be in a probationary period of employment during which period any
127.10 annual contract with any teacher may, or may not, be renewed as the school board, after
127.11 consulting with the peer review committee charged with evaluating the probationary teachers
127.12 under subdivision 3, shall see fit. The school site management team or the school board if
127.13 there is no school site management team, shall adopt a plan for a written evaluation of
127.14 teachers during the probationary period according to subdivisions 3 and 5. Evaluation by
127.15 the peer review committee charged with evaluating probationary teachers under subdivision
127.16 3 shall occur at least three times periodically throughout each school year for a teacher
127.17 performing services during that school year; the first evaluation must occur within the first
127.18 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops,
127.19 and other staff development opportunities and days on which a teacher is absent from school
127.20 shall not be included in determining the number of school days on which a teacher performs
127.21 services. The school board may, during such probationary period, discharge or demote a
127.22 teacher for any of the causes as specified in this code. A written statement of the cause of
127.23 such discharge or demotion shall be given to the teacher by the school board at least 30
127.24 days before such removal or demotion shall become effective, and the teacher so notified
127.25 shall have no right of appeal therefrom.

127.26 (b) A probationary teacher whose first three years of consecutive employment are
127.27 interrupted for active military service and who promptly resumes teaching consistent with
127.28 federal reemployment timelines for uniformed service personnel under United States Code,
127.29 title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes
127.30 of paragraph (a).

127.31 (c) A probationary teacher whose first three years of consecutive employment are
127.32 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
127.33 months of when the leave began is considered to have a consecutive teaching experience

128.1 for purposes of paragraph (a) if the probationary teacher completes a combined total of
128.2 three years of teaching service immediately before and after the leave.

128.3 (d) A probationary teacher must complete at least 120 days of teaching service each year
128.4 during the probationary period. Days devoted to parent-teacher conferences, teachers'
128.5 workshops, and other staff development opportunities and days on which a teacher is absent
128.6 from school do not count as days of teaching service under this paragraph.

128.7 (e) Notwithstanding any law to the contrary, a teacher who has taught for three
128.8 consecutive years in a single school district or charter school in Minnesota or another state
128.9 must serve a one-year probationary period in a Minnesota school district.

128.10 (f) A board may renew a probationary teacher while placing teachers with continuing
128.11 contract on unrequested leave of absence pursuant to a plan adopted under subdivisions 14a
128.12 and 14b.

128.13 **EFFECTIVE DATE.** Paragraph (e) is effective for collective bargaining agreements
128.14 effective July 1, 2021, and thereafter. Paragraph (f) is effective the day following final
128.15 enactment.

128.16 Sec. 44. Minnesota Statutes 2020, section 122A.41, subdivision 5, is amended to read:

128.17 **Subd. 5. Development, evaluation, and peer coaching for continuing contract**
128.18 **teachers.** (a) To improve student learning and success, a school board and an exclusive
128.19 representative of the teachers in the district, consistent with paragraph (b), may develop an
128.20 annual teacher evaluation and peer review process for probationary and nonprobationary
128.21 teachers through joint agreement. If a school board and the exclusive representative of the
128.22 teachers in the district do not agree to an annual teacher evaluation and peer review process,
128.23 then the school board and the exclusive representative of the teachers must implement the
128.24 state teacher evaluation plan developed under paragraph (c). The process must include
128.25 having trained observers serve as peer coaches or having teachers participate in professional
128.26 learning communities, consistent with paragraph (b).

128.27 (b) To develop, improve, and support qualified teachers and effective teaching practices
128.28 and improve student learning and success, and provide all enrolled students in a district or
128.29 school with improved and equitable access to more effective and diverse teachers, the annual
128.30 evaluation process for teachers:

128.31 (1) must, for probationary teachers, provide for all evaluations required under subdivision
128.32 2;

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

129.5 (3) ~~must be based on professional teaching standards established in rule~~ create, adopt,
129.6 or revise a rubric of performance standards for teacher practice that (i) is based on
129.7 professional teaching standards established in rule, (ii) includes culturally responsive
129.8 methodologies, and (iii) provides common descriptions of effectiveness using at least three
129.9 levels of performance;

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

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

129.14 (6) may include job-embedded learning opportunities such as professional learning
129.15 communities;

129.16 (7) may include mentoring and induction programs for teachers, including teachers who
129.17 are members of populations underrepresented among the licensed teachers in the district or
129.18 school and who reflect the diversity of students under section 120B.35, subdivision 3,
129.19 paragraph (b), clause (2), who are enrolled in the district or school;

129.20 (8) must include an option for teachers to develop and present a portfolio demonstrating
129.21 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
129.22 3, and include teachers' own performance assessment based on student work samples and
129.23 examples of teachers' work, which may include video among other activities for the
129.24 summative evaluation;

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

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

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

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

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

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

130.14 (c) The department, in consultation with parents who may represent parent organizations
130.15 and teacher and administrator representatives appointed by their respective organizations,
130.16 representing the Professional Educator Licensing and Standards Board, the Minnesota
130.17 Association of School Administrators, the Minnesota School Boards Association, the
130.18 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
130.19 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
130.20 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
130.21 research expertise in teacher evaluation, must create and publish a teacher evaluation process
130.22 that complies with the requirements in paragraph (b) and applies to all teachers under this
130.23 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual
130.24 teacher evaluation and peer review process. The teacher evaluation process created under
130.25 this subdivision does not create additional due process rights for probationary teachers under
130.26 subdivision 2.

130.27 (d) Consistent with the measures of teacher effectiveness under this subdivision:

130.28 (1) for students in kindergarten through grade 4, a school administrator must not place
130.29 or approve the placement of a student in the classroom of a teacher who is in the improvement
130.30 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
130.31 in the prior year, that student was in the classroom of a teacher who received discipline
130.32 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
130.33 grade; and

131.1 (2) for students in grades 5 through 12, a school administrator must not place or approve
131.2 the placement of a student in the classroom of a teacher who is in the improvement process
131.3 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
131.4 prior year, that student was in the classroom of a teacher who received discipline pursuant
131.5 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
131.6 and grade.

131.7 All data created and used under this paragraph retains its classification under chapter 13.

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

131.9 Sec. 45. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

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

131.15 (b) A plan may include a process to exempt up to five percent of the teachers in the
131.16 district from unrequested leave of absence or nonrenewal regardless of a teacher's
131.17 probationary status or seniority if the plan meets the requirements of subdivision 10a, and
131.18 if the board and the exclusive representative of the teachers agree in writing to the process
131.19 by October 1 of each school year.

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

131.21 Sec. 46. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision
131.22 to read:

131.23 Subd. 14b. **Unrequested leave of absence exemption process** (a) A plan to exempt up
131.24 to five percent of the teachers in the district from unrequested leave of absence or nonrenewal
131.25 must establish a committee to select teachers to receive the exemption. The committee must
131.26 have an equal number of representatives selected by the superintendent and the exclusive
131.27 representative, and must have at least three representatives appointed by the superintendent
131.28 and three representatives appointed by the exclusive representative. School districts and
131.29 exclusive representatives are strongly encouraged to include members of underrepresented
131.30 communities as their committee representatives. The committee must complete
131.31 comprehensive anti-racism training by a training provider approved by the Professional
131.32 Educator Licensing and Standards Board before beginning the selection process.

132.1 (b) A teacher selected for exemption from unrequested leave of absence or nonrenewal
132.2 must have demonstrated excellent teaching or professional performance, as determined by
132.3 colleagues, mentors, and administrators. In addition, the teacher must be a member of a
132.4 protected class that:

132.5 (1) is underrepresented among either (i) teachers in the district relative to the percentage
132.6 of students in the protected class enrolled in the district, or (ii) licensed teachers in Minnesota;
132.7 and

132.8 (2) has experienced systemic barriers to entering and remaining in the teaching profession,
132.9 as determined by the committee.

132.10 (c) The district and exclusive representative may negotiate additional criteria for the
132.11 committee to consider, including licensure tier. The committee may annually determine by
132.12 majority vote the percentage of teachers eligible for the exemption, not to exceed five percent
132.13 of teachers in the district.

132.14 (d) The committee must make final decisions and notify affected teachers no later than
132.15 February 1 of each school year. The exemption is valid for the school year in which the
132.16 exemption is granted unless the committee renews the exemption in a subsequent year. The
132.17 committee may, by majority vote, grant a teacher a two-year exemption from nonrenewal.

132.18 (e) If the committee is unable to reach a consensus regarding its selections, the committee
132.19 must vote on each candidate for the exemption. The candidates receiving the most votes
132.20 must be granted the exemption until the number of teachers receiving the exemption reaches
132.21 the lower of five percent of the teachers in the district or the percentage determined by
132.22 majority vote of the committee.

132.23 (f) Data on individual teachers collected, created, received, maintained, or disseminated
132.24 by the committee are private personnel data pursuant to section 13.43.

132.25 (g) A dispute over violations of procedures under this section is subject to the grievance
132.26 procedure in the applicable collective bargaining agreement.

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

132.28 **Sec. 47. [122A.59] COME TEACH IN MINNESOTA HIRING BONUSES.**

132.29 Subdivision 1. **Purpose.** This section establishes a program to support districts and
132.30 schools recruiting and offering hiring bonuses for licensed teachers who are American
132.31 Indian or a person of color from another state or country in order to meet staffing needs in
132.32 shortage areas in economic development regions in Minnesota.

133.1 Subd. 2. **Eligibility.** A district or school must verify that the hiring bonus is given to
133.2 teachers licensed in another state who:

133.3 (1) qualify for a Tier 3 or Tier 4 Minnesota license;

133.4 (2) have moved to the economic development region in Minnesota where they were
133.5 hired; and

133.6 (3) belong to a racial or ethnic group that is underrepresented among teachers compared
133.7 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),
133.8 clause (2).

133.9 Subd. 3. **Bonus amount.** A district or school may offer a signing and retention bonus
133.10 of a minimum of \$2,500 and a maximum of \$5,000 to a teacher who meets the eligibility
133.11 requirements. A teacher who meets the eligibility requirements and meets a licensure shortage
133.12 area in the economic development region of the state where the school is located may be
133.13 offered a signing bonus of a minimum of \$4,000 and a maximum of \$8,000. A teacher must
133.14 be paid half of the bonus when starting employment and half after completing four years
133.15 of service in the hiring district or school if the teacher has demonstrated teaching effectiveness
133.16 and is not on a professional improvement plan under section 122A.40, subdivision 8,
133.17 paragraph (b), clause (12) or (13), or section 122A.41, subdivision 5, paragraph (b), clause
133.18 (12) or (13), or is not being considered for termination under section 122A.40, subdivision
133.19 9. A teacher who does not complete their first school year upon receiving a hiring bonus
133.20 must repay the hiring bonus.

133.21 Subd. 4. **Administration.** The commissioner must establish a process for districts or
133.22 schools to seek reimbursement for hiring bonuses given to teachers in shortage areas moving
133.23 to and working in Minnesota schools experiencing specific shortages. The commissioner
133.24 must provide guidance for districts to seek repayment of a hiring bonus from a teacher who
133.25 does not complete the first year of employment. The department may conduct a pilot program
133.26 with a small number of teachers during the 2022-2023 biennium to establish feasibility.
133.27 The department must submit a report by December 1, 2022, to the chairs and ranking minority
133.28 members of the legislative committees having jurisdiction over kindergarten through grade
133.29 12 education detailing the effectiveness of the program and recommendations for
133.30 improvement in future years.

133.31 Subd. 5. **Account established.** A Come Teach in Minnesota Hiring Bonus program
133.32 account is created in the special revenue fund for depositing money appropriated to or
133.33 received by the department for this program. Money deposited in the account is appropriated

134.1 to the commissioner, does not cancel, and is continuously available for reimbursements to
 134.2 districts under this section.

134.3 **EFFECTIVE DATE.** This section applies to teacher contracts entered into on or after
 134.4 July 1, 2021.

134.5 Sec. 48. Minnesota Statutes 2020, section 122A.63, subdivision 6, is amended to read:

134.6 Subd. 6. ~~Eligibility for scholarships~~ Eligible students. (a) ~~The following American~~
 134.7 ~~Indian people are eligible for scholarships~~ An eligible student is a person who:

134.8 (1) ~~a student having~~ has origins in any of the original peoples of North America and
 134.9 ~~maintaining~~ maintains cultural identification through tribal affiliation or community
 134.10 recognition; and

134.11 (2) is:

134.12 (i) a student, including a teacher aide employed by a district receiving a joint grant or
 134.13 their contracted partner school, who intends to become a teacher or ~~who~~ is interested in the
 134.14 field of education, ~~and who is enrolled in a postsecondary institution or their contracted~~
 134.15 ~~partner institutions receiving a joint grant;~~

134.16 ~~(3)~~ (ii) a licensed employee of a district receiving a joint grant or a contracted partner
 134.17 institution, who is enrolled in a master of education program; ~~and~~ or

134.18 ~~(4)~~ (iii) a student who, after applying for federal and state financial aid and an American
 134.19 Indian scholarship according to section 136A.126, has financial needs that remain unmet.
 134.20 Financial need must be determined according to the congressional methodology for needs
 134.21 determination or as otherwise set in federal law.

134.22 (b) Priority must be given first to a student eligible students who ~~is~~ are tribally enrolled
 134.23 in a federally or state recognized tribe and then to first- and second-generation descendants.

134.24 Sec. 49. Minnesota Statutes 2020, section 122A.63, subdivision 9, is amended to read:

134.25 Subd. 9. **Eligible programming.** (a) The grantee institutions ~~and their contracted partner~~
 134.26 ~~institutions~~ may provide scholarships to eligible students progressing toward educational
 134.27 goals in any area of teacher licensure, including an associate's, bachelor's, master's, or
 134.28 doctoral degree in the following:

134.29 (1) any educational certification necessary for employment;

134.30 (2) early childhood family education or prekindergarten licensure;

135.1 (3) elementary and secondary education;

135.2 (4) school administration; or

135.3 (5) any educational program that provides services to American Indian students in
135.4 prekindergarten through grade 12.

135.5 (b) Scholarships may be used to cover an eligible student's cost of attendance under
135.6 section 136A.126, subdivision 3.

135.7 ~~(b)~~ (c) For purposes of recruitment, the grantees or their contracted partner institutions
135.8 must agree to work with their respective organizations to hire an American Indian work-study
135.9 student or other American Indian staff to conduct initial information queries and to contact
135.10 persons working in schools to provide programming regarding education professions to
135.11 high school students who may be interested in education as a profession.

135.12 ~~(c)~~ (d) At least 80 percent of the grants awarded under this section must be used for
135.13 student scholarships. No more than 20 percent of the grants awarded under this section may
135.14 be used for recruitment or administration of the student scholarships.

135.15 Sec. 50. Minnesota Statutes 2020, section 122A.635, subdivision 3, is amended to read:

135.16 Subd. 3. **Grant program administration.** The Professional Educator Licensing and
135.17 Standards Board may enter into an interagency agreement with the Office of Higher
135.18 Education. The agreement may include a transfer of funds to the Office of Higher Education
135.19 to help establish and administer the competitive grant process. The board must award grants
135.20 to institutions located in various economic development regions throughout the state, but
135.21 must not predetermine the number of institutions to be awarded grants under this section
135.22 or set a limit for the amount that any one institution may receive as part of the competitive
135.23 grant application process. All grants must be awarded by August 15 of the fiscal year in
135.24 which the grants are to be used ~~except that, for initial competitive grants awarded for fiscal~~
135.25 ~~year 2020, grants must be awarded by September 15.~~ Grants awarded after fiscal year 2021
135.26 must be awarded for a two-year grant period. An institution that receives a grant under this
135.27 section may use the grant funds over a two- to four-year period to support teacher candidates.

135.28 Sec. 51. Minnesota Statutes 2020, section 122A.635, subdivision 4, is amended to read:

135.29 Subd. 4. **Report.** (a) By ~~January 15~~ June 30 of each year, an institution awarded a grant
135.30 under this section must prepare for the legislature and the board a detailed report regarding
135.31 the expenditure of grant funds, including the amounts used to recruit, retain, and induct
135.32 teacher candidates of color or who are American Indian. The report must include the total

136.1 number of teacher candidates of color, disaggregated by race or ethnic group, who are
136.2 recruited to the institution, are newly admitted to the licensure program, are enrolled in the
136.3 licensure program, have completed student teaching, have graduated, are licensed, and are
136.4 newly employed as Minnesota teachers in their licensure field. A grant recipient must report
136.5 the total number of teacher candidates of color or who are American Indian at each stage
136.6 from recruitment to licensed teaching as a percentage of total candidates seeking the same
136.7 licensure at the institution.

136.8 (b) By September 1 of each year, the board must post a report on its website summarizing
136.9 the activities and outcomes of grant recipients and results that promote sharing of effective
136.10 practices among grant recipients.

136.11 Sec. 52. Minnesota Statutes 2020, section 122A.70, is amended to read:

136.12 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**
136.13 **TEACHERS.**

136.14 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School
136.15 districts are encouraged to develop teacher mentoring programs for teachers new to the
136.16 profession or district, including teaching residents, teachers of color, teachers who are
136.17 American Indian, teachers in license shortage areas, teachers with special needs, or
136.18 experienced teachers in need of peer coaching.

136.19 (b) Teacher mentoring programs must be included in or aligned with districts' teacher
136.20 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,
136.21 subdivision 5. A district may use staff development revenue under section 122A.61, special
136.22 grant programs established by the legislature, or another funding source to pay a stipend to
136.23 a mentor who may be a current or former teacher who has taught at least three years and is
136.24 not on an improvement plan. Other initiatives using such funds or funds available under
136.25 sections 124D.861 and 124D.862 may include:

136.26 (1) additional stipends as incentives to mentors of color or who are American Indian;

136.27 (2) financial supports for professional learning community affinity groups across schools
136.28 within and between districts for teachers from underrepresented racial and ethnic groups to
136.29 come together throughout the school year. For purposes of this section, "affinity groups"
136.30 are groups of educators who share a common racial or ethnic identity in society as persons
136.31 of color or who are American Indian;

137.1 (3) programs for induction aligned with the district or school mentorship program during
137.2 the first three years of teaching, especially for teachers from underrepresented racial and
137.3 ethnic groups; or

137.4 (4) grants supporting licensed and nonlicensed educator participation in professional
137.5 development, such as workshops and graduate courses, related to increasing student
137.6 achievement for students of color and American Indian students in order to close opportunity
137.7 and achievement gaps.

137.8 (c) A school or district that receives a grant must negotiate additional retention strategies
137.9 or protection from unrequested leave of absences in the beginning years of employment for
137.10 teachers of color and teachers who are American Indian. Retention strategies may include
137.11 providing financial incentives for teachers of color and teachers who are American Indian
137.12 to work in the school or district for at least five years and placing American Indian educators
137.13 at sites with other American Indian educators and educators of color at sites with other
137.14 educators of color to reduce isolation and increase opportunity for collegial support.

137.15 Subd. 2. **Applications.** The Professional Educator Licensing and Standards Board must
137.16 make application forms available to sites interested in developing or expanding a mentorship
137.17 program. A school district; a or group of school districts; a coalition of districts, teachers,
137.18 and teacher education institutions; or, a school or coalition of schools, or a coalition of
137.19 teachers, or nonlicensed educators may apply for a program grant. A higher education
137.20 institution or nonprofit organization may partner with a grant applicant but is not eligible
137.21 as a sole applicant for grant funds. The Professional Educator Licensing and Standards
137.22 Board, in consultation with the teacher mentoring task force, must approve or disapprove
137.23 the applications. To the extent possible, the approved applications must reflect effective
137.24 mentoring, professional development, and retention components, and be geographically
137.25 distributed throughout the state. The Professional Educator Licensing and Standards Board
137.26 must encourage the selected sites to consider the use of its assessment procedures.

137.27 Subd. 3. **Criteria for selection.** (a) At a minimum, applicants must express commitment
137.28 to:

137.29 (1) allow staff participation;

137.30 (2) assess skills of both beginning and mentor teachers;

137.31 (3) provide appropriate in-service to needs identified in the assessment;

137.32 (4) provide leadership to the effort;

137.33 (5) cooperate with higher education institutions or teacher educators;

138.1 (6) provide facilities and other resources;

138.2 (7) share findings, materials, and techniques with other school districts; and

138.3 (8) retain teachers of color and teachers who are American Indian.

138.4 (b) Priority for awarding grants must be for efforts to induct, mentor, and retain Tier 2
138.5 or Tier 3 teachers who are of color or American Indian and Tier 2 or Tier 3 teachers in
138.6 licensure shortage areas.

138.7 Subd. 4. **Additional funding.** Applicants are required to seek additional funding and
138.8 assistance from sources such as school districts, postsecondary institutions, foundations,
138.9 and the private sector.

138.10 Subd. 5. **Program implementation.** Grants may be awarded for implementing activities
138.11 over a period of time up to 24 months. New and expanding mentorship sites that are funded
138.12 to design, develop, implement, and evaluate their program must participate in activities that
138.13 support program development and implementation. The Professional Educator Licensing
138.14 and Standards Board must provide resources and assistance to support new sites in their
138.15 program efforts. These activities and services may include, but are not limited to: planning,
138.16 planning guides, media, training, conferences, institutes, and regional and statewide
138.17 networking meetings. Nonfunded schools or districts interested in getting started may
138.18 participate. Fees may be charged for meals, materials, and the like.

138.19 Subd. 5a. Grant program administration. The Professional Educator Licensing and
138.20 Standards Board may enter into an interagency agreement with the Office of Higher
138.21 Education or the Department of Education. The agreement may include a transfer of funds
138.22 to the Office of Higher Education or the Department of Education to help administer the
138.23 competitive grant process.

138.24 Subd. 6. **Report.** By ~~June~~ September 30 of each year after receiving a grant, recipients
138.25 must submit a report to the Professional Educator Licensing and Standards Board on program
138.26 efforts that describes mentoring and induction activities and assesses the impact of these
138.27 programs on teacher effectiveness and retention.

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

139.1 Sec. 53. Minnesota Statutes 2020, section 122A.76, is amended to read:

139.2 **122A.76 STATEWIDE CONCURRENT ENROLLMENT TEACHER TRAINING**
 139.3 **PROGRAM PARTNERSHIP.**

139.4 Subdivision 1. **Definition.** (a) For purposes of this section, the following terms have the
 139.5 meanings given them.

139.6 (b) ~~"Northwest Regional Partnership"~~ "Concurrent Enrollment Teacher Partnership"
 139.7 means a voluntary association of the Lakes Country Service Cooperative, the Northwest
 139.8 Service Cooperative, ~~and the Metropolitan Education Cooperative Service Unit,~~ Minnesota
 139.9 State University-Moorhead, and other interested Minnesota State Colleges and Universities
 139.10 that ~~works~~ work together to provide coordinated higher learning opportunities for teachers.

139.11 (c) ~~"State Partnership" means a voluntary association of the Northwest Regional~~
 139.12 ~~Partnership and the Metropolitan Educational Cooperative Service Unit.~~

139.13 (d) ~~"Eligible postsecondary institution"~~ means a public or private postsecondary institution
 139.14 that awards graduate credits.

139.15 (e) ~~(d) "Eligible teacher"~~ means a licensed teacher of ~~secondary school~~ courses for
 139.16 postsecondary credit.

139.17 Subd. 1a. **Fiscal host.** Lakes Country Service Cooperative is the fiscal host for the
 139.18 Concurrent Enrollment Teacher Partnership.

139.19 Subd. 2. **Establishment.** (a) ~~Lakes Country Service Cooperative, in consultation with~~
 139.20 ~~the Northwest Service Cooperative,~~ The Concurrent Enrollment Teacher Partnership may
 139.21 develop a continuing education program to allow eligible teachers to attain the requisite
 139.22 graduate credits necessary to be qualified to teach secondary school courses for postsecondary
 139.23 credit.

139.24 (b) ~~If established, the State Partnership~~ The Concurrent Enrollment Teacher Partnership
 139.25 must contract with one or more eligible postsecondary institutions to establish a ~~continuing~~
 139.26 ~~education credit~~ program to allow eligible teachers to attain sufficient graduate credits to
 139.27 qualify to teach ~~secondary school~~ courses for postsecondary credit. Members of the ~~State~~
 139.28 Concurrent Enrollment Teacher Partnership must work to eliminate duplication of service
 139.29 and develop the ~~continuing education credit~~ program efficiently and cost-effectively.

139.30 Subd. 3. **Curriculum development.** The ~~continuing education~~ program must use flexible
 139.31 delivery models, such as an online education curriculum, that allow eligible secondary
 139.32 school teachers to attain graduate credit at a reduced credit rate. Information about the
 139.33 curriculum, including course length and course requirements, must be posted on the website

140.1 of the eligible institution offering the course at least two weeks before eligible teachers are
 140.2 required to register for courses ~~in the continuing education program.~~

140.3 Subd. 4. **Funding for course participation; course development; scholarships;**
 140.4 **stipends participation incentives.** (a) Lakes Country Service Cooperative, in consultation
 140.5 with the other members of the ~~Northwest Regional~~ Concurrent Enrollment Teacher
 140.6 Partnership, ~~shall:~~ must

140.7 ~~(1) provide funding for course development~~ eligible teachers to participate in the program
 140.8 for up to 18 credits in applicable postsecondary subject areas;

140.9 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~
 140.10 ~~program; and~~

140.11 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~
 140.12 ~~participation in the continuing education program.~~

140.13 ~~(b) If established, the State Partnership must:~~

140.14 ~~(1) provide funding for course development for up to 18 credits in applicable~~
 140.15 ~~postsecondary subject areas;~~

140.16 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~
 140.17 ~~program; and~~

140.18 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~
 140.19 ~~participation in the continuing education program.~~

140.20 (b) The Concurrent Enrollment Teacher Partnership may:

140.21 (1) provide funding for course development in applicable postsecondary subject areas;

140.22 (2) work with school districts to develop incentives for teachers to participate in the
 140.23 program; and

140.24 (3) enroll college faculty, as space permits, and provide financial assistance if state aid
 140.25 remains available.

140.26 Subd. 5. **Private funding.** The partnerships may receive private resources to supplement
 140.27 the available public money. ~~All money received in fiscal year 2017 shall be administered~~
 140.28 ~~by the Lakes Country Service Cooperative. All money received in fiscal year 2018 and later~~
 140.29 ~~shall be administered by the State Partnership.~~

140.30 Subd. 6. **Report required.** ~~(a) The Northwest Regional Partnership must submit a report~~
 140.31 ~~by January 15, 2018, on the progress of its activities to the legislature, commissioner of~~

141.1 ~~education, and Board of Trustees of the Minnesota State Colleges and Universities. The~~
 141.2 ~~report shall contain a financial report for the preceding year.~~

141.3 ~~(b) If established, the State~~ The Concurrent Enrollment Teacher Partnership must submit
 141.4 an annual joint report to the legislature and the Office of Higher Education by January 15
 141.5 of each year on the progress of its activities. The report must include the number of teachers
 141.6 participating in the program, the geographic location of the teachers, the number of credits
 141.7 earned, and the subject areas of the courses in which participants earned credit. The report
 141.8 must include a financial report for the preceding year.

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

141.10 Sec. 54. Minnesota Statutes 2020, section 123B.147, subdivision 3, is amended to read:

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

141.16 (b) To enhance a principal's culturally responsive leadership skills and support and
 141.17 improve teaching practices, school performance, and student achievement for diverse student
 141.18 populations, including at-risk students, children with disabilities, English learners, and gifted
 141.19 students, among others, a district must develop and implement a performance-based system
 141.20 for annually evaluating school principals assigned to supervise a school building within the
 141.21 district. The evaluation must be designed to improve teaching and learning by supporting
 141.22 the principal in shaping the school's professional environment and developing teacher
 141.23 quality, performance, and effectiveness. The annual evaluation must:

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

141.27 (2) support and improve a principal's culturally responsive leadership practices that
 141.28 create inclusive and respectful teaching and learning environments for all students, families,
 141.29 and employees;

141.30 ~~(2)~~ (3) include formative and summative evaluations based on multiple measures of
 141.31 student progress toward career and college readiness;

141.32 ~~(3)~~ (4) be consistent with a principal's job description, a district's long-term plans and
 141.33 goals, and the principal's own professional multiyear growth plans and goals, all of which

142.1 must support the principal's leadership behaviors and practices, rigorous curriculum, school
142.2 performance, and high-quality instruction;

142.3 ~~(4)~~ (5) include on-the-job observations and previous evaluations;

142.4 ~~(5)~~ (6) allow surveys to help identify a principal's effectiveness, leadership skills and
142.5 processes, and strengths and weaknesses in exercising leadership in pursuit of school success;

142.6 ~~(6)~~ (7) use longitudinal data on student academic growth as 35 percent of the evaluation
142.7 and incorporate district achievement goals and targets;

142.8 ~~(7)~~ (8) be linked to professional development that emphasizes improved teaching and
142.9 learning, curriculum and instruction, student learning, culturally responsive leadership
142.10 practices, and a collaborative professional culture; and

142.11 ~~(8)~~ (9) for principals not meeting standards of professional practice or other criteria
142.12 under this subdivision, implement a plan to improve the principal's performance and specify
142.13 the procedure and consequence if the principal's performance is not improved.

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

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

142.18 Sec. 55. Minnesota Statutes 2020, section 125A.08, is amended to read:

142.19 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

142.23 (1) all students with disabilities are provided the special instruction and services which
142.24 are appropriate to their needs. Where the individualized education program team has
142.25 determined appropriate goals and objectives based on the student's needs, including the
142.26 extent to which the student can be included in the least restrictive environment, and where
142.27 there are essentially equivalent and effective instruction, related services, or assistive
142.28 technology devices available to meet the student's needs, cost to the district may be among
142.29 the factors considered by the team in choosing how to provide the appropriate services,
142.30 instruction, or devices that are to be made part of the student's individualized education
142.31 program. The individualized education program team shall consider and may authorize
142.32 services covered by medical assistance according to section 256B.0625, subdivision 26.

143.1 Before a school district evaluation team makes a determination of other health disability
143.2 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
143.3 team must seek written documentation of the student's medically diagnosed chronic or acute
143.4 health condition signed by a licensed physician or a licensed health care provider acting
143.5 within the scope of the provider's practice. The student's needs and the special education
143.6 instruction and services to be provided must be agreed upon through the development of
143.7 an individualized education program. The program must address the student's need to develop
143.8 skills to live and work as independently as possible within the community. The individualized
143.9 education program team must consider positive behavioral interventions, strategies, and
143.10 supports that address behavior needs for children. During grade 9, the program must address
143.11 the student's needs for transition from secondary services to postsecondary education and
143.12 training, employment, community participation, recreation, and leisure and home living. In
143.13 developing the program, districts must inform parents of the full range of transitional goals
143.14 and related services that should be considered. The program must include a statement of
143.15 the needed transition services, including a statement of the interagency responsibilities or
143.16 linkages or both before secondary services are concluded. If the individualized education
143.17 program meets the plan components in section 120B.125, the individualized education
143.18 program satisfies the requirement and no additional transition plan is needed;

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

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

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

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

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

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

144.7 (c) For all paraprofessionals employed to work in programs whose role in part is to
144.8 provide direct support to students with disabilities, the school board in each district shall
144.9 ensure that:

144.10 (1) before or beginning at the time of employment, each paraprofessional must develop
144.11 sufficient knowledge and skills in emergency procedures, building orientation, roles and
144.12 responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin
144.13 meeting the needs, especially disability-specific and behavioral needs, of the students with
144.14 whom the paraprofessional works;

144.15 (2) before beginning work alone with an individual student with a disability, the assigned
144.16 paraprofessional must be either given paid time, or time during the school day, to review a
144.17 student's individualized education program or be briefed on the student's specific needs by
144.18 appropriate staff;

144.19 ~~(2)~~ (3) annual training opportunities are required to enable the paraprofessional to
144.20 continue to further develop the knowledge and skills that are specific to the students with
144.21 whom the paraprofessional works, including understanding disabilities, the unique and
144.22 individual needs of each student according to the student's disability and how the disability
144.23 affects the student's education and behavior, following lesson plans, and implementing
144.24 follow-up instructional procedures and activities; ~~and~~

144.25 (4) a minimum of 16 hours of paid orientation or professional development must be
144.26 provided annually to all paraprofessionals, Title I aides, and other instructional support
144.27 staff. Eight of the 16 hours must be completed before the first instructional day of the school
144.28 year or within 30 days of hire. The orientation or professional development must be relevant
144.29 to the employee's occupation and may include collaboration time with classroom teachers
144.30 and planning for the school year. For paraprofessionals who provide direct support to
144.31 students, at least 50 percent of the professional development or orientation must be dedicated
144.32 to meeting the requirements of this section. Professional development for paraprofessionals
144.33 may also address the requirements of section 120B.363, subdivision 3. A school administrator

145.1 must provide an annual certification of compliance with this requirement to the commissioner;
145.2 and

145.3 ~~(3)~~ (5) a districtwide process obligates each paraprofessional to work under the ongoing
145.4 direction of a licensed teacher and, where appropriate and possible, the supervision of a
145.5 school nurse.

145.6 (d) A school district may conduct a functional behavior assessment as defined in
145.7 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting
145.8 a comprehensive evaluation of the student in accordance with prior written notice provisions
145.9 in section 125A.091, subdivision 3a. A parent or guardian may request that a school district
145.10 conduct a comprehensive evaluation of the parent's or guardian's student.

145.11 Sec. 56. **[125A.755] PARAPROFESSIONAL TRAINING AID.**

145.12 Beginning in fiscal year 2022, each school district, charter school, and cooperative
145.13 organization serving pupils is eligible for paraprofessional training aid. Professional training
145.14 aid equals \$196 times the number of paraprofessionals, Title I aides, and other instructional
145.15 support staff employed by the school district, charter school, or cooperative organization
145.16 during the previous school year. A school district must reserve paraprofessional training
145.17 aid and spend it only on the training required in section 125A.08.

145.18 **EFFECTIVE DATE.** This section is effective for fiscal year 2022 and later.

145.19 Sec. 57. Minnesota Statutes 2020, section 179A.03, subdivision 19, is amended to read:

145.20 Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment"
145.21 means the hours of employment, the compensation therefor including fringe benefits except
145.22 retirement contributions or benefits other than employer payment of, or contributions to,
145.23 premiums for group insurance coverage of retired employees or severance pay, class sizes
145.24 in Minnesota school districts and charter schools, student testing, student to personnel ratios
145.25 in Minnesota school districts, and the employer's personnel policies affecting the working
145.26 conditions of the employees. In the case of professional employees the term does not mean
145.27 educational policies of a school district. "Terms and conditions of employment" is subject
145.28 to section 179A.07.

145.29 Sec. 58. **GRANTS FOR GROW YOUR OWN PROGRAMS.**

145.30 Subdivision 1. **Establishment.** The commissioner of education must award grants for
145.31 the three types of Grow Your Own programs established under this section in order to
145.32 develop a teaching workforce that more closely reflects the state's increasingly diverse

146.1 student population and ensure all students have equitable access to effective and diverse
146.2 teachers.

146.3 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
146.4 meanings given.

146.5 (b) "Eligible district" means a school district, charter school, or cooperative unit under
146.6 section 123A.24, subdivision 2.

146.7 (c) "Grow Your Own program" means a program established by an eligible district in
146.8 partnership with a Professional Educator Licensing and Standards Board-approved teacher
146.9 preparation program provider or by a Head Start program under section 119A.50 to provide
146.10 a pathway for candidates to enter the teaching profession and teach at any level from early
146.11 childhood to secondary school.

146.12 (d) "Residency program" means a Professional Educator Licensing and Standards
146.13 Board-approved teacher preparation program established by an eligible district and a
146.14 board-approved teacher preparation program provider that uses a cohort-based model and
146.15 includes a yearlong clinical experience integrating coursework and student teaching.

146.16 (e) "Resident" means a teacher candidate participating in a residency program.

146.17 Subd. 3. **Grants for residency programs.** (a) An eligible district may apply for grants
146.18 to develop, maintain, or expand effective residency programs. A residency program must
146.19 pair a resident with a teacher of record who must hold a Tier 3 or Tier 4 license. The
146.20 residency program must provide the teacher of record with ongoing professional development
146.21 in co-teaching, mentoring, and coaching skills and must ensure that the resident and teacher
146.22 of record co-teach and participate in required teacher professional development activities
146.23 for at least 80 percent of the contracted week for a full academic year.

146.24 (b) A grant recipient must use at least 80 percent of grant funds to provide tuition
146.25 scholarships or stipends to enable employees or community members seeking a teaching
146.26 license, who are of color or American Indian, to participate in a residency program. A grant
146.27 recipient may request permission from the commissioner to use the remaining grant funds
146.28 to provide tuition scholarships to employees who are not persons of color or American
146.29 Indian and who seek to teach in a licensure area in which the eligible district has a shortage
146.30 of Tier 3 or Tier 4 licensed teachers.

146.31 (c) An eligible district using grant funds under this subdivision to provide financial
146.32 support to teacher candidates may require a commitment from a candidate to teach in the
146.33 eligible district for a reasonable amount of time not to exceed five years.

147.1 Subd. 4. Grants for programs serving adults. (a) An eligible district or Head Start
147.2 program under section 119A.50 may apply for grants to provide financial assistance,
147.3 mentoring, and other experiences to support persons of color or American Indian persons
147.4 to become licensed teachers or preschool teachers.

147.5 (b) An eligible district or Head Start program must use grant funds awarded under this
147.6 subdivision for:

147.7 (1) tuition scholarships or stipends to eligible Tier 2 licensed teachers, education
147.8 assistants, cultural liaisons, or other nonlicensed employees who are of color or American
147.9 Indian and are enrolled in undergraduate or graduate-level coursework that is part of a
147.10 board-approved teacher preparation program leading to a Tier 3 teacher license;

147.11 (2) developing and implementing pathway programs with local community-based
147.12 organizations led by and for communities of color or American Indian communities that
147.13 provide stipends or tuition scholarships to parents and community members who are of
147.14 color or American Indian to change careers and obtain a Tier 3 license or other credential
147.15 needed to teach in a Head Start program; or

147.16 (3) collaborating with a board-approved teacher preparation program provided by a
147.17 postsecondary institution to develop and implement innovative teacher preparation programs
147.18 that lead to Tier 2 or Tier 3 licensure, involve more intensive and extensive clinical
147.19 experiences with more professional coaching or mentorship than are typically required in
147.20 traditional college or university campus-based teacher preparation programs, provide
147.21 candidates with support that is responsive to the unique needs of candidates who are of
147.22 color or American Indian, and have more than half of their candidates identify as persons
147.23 of color or American Indian.

147.24 (c) An eligible district or Head Start program providing financial assistance to individuals
147.25 under this subdivision may require a commitment from candidates to teach in the eligible
147.26 school or Head Start program for a reasonable amount of time not to exceed five years.

147.27 Subd. 5. Grants for programs serving secondary school students. (a) In addition to
147.28 grants for developing and offering dual-credit postsecondary course options in schools for
147.29 "Introduction to Teaching" or "Introduction to Education" courses under section 124D.09,
147.30 subdivision 10, a school district or charter school may apply for grants under this section
147.31 to offer other innovative programs that encourage secondary school students, especially
147.32 students of color and American Indian students, to pursue teaching. To be eligible for a
147.33 grant under this subdivision, a school district or charter school must ensure that the aggregate
147.34 percentage of secondary school students of color and American Indian students participating

148.1 in the program is equal to or greater than the aggregate percentage of students of color and
148.2 American Indian students in the school district or charter school.

148.3 (b) A grant recipient must use grant funds awarded under this subdivision for:

148.4 (1) supporting future teacher clubs or service-learning opportunities that provide middle
148.5 and high school students who are of color or American Indian with experiential learning
148.6 that supports the success of younger students or peers and increases students' interest in
148.7 pursuing a teaching career;

148.8 (2) providing direct support, including wrap-around services, for students who are of
148.9 color or American Indian to enroll and be successful in postsecondary enrollment options
148.10 courses under section 124D.09 that would meet degree requirements for teacher licensure;
148.11 or

148.12 (3) offering scholarships to graduating high school students who are of color or American
148.13 Indian to enroll in board-approved undergraduate teacher preparation programs at a college
148.14 or university in Minnesota.

148.15 Subd. 6. **Grant procedure.** (a) An eligible district or Head Start program must apply
148.16 for a grant under this section in the form and manner specified by the commissioner. The
148.17 commissioner must give priority to eligible districts or Head Start programs with the highest
148.18 total number or percentage of students who are of color or American Indian.

148.19 (b) For the 2022-2023 school year and later, grant applications for new and existing
148.20 programs must be received by the commissioner no later than January 15 of the year prior
148.21 to the school year in which the grant will be used. The commissioner must review all
148.22 applications and notify grant recipients by March 15 or as soon as practicable of the
148.23 anticipated amount awarded. If the commissioner determines that sufficient funding is
148.24 unavailable for the grants, the commissioner must notify grant applicants by June 30 or as
148.25 soon as practicable that there are insufficient funds.

148.26 (c) For the 2021-2022 school year, the commissioner must set a timetable for awarding
148.27 grants as soon as practicable.

148.28 Subd. 7. **Account established.** A Grow Your Own program account is created in the
148.29 special revenue fund for depositing money appropriated to or received by the department
148.30 for Grow Your Own programs. Money deposited in the account is appropriated to the
148.31 commissioner, does not cancel, and is continuously available for grants under this section.
148.32 Grant recipients may apply to use grant money over a period of up to 24 months.

149.1 Subd. 8. **Report.** Grant recipients must annually report to the commissioner in the form
 149.2 and manner determined by the commissioner on their activities under this section, including
 149.3 the number of participants, the percentage of participants who are of color or American
 149.4 Indian, and an assessment of program effectiveness, including participant feedback, areas
 149.5 for improvement, the percentage of participants continuing to pursue teacher licensure, and
 149.6 where applicable, the number of participants hired in the school or district as teachers after
 149.7 completing preparation programs. The commissioner must publish a report for the public
 149.8 that summarizes the activities and outcomes of grant recipients and what was done to promote
 149.9 sharing of effective practices among grant recipients and potential grant applicants.

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

149.11 Sec. 59. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

149.12 Subdivision 1. **Department of Education.** The sums indicated in this section are
 149.13 appropriated from the general fund to the Department of Education for the fiscal years
 149.14 designated.

149.15 Subd. 2. **Concurrent enrollment teacher partnership.** (a) To the Lakes Country Service
 149.16 Cooperative for the concurrent enrollment teacher partnership under Minnesota Statutes,
 149.17 section 122A.76:

149.18 \$ 1,000,000 2022

149.19 \$ 1,000,000 2023

149.20 (b) Any balance in the first year does not cancel but is available in the second year.

149.21 Subd. 3. **Grow Your Own.** (a) For grants to develop, continue, or expand Grow Your
 149.22 Own new teacher programs:

149.23 \$ 9,285,000 2022

149.24 \$ 9,285,000 2023

149.25 (b) Of this amount in each fiscal year, at least \$3,000,000 is for teacher residency
 149.26 programs.

149.27 (c) The department may retain up to \$100,000 of the appropriation amount to monitor
 149.28 and administer the grant program.

149.29 (d) Any balance in the first year does not cancel but is available in the second year.

149.30 Subd. 4. **Equity diversity and inclusion anti-bias professional development.** (a) For
 149.31 grants to districts and charter schools to implement professional development for staff
 149.32 focused on anti-bias instructional practices:

150.1 \$ 4,000,000 2022

150.2 (b) The department must develop tools and programs on anti-bias instructional practices.

150.3 (c) Eligible grantees include school districts, charter schools, intermediate school districts,
150.4 and cooperative units as defined in section 123A.24, subdivision 2.

150.5 (d) The department may retain up to five percent of the appropriation to administer the
150.6 program and grants.

150.7 (e) This is a onetime appropriation.

150.8 (f) Any balance in the first year does not cancel but is available in the second year.

150.9 Subd. 5. **Nonexclusionary discipline.** (a) For grants to school districts and charter
150.10 schools to provide training for school staff on nonexclusionary disciplinary practices:

150.11 \$ 5,000,000 2022

150.12 \$ 5,000,000 2023

150.13 (b) Up to \$475,000 is to develop training and to work with schools to train staff on
150.14 nonexclusionary disciplinary practices that maintain the respect, trust, and attention of
150.15 students and help keep students in classrooms. These funds may also be used for grant
150.16 administration.

150.17 (c) Eligible grantees include school districts, charter schools, intermediate school districts,
150.18 and cooperative units as defined in section 123A.24, subdivision 2.

150.19 (d) Any balance in the first year does not cancel but is available in the second year.

150.20 Subd. 6. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering
150.21 "Introduction to Teaching" or "Introduction to Education" college in the schools courses
150.22 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

150.23 \$ 500,000 2022

150.24 \$ 500,000 2023

150.25 (b) The department may retain up to five percent of the appropriation amount to monitor
150.26 and administer the grant program.

150.27 (c) Any balance in the first year does not cancel but is available in the second year.

150.28 Subd. 7. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
150.29 aid under Minnesota Statutes, section 122A.415, subdivision 4:

150.30 \$ 88,896,000 2022

150.31 \$ 88,898,000 2023

151.1 (b) The 2022 appropriation includes \$8,877,000 for 2021 and \$80,019,000 for 2022.

151.2 (c) The 2023 appropriation includes \$8,891,000 for 2022 and \$80,007,000 for 2023.

151.3 Subd. 8. **Agricultural educator grants.** (a) For agricultural educator grants under Laws
 151.4 2017, First Special Session chapter 5, article 2, section 51:

151.5 \$ 250,000 2022

151.6 \$ 250,000 2023

151.7 (b) Any balance in the first year does not cancel but is available in the second year.

151.8 Subd. 9. **American Indian teacher preparation grants.** (a) For joint grants to assist
 151.9 people who are American Indian to become teachers under Minnesota Statutes, section
 151.10 122A.63:

151.11 \$ 600,000 2022

151.12 \$ 600,000 2023

151.13 (b) Any balance in the first year does not cancel but is available in the second year.

151.14 Subd. 10. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in
 151.15 Minnesota hiring bonuses pilot program under Minnesota Statutes, section 122A.59:

151.16 \$ 350,000 2022

151.17 \$ 350,000 2023

151.18 (b) The department may use up to \$35,000 of the appropriation amount to develop and
 151.19 administer the program under this subdivision.

151.20 (c) Any balance in the first year does not cancel but is available in the second year.

151.21 Subd. 11. **Minnesota Science Teachers Association.** (a) For a grant to the Minnesota
 151.22 Science Teachers Association to provide professional development for up to 1,150 teachers
 151.23 to implement the 2019 revised science standards:

151.24 \$ 611,000 2022

151.25 (b) Grant funds must be used for current high school teachers to prepare to take the
 151.26 content test for additional licensure in earth science, and to provide pedagogical and content
 151.27 professional development to 6th grade and high school teachers to be effective teachers of
 151.28 earth and space science. Professional development must be offered at multiple locations
 151.29 across the state, including outside the seven-county metropolitan area, as well as online.

151.30 (c) This appropriation is available until June 30, 2023.

152.1 (d) The department may use up to five percent of this appropriation for administrative
 152.2 costs.

152.3 Subd. 12. **Paraprofessional training.** For costs associated with paid orientation and
 152.4 professional development for paraprofessionals under Minnesota Statutes, section 125A.08:

152.5 \$ 6,300,000 2022

152.6 \$ 7,000,000 2023

152.7 (b) The 2022 appropriation includes \$0 for 2021 and \$6,300,000 for 2022.

152.8 (c) The 2023 appropriation includes \$700,000 for 2022 and \$6,300,000 for 2023.

152.9 Subd. 13. **Tribal relations training.** (a) For grants to school districts and charter schools
 152.10 to provide Tribal relations training to school leaders:

152.11 \$ 250,000 2022

152.12 \$ 250,000 2023

152.13 (b) Eligible grantees include school districts, charter schools, intermediate school districts,
 152.14 and cooperative units as defined in section 123A.24, subdivision 2.

152.15 (c) Up to five percent of this amount is available to the department for grant and program
 152.16 administration costs.

152.17 (d) Any balance the first year does not cancel but is available in the second year.

152.18 Sec. 60. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
 152.19 **STANDARDS BOARD.**

152.20 Subdivision 1. **Professional Educator Licensing and Standards Board.** The sums
 152.21 indicated in this section are appropriated from the general fund to the Professional Educator
 152.22 Licensing and Standards Board for the fiscal years designated.

152.23 Subd. 2. **Collaborative urban and greater Minnesota educators of color grants.** (a)
 152.24 For collaborative urban and greater Minnesota educators of color competitive grants under
 152.25 Minnesota Statutes, section 122A.635:

152.26 \$ 1,500,000 2022

152.27 \$ 1,500,000 2023

152.28 (b) Any balance does not cancel but is available in the following fiscal year.

152.29 (c) The board may retain up to three percent of the appropriation amount to monitor and
 152.30 administer the grant program.

153.1 Subd. 3. **Mentoring, induction, and retention incentive program grants for teachers**
 153.2 **of color.** (a) For the development and expansion of mentoring, induction, and retention
 153.3 programs designed for teachers of color or American Indian teachers under Minnesota
 153.4 Statutes, section 122A.70:

153.5 \$ 3,000,000 2022

153.6 \$ 3,000,000 2023

153.7 (b) Any balance does not cancel but is available in the following fiscal year.

153.8 (c) The base appropriation for grants under Minnesota Statutes, section 122A.70, for
 153.9 fiscal year 2024 and later is \$4,500,000, of which at least \$3,500,000 each fiscal year must
 153.10 be granted for the development and expansion of mentoring, induction, and retention
 153.11 programs designed for teachers of color or American Indian teachers.

153.12 (d) The board may retain up to three percent of the appropriation amount to monitor and
 153.13 administer the grant program.

153.14 Subd. 4. **Reports on increasing percentage of teachers of color and American Indian**
 153.15 **teachers.** For a report on the efforts and impact of all state-funded programs to increase the
 153.16 percentage of teachers of color and American Indian teachers in Minnesota schools developed
 153.17 in consultation with the Department of Education, Office of Higher Education, grant
 153.18 recipients, and stakeholders.

153.19 \$ 15,000 2022

153.20 The base appropriation for fiscal year 2024 and each even-numbered later fiscal year is
 153.21 \$15,000.

153.22 Subd. 5. **Teacher recruitment marketing campaign.** (a) To develop two contracts to
 153.23 develop and implement an outreach and marketing campaign under this subdivision:

153.24 \$ 500,000 2022

153.25 \$ 500,000 2023

153.26 (b) The Professional Educator Licensing and Standards Board must issue a request for
 153.27 proposals to develop and implement an outreach and marketing campaign to elevate the
 153.28 profession and recruit teachers, especially teachers of color and American Indian teachers.
 153.29 Outreach efforts should include and support current and former Teacher of the Year finalists
 153.30 interested in being recruitment fellows to encourage prospective educators throughout the
 153.31 state.

153.32 (c) The outreach and marketing campaign must focus on making the following individuals
 153.33 become interested in teaching in Minnesota public schools:

154.1 (1) high school and college students of color or American Indian students who have not
154.2 chosen a career path; or

154.3 (2) adults from racial or ethnic groups underrepresented in the teacher workforce who
154.4 may be seeking to change careers.

154.5 (d) The board must award two \$250,000 grants each year to firms or organizations that
154.6 demonstrate capacity to reach wide and varied audiences of prospective teachers based on
154.7 a work plan with quarterly deliverables. Preferences should be given to firms or organizations
154.8 that are led by people of color and that have people of color working on the campaign with
154.9 a proven record of success. The grant recipients must recognize current pathways or programs
154.10 to become a teacher and must partner with educators, schools, institutions, and racially
154.11 diverse communities. The grant recipients are encouraged to provide in-kind contributions
154.12 or seek funds from nonstate sources to supplement the grant award.

154.13 (e) The board may use no more than three percent of the appropriation amount to
154.14 administer the program under this subdivision, and may have an interagency agreement
154.15 with the Department of Education including transfer of funds to help administer the program.

154.16 (f) Any balance in the first year does not cancel but is available in the second year.

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

154.18 Sec. 61. **REPEALER.**

154.19 Minnesota Statutes 2020, sections 122A.091, subdivisions 3 and 6; 122A.092; 122A.18,
154.20 subdivision 7c; 122A.184, subdivision 3; 122A.23, subdivision 3; and 122A.2451, are
154.21 repealed.

154.22

ARTICLE 4

154.23

CHARTER SCHOOLS

154.24 Section 1. Minnesota Statutes 2020, section 124E.02, is amended to read:

154.25 **124E.02 DEFINITIONS.**

154.26 (a) For purposes of this chapter, the terms defined in this section have the meanings
154.27 given them.

154.28 (b) "Affidavit" means a written statement the authorizer submits to the commissioner
154.29 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to
154.30 its review and approval process before chartering a school.

155.1 (c) "Affiliate" means a person that directly or indirectly, through one or more
155.2 intermediaries, controls, is controlled by, or is under common control with another person.

155.3 (d) "Charter management organization" means any nonprofit entity that contracts with
155.4 a charter school board of directors to provide, manage, or oversee all or substantially all of
155.5 a charter school's educational design or implementation or a charter school's administrative,
155.6 financial, business, or operational functions.

155.7 ~~(d)~~ (e) "Control" means the ability to affect the management, operations, or policy actions
155.8 or decisions of a person, whether by owning voting securities, by contract, or otherwise.

155.9 (f) "Education management organization" means any for-profit entity that provides,
155.10 manages, or oversees all or substantially all of the educational design or implementation
155.11 for a charter school or a charter school's administrative, financial, business, or operational
155.12 functions.

155.13 ~~(e)~~ (g) "Immediate family" means an individual whose relationship by blood, marriage,
155.14 adoption, or partnership is no more remote than first cousin.

155.15 (h) "Online education service provider" means an organization that provides an online
155.16 learning management system, virtual learning environment, or online student management
155.17 system for a charter school and services for the implementation and operation of an online
155.18 education program for the charter school.

155.19 ~~(f)~~ (i) "Person" means an individual or entity of any kind.

155.20 ~~(g)~~ (j) "Related party" means an affiliate or immediate relative of the other interested
155.21 party, an affiliate of an immediate relative who is the other interested party, or an immediate
155.22 relative of an affiliate who is the other interested party.

155.23 ~~(h)~~ (k) For purposes of this chapter, the terms defined in section 120A.05 have the same
155.24 meanings.

155.25 Sec. 2. Minnesota Statutes 2020, section 124E.03, subdivision 2, is amended to read:

155.26 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
155.27 meet all federal, state, and local health and safety requirements applicable to school districts.

155.28 (b) A school must comply with statewide accountability requirements governing standards
155.29 and assessments in chapter 120B.

155.30 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
155.31 123B.34 to 123B.39.

156.1 (d) A charter school is a district for the purposes of tort liability under chapter 466.

156.2 (e) A charter school must comply with the Pledge of Allegiance requirement under
156.3 section 121A.11, subdivision 3.

156.4 (f) A charter school and charter school board of directors must comply with chapter 181
156.5 governing requirements for employment.

156.6 (g) A charter school must comply with continuing truant notification under section
156.7 260A.03.

156.8 (h) A charter school must develop and implement a teacher evaluation and peer review
156.9 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
156.10 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
156.11 The teacher evaluation process in this paragraph does not create any additional employment
156.12 rights for teachers.

156.13 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
156.14 section 120B.11, to review curriculum, instruction, and student achievement and strive for
156.15 the world's best workforce.

156.16 (j) A charter school is subject to and must comply with section 121A.575 and the Pupil
156.17 Fair Dismissal Act, sections 121A.40 to 121A.56.

156.18 (k) A charter school is subject to and must comply with the uniform municipal contracting
156.19 law according to section 471.345 in the same manner as school districts.

156.20 Sec. 3. Minnesota Statutes 2020, section 124E.03, is amended by adding a subdivision to
156.21 read:

156.22 Subd. 8. **English learners.** A charter school is subject to and must comply with the
156.23 Education for English Learners Act, sections 124D.58 to 124D.64, as though it were a
156.24 district.

156.25 Sec. 4. Minnesota Statutes 2020, section 124E.03, is amended by adding a subdivision to
156.26 read:

156.27 Subd. 9. **Corporal punishment.** A charter school is subject to and must comply with
156.28 section 121A.58 as though it were a district.

157.1 Sec. 5. Minnesota Statutes 2020, section 124E.05, subdivision 4, is amended to read:

157.2 Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must
157.3 include in its application to the commissioner at least the following:

157.4 (1) how the organization carries out its mission by chartering schools;

157.5 (2) a description of the capacity of the organization to serve as an authorizer, including
157.6 the positions allocated to authorizing duties, the qualifications for those positions, the
157.7 full-time equivalencies of those positions, and the financial resources available to fund the
157.8 positions;

157.9 (3) the application and review process the authorizer uses to decide whether to grant
157.10 charters;

157.11 (4) the type of contract it arranges with the schools it charters to meet the provisions of
157.12 section 124E.10;

157.13 (5) the process for overseeing the school, consistent with clause (4), to ensure that the
157.14 schools chartered comply with applicable law and rules and the contract;

157.15 (6) the criteria and process the authorizer uses to approve applications adding grades or
157.16 sites under section 124E.06, subdivision 5;

157.17 (7) the process for renewing or terminating the school's charter based on evidence
157.18 showing the academic, organizational, and financial competency of the school, including
157.19 its success in increasing student achievement and meeting the goals of the charter school
157.20 agreement; and

157.21 (8) an assurance specifying that the organization is committed to serving as an authorizer
157.22 for the full five-year term until the commissioner terminates the organization's ability to
157.23 authorize charter schools under subdivision 6 or the organization formally withdraws as an
157.24 approved authorizer under subdivision 7.

157.25 (b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the
157.26 requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict
157.27 of interest between an authorizer and its charter schools or ongoing evaluation or continuing
157.28 education of an administrator or other professional support staff by submitting to the
157.29 commissioner a written promise to comply with the requirements.

157.30 Sec. 6. Minnesota Statutes 2020, section 124E.05, subdivision 6, is amended to read:

157.31 Subd. 6. **Corrective action.** (a) If, consistent with this chapter, the commissioner finds
157.32 that an authorizer has not met the requirements of this chapter, the commissioner may subject

158.1 the authorizer to a corrective action plan, which may ~~include terminating the contract with~~
158.2 ~~the charter school board of directors of a school it chartered.~~ last no longer than 130 business
158.3 days. The commissioner may prohibit an authorizer on a corrective plan from accepting a
158.4 transfer application from a charter school and an application to establish a charter school.

158.5 (b) The commissioner must notify the authorizer in writing ~~of~~ that the authorizer has
158.6 been placed on a corrective plan. The notice must include any findings that may subject the
158.7 authorizer to corrective action at the conclusion of the corrective plan and the authorizer
158.8 then has 15 business days to request an informal hearing before the commissioner takes
158.9 corrective action. The commissioner must hold an informal hearing within 15 business days
158.10 of the request. If the issues identified as the basis for the corrective action are not resolved
158.11 at the informal hearing, the authorizer must make the requested improvements and notify
158.12 the commissioner of the improvements within 45 business days. Within 20 business days,
158.13 the commissioner must review the changes and notify the authorizer of any remaining issues
158.14 to be resolved. An authorizer must address the remaining issues as directed by the
158.15 commissioner within 20 business days. Within 15 business days, the commissioner must
158.16 review the changes and notify the authorizer whether all issues in the corrective plan have
158.17 been resolved.

158.18 (c) If the commissioner terminates ~~a contract between an authorizer and a charter school~~
158.19 ~~under this paragraph~~ the authorizer's ability to charter a school, the commissioner ~~may~~ must
158.20 assist the affected charter school in acquiring a new authorizer. A charter school board of
158.21 directors may submit to the commissioner a request to transfer to a new authorizer without
158.22 the approval or consent of the current authorizer if that authorizer has been under a corrective
158.23 action plan for more than 130 business days.

158.24 ~~(b)~~ (d) The commissioner may at any time take corrective action against an authorizer,
158.25 including terminating an authorizer's ability to charter a school, terminating a contract with
158.26 a charter school, and other appropriate sanctions for:

158.27 (1) failing to demonstrate the criteria under subdivision 3 under which the commissioner
158.28 approved the authorizer;

158.29 (2) violating a term of the chartering contract between the authorizer and the charter
158.30 school board of directors;

158.31 (3) unsatisfactory performance as an approved authorizer; ~~or~~

158.32 (4) any good cause shown that gives the commissioner a legally sufficient reason to take
158.33 corrective action against an authorizer; or

159.1 (5) failing to meet the terms of a corrective action plan by the specified deadline.

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

159.3 Sec. 7. Minnesota Statutes 2020, section 124E.05, subdivision 7, is amended to read:

159.4 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw
 159.5 as an approved authorizer for a reason unrelated to any cause under section ~~124E.10,~~
 159.6 ~~subdivision 4~~ 124E.07, subdivision 6, the authorizer must notify all its chartered schools
 159.7 and the commissioner in writing by March 1 of its intent to withdraw as an authorizer on
 159.8 June 30 in the next calendar year, ~~regardless of when the authorizer's five-year term of~~
 159.9 ~~approval ends.~~ Upon notification of the schools and commissioner, the authorizer must
 159.10 provide a letter to the school for distribution to families of students enrolled in the school
 159.11 that explains the decision to withdraw as an authorizer. The commissioner may approve the
 159.12 transfer of a charter school to a new authorizer under section 124E.10, subdivision 5.

159.13 Sec. 8. Minnesota Statutes 2020, section 124E.06, subdivision 1, is amended to read:

159.14 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an
 159.15 application from a charter school developer, may charter either a licensed teacher under
 159.16 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed
 159.17 teachers under section 122A.18, subdivision 1, to operate a school subject to the
 159.18 commissioner's approval of the authorizer's affidavit under subdivision 4.

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

159.22 (1) the school developer's:

159.23 (i) mission statement;

159.24 (ii) school purposes;

159.25 (iii) program design;

159.26 (iv) financial plan;

159.27 (v) market need and demand study;

159.28 ~~(v)~~ (vi) governance and management structure; and

159.29 ~~(vi)~~ (vii) background and experience;

159.30 (2) any other information the authorizer requests; and

160.1 (3) a "statement of assurances" of legal compliance prescribed by the commissioner.

160.2 (c) "Market need and demand study" means a study that includes the following for any
160.3 proposed location of a new school, grade or site expansion, or preschool program:

160.4 (1) current and projected demographic information;

160.5 (2) student enrollment patterns;

160.6 (3) information on existing schools and types of educational programs currently available;

160.7 (4) characteristics of proposed students and families;

160.8 (5) availability of properly zoned and classified facilities; and

160.9 (6) quantification of existing demand for the new school, grade or site expansion, or
160.10 preschool program.

160.11 ~~(e)~~ (d) An authorizer shall not approve an application submitted by a charter school
160.12 developer under paragraph (a) if the application does not comply with subdivision 3,
160.13 paragraph (e), and section 124E.01, subdivision 1. The commissioner shall not approve an
160.14 affidavit submitted by an authorizer under subdivision 4 if the affidavit does not comply
160.15 with subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

160.16 Sec. 9. Minnesota Statutes 2020, section 124E.06, subdivision 4, is amended to read:

160.17 Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish
160.18 and operate a school, the authorizer must file an affidavit with the commissioner stating its
160.19 intent to charter a school. An authorizer must file a separate affidavit for each school it
160.20 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of
160.21 the year the new charter school plans to serve students. The affidavit must state:

160.22 (1) the terms and conditions under which the authorizer would charter a school, including
160.23 market research that addresses the need, demand, and potential market for the proposed
160.24 charter school in the community where the school intends to locate; and

160.25 (2) how the authorizer intends to oversee:

160.26 (i) the fiscal and student performance of the charter school; and

160.27 (ii) compliance with the terms of the written contract between the authorizer and the
160.28 charter school board of directors under section 124E.10, subdivision 1.

160.29 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60
160.30 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the
160.31 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer

161.1 then has 20 business days to address the deficiencies. The commissioner must notify the
161.2 authorizer of the commissioner's final approval or final disapproval within 15 business days
161.3 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer
161.4 does not address deficiencies to the commissioner's satisfaction, the commissioner's
161.5 disapproval is final. An authorizer who fails to obtain the commissioner's approval is
161.6 precluded from chartering the school that is the subject of this affidavit.

161.7 Sec. 10. Minnesota Statutes 2020, section 124E.06, subdivision 5, is amended to read:

161.8 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to
161.9 amend the school charter to add grades or primary enrollment sites beyond those defined
161.10 in the original affidavit approved by the commissioner. After approving the school's
161.11 application, the authorizer shall submit a supplemental affidavit in the form and manner
161.12 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the
161.13 commissioner by October 1 to be eligible to add grades or sites in the next school year. The
161.14 supplemental affidavit must document to the authorizer's satisfaction:

161.15 (1) the need for the additional grades or sites with supporting long-range enrollment
161.16 projections;

161.17 (2) a longitudinal record of student academic performance and growth on statewide
161.18 assessments under chapter 120B or on other academic assessments that measure longitudinal
161.19 student performance and growth approved by the charter school's board of directors and
161.20 agreed upon with the authorizer;

161.21 (3) a history of sound school finances and a plan to add grades or sites that sustains the
161.22 school's finances; ~~and~~

161.23 (4) board capacity to administer and manage the additional grades or sites; and

161.24 (5) market need and demand study.

161.25 (b) The commissioner shall have 30 business days to review and comment on the
161.26 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
161.27 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
161.28 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
161.29 The commissioner must notify the authorizer of final approval or final disapproval within
161.30 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
161.31 The school may not add grades or sites until the commissioner has approved the supplemental
161.32 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

162.1 Sec. 11. Minnesota Statutes 2020, section 124E.11, is amended to read:

162.2 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

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

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

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

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

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

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

162.25 (d) Admission to a charter school must be free to any person who resides within the state
162.26 of Minnesota, and Minnesota students have preference over out-of-state residents. A person
162.27 shall not be admitted to a charter school (1) as a kindergarten pupil, unless the pupil is at
162.28 least five years of age on September 1 of the calendar year in which the school year for
162.29 which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil
162.30 is at least six years of age on September 1 of the calendar year in which the school year for
162.31 which the pupil seeks admission commences or has completed kindergarten; except that a
162.32 charter school may establish and publish on its website a policy for admission of selected
162.33 pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

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

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

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

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

163.18 Sec. 12. Minnesota Statutes 2020, section 124E.12, subdivision 1, is amended to read:

163.19 Subdivision 1. **Teachers.** A charter school must employ necessary teachers or contract
163.20 with a cooperative formed under chapter 308A to provide necessary teachers, as defined
163.21 by section ~~122A.15, subdivision 1~~ 122A.06, subdivision 2, who hold valid licenses to
163.22 perform the particular service for which they are employed in the school. The commissioner
163.23 may reduce the charter school's state aid under section 127A.43 if the school employs a
163.24 teacher who is not appropriately licensed or approved by the Professional Educator Licensing
163.25 and Standards Board. The school may employ necessary employees who are not required
163.26 to hold teaching licenses to perform duties other than teaching and may contract for other
163.27 services. The school may discharge teachers and nonlicensed employees. The charter school
163.28 board is subject to section 181.932 governing whistle-blowers. When offering employment
163.29 to a prospective employee, a charter school must give that employee a written description
163.30 of the terms and conditions of employment and the school's personnel policies.

163.31 Sec. 13. Minnesota Statutes 2020, section 124E.13, subdivision 1, is amended to read:

163.32 Subdivision 1. **Leased space.** A charter school may lease space from: an independent
163.33 or special school board; other public organization; private, nonprofit, nonsectarian

164.1 organization; private property owner; or a sectarian organization; and if the leased space is
164.2 owned by the lessor and is constructed as a school facility. The commissioner must review
164.3 and approve or disapprove leases in a timely manner to determine eligibility for lease aid
164.4 under section 124E.22.

164.5 Sec. 14. Minnesota Statutes 2020, section 124E.16, subdivision 1, is amended to read:

164.6 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,
164.7 audit procedures, and audit requirements as a district, except as required under this
164.8 subdivision. Audits must be conducted in compliance with generally accepted governmental
164.9 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing
164.10 auditing procedures. A charter school is subject to and must comply with sections 15.054;
164.11 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property
164.12 and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing
164.13 municipal contracting. The audit must comply with the requirements of sections 123B.75
164.14 to 123B.83 governing school district finance, except when the commissioner and authorizer
164.15 approve a deviation made necessary because of school program finances. The commissioner,
164.16 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance
164.17 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must
164.18 submit a plan under section 123B.81, subdivision 4.

164.19 (b) The charter school must submit an audit report to the commissioner and its authorizer
164.20 annually by December 31. The charter school's charter management organization or
164.21 educational management organization must submit an audit report to the commissioner
164.22 annually by December 31.

164.23 (c) The charter school, with the assistance of the auditor conducting the audit, must
164.24 include with the report, as supplemental information: (1) a copy of management agreements
164.25 with a charter management organization or an educational management organization and
164.26 (2) service agreements or contracts over the lesser of \$100,000 or ten percent of the school's
164.27 most recent annual audited expenditures. The agreements must detail the terms of the
164.28 agreement, including the services provided and the annual costs for those services. If the
164.29 entity that provides the professional services to the charter school is exempt from taxation
164.30 under section 501 of the Internal Revenue Code of 1986, that entity must file with the
164.31 commissioner by February 15 a copy of the annual return required under section 6033 of
164.32 the Internal Revenue Code of 1986.

165.1 (d) A charter school independent audit report shall include audited financial data of an
165.2 affiliated building corporation under section 124E.13, subdivision 3, or other component
165.3 unit.

165.4 (e) If the audit report finds that a material weakness exists in the financial reporting
165.5 systems of a charter school, the charter school must submit a written report to the
165.6 commissioner explaining how the charter school will resolve that material weakness. An
165.7 auditor, as a condition of providing financial services to a charter school, must agree to
165.8 make available information about a charter school's financial audit to the commissioner and
165.9 authorizer upon request.

165.10 Sec. 15. Minnesota Statutes 2020, section 124E.25, subdivision 1a, is amended to read:

165.11 Subd. 1a. **School closures; payments.** (a) Notwithstanding subdivision 1 and section
165.12 127A.45, for a charter school ceasing operation on or before June 30, for the payment periods
165.13 occurring after the school ceases serving students, the commissioner shall withhold the
165.14 estimated state aid owed the school. The charter school board of directors and authorizer
165.15 must submit to the commissioner a closure plan under chapter ~~308A~~ or 317A, and financial
165.16 information about the school's liabilities and assets. After receiving the closure plan, financial
165.17 information, an audit of pupil counts, and documented lease expenditures from the charter
165.18 school and monitoring special education expenditures, the commissioner may release cash
165.19 withheld and may continue regular payments up to the current year payment percentages
165.20 if further amounts are owed. If, based on audits and monitoring, the school received state
165.21 aid in excess of the amount owed, the commissioner shall retain aid withheld sufficient to
165.22 eliminate the aid overpayment.

165.23 (b) For a charter school ceasing operations before or at the end of a school year,
165.24 notwithstanding section 127A.45, subdivision 3, the commissioner may make preliminary
165.25 final payments after the school submits the closure plan, an audit of pupil counts, documented
165.26 lease expenditures, and Uniform Financial Accounting and Reporting Standards (UFARS)
165.27 financial data and the commissioner monitors special education expenditures for the final
165.28 year of operation. The commissioner may make the final payment after receiving audited
165.29 financial statements under section 123B.77, subdivision 3.

165.30 (c) Notwithstanding sections 317A.701 to 317A.791, after closing a charter school and
165.31 satisfying creditors, remaining cash and investment balances shall be returned by the
165.32 commissioner to the state general fund.

ARTICLE 5

SPECIAL EDUCATION

166.1

166.2

166.3 Section 1. Minnesota Statutes 2020, section 124E.21, subdivision 1, is amended to read:

166.4 Subdivision 1. **Special education aid.** (a) Except as provided in section 124E.23, special
166.5 education aid, excluding cross subsidy reduction aid under section 125A.76, subdivision
166.6 2e, must be paid to a charter school according to section 125A.76, as though it were a school
166.7 district.

166.8 (b) ~~For fiscal year 2020 and later,~~ The special education aid paid to the charter school
166.9 shall be adjusted as follows:

166.10 (1) if the charter school does not receive general education revenue on behalf of the
166.11 student according to section 124E.20, the aid shall be adjusted as provided in section
166.12 125A.11; or

166.13 (2) if the charter school receives general education revenue on behalf of the student
166.14 according to section 124E.20, the aid shall be adjusted as provided in section 127A.47,
166.15 subdivision 7, paragraphs (b) to (e), and if the tuition adjustment is computed under section
166.16 127A.47, subdivision 7, paragraph (c), it shall also receive an adjustment equal to ~~five~~
166.17 ~~percent for fiscal year 2020 or~~ ten percent for fiscal year 2021 and later of the unreimbursed
166.18 cost of providing special education and services for the student and the amount in paragraph
166.19 (c).

166.20 (c) A charter school special education tuition adjustment aid equals the difference between
166.21 the charter school's unreimbursed costs without a rate cap and the district's unreimbursed
166.22 costs with the rate cap, times the adjustment factor for that year. For fiscal years 2021, 2022,
166.23 and 2023, the adjustment factor equals 100 percent. For fiscal year 2024, the adjustment
166.24 factor equals 75 percent. For fiscal year 2025, the adjustment factor equals 50 percent. For
166.25 fiscal year 2026 and later, the adjustment factor equals 25 percent.

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

166.27 Sec. 2. Minnesota Statutes 2020, section 125A.21, subdivision 1, is amended to read:

166.28 Subdivision 1. **Obligation to pay.** (a) Nothing in sections 125A.03 to 125A.24 and
166.29 125A.65 relieves an insurer or similar third party from an otherwise valid obligation to pay,
166.30 or changes the validity of an obligation to pay, for services rendered to a child with a
166.31 disability, and the child's family.

167.1 (b) For purposes of this section, "school district" and "district" mean a school district,
167.2 charter school, or cooperative unit defined under section 123A.24, subdivision 2, providing
167.3 direct special education services to students.

167.4 (c) A school district shall pay the nonfederal share of medical assistance services provided
167.5 according to section 256B.0625, subdivision 26. Eligible expenditures must not be made
167.6 from federal funds or funds used to match other federal funds. Any federal disallowances
167.7 are the responsibility of the school district. A school district may pay or reimburse
167.8 co-payments, coinsurance, deductibles, and other enrollee cost-sharing amounts, on behalf
167.9 of the student or family, in connection with health and related services provided under an
167.10 individual educational plan or individualized family service plan.

167.11 Sec. 3. Minnesota Statutes 2020, section 125A.21, subdivision 2, is amended to read:

167.12 Subd. 2. **Third-party reimbursement.** (a) ~~Beginning July 1, 2000,~~ Districts shall seek
167.13 reimbursement from insurers and similar third parties for the cost of services provided by
167.14 the district whenever the services provided by the district are otherwise covered by the
167.15 child's health coverage. Districts shall request, but may not require, the child's family to
167.16 provide information about the child's health coverage when a child with a disability begins
167.17 to receive services from the district of a type that may be reimbursable, and shall request,
167.18 but may not require, updated information after that as needed.

167.19 (b) For children enrolled in medical assistance under chapter 256B or MinnesotaCare
167.20 under chapter 256L who have no other health coverage, a district shall provide an initial
167.21 and annual written notice to the enrolled child's parent or legal representative of its intent
167.22 to seek reimbursement from medical assistance or MinnesotaCare for:

167.23 (1) the evaluations required as part of the individualized education program process or
167.24 individualized family service plan process; and

167.25 (2) health-related services provided by the district according to the individualized
167.26 education program or individualized family service plan.

167.27 The initial notice must give the child's parent or legal representative the right to request a
167.28 copy of the child's education records on the health-related services that the district provided
167.29 to the child and disclosed to a third-party payer.

167.30 (c) The district shall give the parent or legal representative annual written notice of:

167.31 (1) the district's intent to seek reimbursement from medical assistance or MinnesotaCare
167.32 for evaluations required as part of the individualized education program process or
167.33 individualized family service plan process, and for health-related services provided by the

168.1 district according to the individualized education program or individualized family service
168.2 plan;

168.3 (2) the right of the parent or legal representative to request a copy of all records
168.4 concerning individualized education program or individualized family service plan
168.5 health-related services disclosed by the district to any third party; and

168.6 (3) the right of the parent or legal representative to withdraw consent for disclosure of
168.7 a child's records at any time without consequence.

168.8 The written notice shall be provided as part of the written notice required by Code of Federal
168.9 Regulations, title 34, section 300.504 or 303.520. The district must ensure that the parent
168.10 of a child with a disability is given notice, in understandable language, of federal and state
168.11 procedural safeguards available to the parent under this paragraph and paragraph (b).

168.12 (d) In order to access the private health care coverage of a child who is covered by private
168.13 health care coverage in whole or in part, a district must:

168.14 (1) obtain annual written informed consent from the parent or legal representative, in
168.15 compliance with subdivision 5; and

168.16 (2) inform the parent or legal representative that a refusal to permit the district or state
168.17 Medicaid agency to access their private health care coverage does not relieve the district of
168.18 its responsibility to provide all services necessary to provide free and appropriate public
168.19 education at no cost to the parent or legal representative.

168.20 (e) If the commissioner of human services obtains federal approval to exempt covered
168.21 individualized education program or individualized family service plan health-related
168.22 services from the requirement that private health care coverage refuse payment before
168.23 medical assistance may be billed, paragraphs (b), (c), and (d) shall also apply to students
168.24 with a combination of private health care coverage and health care coverage through medical
168.25 assistance or MinnesotaCare.

168.26 (f) In the event that Congress or any federal agency or the Minnesota legislature or any
168.27 state agency establishes lifetime limits, limits for any health care services, cost-sharing
168.28 provisions, or otherwise provides that individualized education program or individualized
168.29 family service plan health-related services impact benefits for persons enrolled in medical
168.30 assistance or MinnesotaCare, the amendments to this subdivision adopted in 2002 are
168.31 repealed on the effective date of any federal or state law or regulation that imposes the
168.32 limits. In that event, districts must obtain informed consent consistent with this subdivision
168.33 as it existed prior to the 2002 amendments and subdivision 5, before seeking reimbursement

169.1 for children enrolled in medical assistance under chapter 256B or MinnesotaCare under
169.2 chapter 256L who have no other health care coverage.

169.3 (g) To the extent practicable, a charter school must seek reimbursements under this
169.4 section in the same manner as school districts. The commissioner may provide training and
169.5 technical assistance to a charter school seeking third-party reimbursement.

169.6 Sec. 4. Minnesota Statutes 2020, section 125A.76, subdivision 2e, is amended to read:

169.7 Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy
169.8 reduction aid equals the school district's initial special education cross subsidy for the
169.9 previous fiscal year times the cross subsidy aid factor for that fiscal year.

169.10 (b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and~~ 6.43 percent
169.11 for fiscal year 2021 ~~and later.~~ The cross subsidy aid factor equals 9.33 percent for fiscal
169.12 year 2022 and 12.11 percent for fiscal year 2023 and later.

169.13 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

169.14 Sec. 5. Minnesota Statutes 2020, section 127A.47, subdivision 7, is amended to read:

169.15 Subd. 7. **Alternative attendance programs.** (a) The general education aid and special
169.16 education aid for districts must be adjusted for each pupil attending a nonresident district
169.17 under sections 123A.05 to 123A.08, 124D.03, 124D.08, and 124D.68. The adjustments
169.18 must be made according to this subdivision.

169.19 (b) For purposes of this subdivision, ~~the~~ "unreimbursed cost of providing special
169.20 education and services" means the difference between: (1) the actual cost of providing
169.21 special instruction and services, ~~including special transportation and unreimbursed building~~
169.22 ~~lease and debt service costs for facilities used primarily for special education,~~ for a pupil
169.23 with a disability, as defined in section 125A.02, or a pupil, as defined in section 125A.51,
169.24 who is enrolled in a program listed in this subdivision, including special transportation and
169.25 unreimbursed building lease and debt service costs for facilities used primarily for special
169.26 education, minus (2) ~~if the pupil receives special instruction and services outside the regular~~
169.27 ~~classroom for more than 60 percent of the school day,~~ the amount of general education
169.28 revenue, if the pupil receives special instruction and services outside the regular classroom
169.29 for more than 60 percent of the school day, excluding local optional revenue, plus local
169.30 optional aid and referendum equalization aid as defined in section 125A.11, subdivision 1,
169.31 paragraph (d), attributable to that pupil for the portion of time the pupil receives special
169.32 instruction and services outside of the regular classroom, excluding portions attributable to

170.1 district and school administration, district support services, operations and maintenance,
170.2 capital expenditures, and pupil transportation, minus (3) special education aid under section
170.3 125A.76, excluding cross subsidy reduction aid under section 125A.76, subdivision 2e,
170.4 attributable to that pupil, that is received by the district providing special instruction and
170.5 services. For purposes of this paragraph, general education revenue and referendum
170.6 equalization aid attributable to a pupil must be calculated using the serving district's average
170.7 general education revenue and referendum equalization aid per adjusted pupil unit.

170.8 (c) ~~For fiscal year 2020, special education aid paid to a resident district must be reduced~~
170.9 ~~by an amount equal to 85 percent of the unreimbursed cost of providing special education~~
170.10 ~~and services. For fiscal year 2021 and later, Special education aid paid to a resident district~~
170.11 must be reduced by an amount equal to 80 percent of the unreimbursed cost of providing
170.12 special education and services.

170.13 (d) Notwithstanding paragraph (c), special education aid paid to a resident district must
170.14 be reduced by an amount equal to 100 percent of the unreimbursed cost of providing special
170.15 education and services ~~provided~~ to students at an intermediate district, cooperative, or charter
170.16 school where the percent of students eligible for special education services is at least 70
170.17 percent of the charter school's total enrollment.

170.18 (e) Notwithstanding paragraph (c), special education aid paid to a resident district must
170.19 be reduced under paragraph (d) for students at a charter school receiving special education
170.20 aid under section 124E.21, subdivision 3, calculated as if the charter school received special
170.21 education aid under section 124E.21, subdivision 1.

170.22 (f) Special education aid paid to the district or cooperative providing special instruction
170.23 and services for the pupil, or to the fiscal agent district for a cooperative, must be increased
170.24 by the amount of the reduction in the aid paid to the resident district under paragraphs (c)
170.25 and (d). If the resident district's special education aid is insufficient to make the full
170.26 adjustment under paragraphs (c), (d), and (e), the remaining adjustment shall be made to
170.27 other state aids due to the district.

170.28 (g) Notwithstanding paragraph (a), general education aid paid to the resident district of
170.29 a nonspecial education student for whom an eligible special education charter school receives
170.30 general education aid under section 124E.20, subdivision 1, paragraph (c), must be reduced
170.31 by an amount equal to the difference between the general education aid attributable to the
170.32 student under section 124E.20, subdivision 1, paragraph (c), and the general education aid
170.33 that the student would have generated for the charter school under section 124E.20,
170.34 subdivision 1, paragraph (a). For purposes of this paragraph, "nonspecial education student"

171.1 means a student who does not meet the definition of pupil with a disability as defined in
171.2 section 125A.02 or the definition of a pupil in section 125A.51.

171.3 (h) An area learning center operated by a service cooperative, intermediate district,
171.4 education district, or a joint powers cooperative may elect through the action of the
171.5 constituent boards to charge the resident district tuition for pupils rather than to have the
171.6 general education revenue paid to a fiscal agent school district. Except as provided in
171.7 paragraph (f), the district of residence must pay tuition equal to at least 90 and no more than
171.8 100 percent of the district average general education revenue per pupil unit minus an amount
171.9 equal to the product of the formula allowance according to section 126C.10, subdivision 2,
171.10 times .0466, calculated without compensatory revenue, local optional revenue, and
171.11 transportation sparsity revenue, times the number of pupil units for pupils attending the area
171.12 learning center.

171.13 (i) For a charter school located outside of the cities of Minneapolis or St. Paul,
171.14 notwithstanding paragraph (b), unreimbursed tuition reimbursement amounts for a charter
171.15 school, not including a charter school for which the tuition adjustment is calculated under
171.16 paragraph (d) or (e), must be computed according to this paragraph. For purposes of this
171.17 paragraph:

171.18 (1) "regular school year statewide district cap rate" means the unreimbursed regular
171.19 school year cost per service hour, calculated statewide for all districts and averaged across
171.20 the current year;

171.21 (2) "extended school year statewide district cap rate" means the unreimbursed extended
171.22 school year cost per service hour, calculated statewide for all districts and averaged across
171.23 the current year;

171.24 (3) "special education one-to-one paraprofessional statewide district cap rate" means
171.25 the unreimbursed special education one-to-one paraprofessional cost per hour, calculated
171.26 statewide for all districts and averaged across the current year; and

171.27 (4) "unreimbursed cost of providing special education and services" means the lesser of
171.28 (i) the amount calculated under paragraph (b), or (ii) the "regular school year statewide
171.29 district cap rate" multiplied by the regular school year service hours, plus the "extended
171.30 school year statewide district cap rate" multiplied by the extended school year service hours,
171.31 plus the "special education one-to-one paraprofessional statewide district cap rate" times
171.32 instructional hours.

171.33 (j) For a charter school located in the city of Minneapolis, the commissioner must
171.34 substitute the Minneapolis school district's cap rates for the statewide cap rates for that year.

172.1 For a charter school located in the city of St. Paul, the commissioner must substitute the St.
172.2 Paul school district's cap rates for the statewide cap rates for that year.

172.3 (k) For purposes of paragraphs (i) and (j), for each capped rate, the unreimbursed cap
172.4 rate for the charter school must not exceed 200 percent of the capped rate for fiscal year
172.5 2024, 175 percent of the capped rate for fiscal year 2025, 150 percent of the capped rate
172.6 for fiscal year 2026, and 125 percent of the capped rate for fiscal year 2027 and later.

172.7 (l) Notwithstanding paragraph (b), the department may disallow tuition expenses for a
172.8 charter school if the department determines that the charter school failed to pursue third-party
172.9 billing for qualifying special education services.

172.10 **EFFECTIVE DATE.** This section is effective for fiscal year 2023 and later.

172.11 Sec. 6. **SPECIAL EDUCATION RECOVERY SERVICES AND SUPPORTS.**

172.12 Subdivision 1. **Special education recovery.** The commissioner of education, school
172.13 districts, and charter schools must collaborate with families of students with disabilities as
172.14 provided in this section to address the impact of disruptions to in-person instruction on
172.15 students' access to a free appropriate public education related to the COVID-19 pandemic.

172.16 Subd. 2. **Special education services and supports.** (a) A school district or charter school
172.17 that serves one or more students with disabilities must invite the parents of a student with
172.18 a disability to a meeting of each individualized education program (IEP) team as soon as
172.19 practicable but no later than December 1, 2021, to determine whether special education
172.20 services and supports are necessary to address lack of progress on IEP goals or in the general
172.21 education curriculum or loss of learning or skills due to disruptions related to the COVID-19
172.22 pandemic. The services and supports may include but are not limited to extended school
172.23 year services, additional IEP services, compensatory services, or other appropriate services.
172.24 This meeting may occur in an annual or other regularly scheduled IEP meeting. If the IEP
172.25 team determines that the services and supports are necessary, the team shall determine what
172.26 services and supports are appropriate for the student and when and how those services
172.27 should be provided, in accordance with relevant guidance from the Minnesota Department
172.28 of Education and the United States Department of Education. The services and supports
172.29 must be included in the IEP of the student. A district or charter school must report to the
172.30 commissioner, in the form and manner determined by the commissioner, the services and
172.31 supports provided to students with disabilities under this section, including the cost of
172.32 providing the services.

173.1 (b) In determining whether a student is eligible for services and supports described in
173.2 paragraph (a), and what services and supports are appropriate for the student, the IEP team
173.3 must consider, in conjunction with any other considerations advised by guidance from the
173.4 Minnesota Department of Education or the United States Department of Education:

173.5 (1) services and supports provided to the student before the disruptions to in-person
173.6 instruction related to the COVID-19 pandemic;

173.7 (2) the ability of the student to access services and supports;

173.8 (3) the student's progress toward IEP goals, including the goals in the IEP in effect before
173.9 disruptions to in-person instruction related to the COVID-19 pandemic, and progress in the
173.10 general education curriculum;

173.11 (4) the student's regression or lost skills resulting from disruptions to instruction;

173.12 (5) other significant influences on the student's ability to participate in and benefit from
173.13 instruction related to the COVID-19 pandemic, including family loss, changed family
173.14 circumstances, other trauma, and illness; and

173.15 (6) the types of services and supports that would benefit the student and improve the
173.16 student's ability to benefit from school, including academic supports, behavioral supports,
173.17 mental health supports, related services, and other services and supports.

173.18 (c) When considering how and when the services and supports described in paragraph
173.19 (a) should be provided, the IEP team must take into account the timing and delivery method
173.20 most appropriate for the student, such as time of day, day of the week, or time of year; and
173.21 the availability of other services accessible to the student to address learning loss. The IEP
173.22 team may determine that providers in addition to school district or charter school staff are
173.23 most appropriate to provide the services and supports described in paragraph (a).

173.24 (d) A school district or charter school must make available the services and supports
173.25 included in an IEP, as described in paragraph (a), until the IEP team determines that services
173.26 and supports are no longer necessary to address lack of progress on IEP goals or in the
173.27 general education curriculum or loss of learning or skills due to disruptions related to the
173.28 COVID-19 pandemic.

173.29 (e) A school district providing special education services on a shared time basis to a
173.30 student enrolled in a nonpublic school must offer the student special education services and
173.31 supports in accordance with this section.

173.32 (f) The commissioner may identify school district, charter school, and cooperative unit
173.33 pandemic-related expenses incurred under this section, and if the commissioner determines

174.1 the costs are eligible for funding using the additional funds set aside under the American
 174.2 Rescue Plan Act, section 2014, for the Individuals with Disabilities Education Act, the
 174.3 commissioner may allocate the federal funds for 100 percent of the costs of the services
 174.4 provided under this section and exclude these expenses from state special education aid
 174.5 under Minnesota Statutes, sections 125A.76 and 125A.79.

174.6 Sec. 7. **THIRD-PARTY REIMBURSEMENT.**

174.7 The commissioner of education and commissioner of human services must consult with
 174.8 stakeholders to identify strategies to streamline access and reimbursement for behavioral
 174.9 health services for children who are enrolled in medical assistance and have individualized
 174.10 education programs or individualized family services plans, and to avoid duplication of
 174.11 services and procedures to the extent practicable. The commissioners must review models
 174.12 used in other states and identify strategies to reduce administrative burdens for schools
 174.13 while ensuring continuity of care for students accessing services when not in school. By
 174.14 November 1, 2021, the commissioners must report their findings and recommendations for
 174.15 statutory changes to the chairs and ranking members of the committees having jurisdiction
 174.16 over early learning through grade 12 education and human services in accordance with
 174.17 Minnesota Statutes, section 3.195.

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

174.19 Sec. 8. **APPROPRIATIONS.**

174.20 Subdivision 1. **Department of Education.** The sums indicated in this section are
 174.21 appropriated from the general fund to the Department of Education for the fiscal years
 174.22 designated.

174.23 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
 174.24 section 125A.75:

174.25 \$ 1,844,261,000 2022

174.26 \$ 1,994,392,000 2023

174.27 The 2022 appropriation includes \$215,125,000 for 2021 and \$1,629,136,000 for 2022.

174.28 The 2023 appropriation includes \$229,335,000 for 2022 and \$1,765,057,000 for 2023.

174.29 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
 174.30 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
 174.31 the district boundaries for whom no district of residence can be determined:

175.1 \$ 1,818,000 2022

175.2 \$ 2,010,000 2023

175.3 If the appropriation for either year is insufficient, the appropriation for the other year is
175.4 available.

175.5 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
175.6 services under Minnesota Statutes, section 125A.75, subdivision 1:

175.7 \$ 465,000 2022

175.8 \$ 512,000 2023

175.9 The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

175.10 The 2023 appropriation includes \$49,000 for 2022 and \$463,000 for 2023.

175.11 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
175.12 districts for unreimbursed eligible expenditures attributable to children placed in the serving
175.13 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

175.14 \$ 24,000 2022

175.15 \$ 25,000 2023

175.16 Subd. 6. **Special education out-of-state tuition.** For special education out-of-state
175.17 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

175.18 \$ 250,000 2022

175.19 \$ 250,000 2023

175.20

ARTICLE 6

175.21

HEALTH AND SAFETY

175.22 Section 1. Minnesota Statutes 2020, section 120B.21, is amended to read:

175.23 **120B.21 MENTAL HEALTH EDUCATION.**

175.24 School districts and charter schools ~~are encouraged to~~ must provide mental health
175.25 instruction for students in grades 4 through 12 aligned with local health education standards
175.26 and integrated into existing programs, curriculum, or the general school environment
175.27 activities of a district or charter school. The commissioner, in consultation with the
175.28 commissioner of human services, commissioner of health, and mental health organizations,
175.29 ~~must, by July 1, 2020, and July 1 of each even-numbered year thereafter,~~ provide districts
175.30 and charter schools with resources gathered by Minnesota mental health advocates, including:

176.1 (1) age-appropriate model learning activities for grades 4 through 12 that encompass
176.2 the mental health components of the National Health Education Standards and the
176.3 benchmarks developed by the department's quality teaching network in health and best
176.4 practices in mental health education; and

176.5 (2) a directory of resources for planning and implementing age-appropriate mental health
176.6 curriculum and instruction in grades 4 through 12 that includes resources on suicide and
176.7 self-harm prevention. A district or charter school providing instruction or presentations on
176.8 preventing suicide or self-harm must use either the resources provided by the commissioner
176.9 or other evidence-based instruction.

176.10 **EFFECTIVE DATE.** This section is effective July 1, 2022.

176.11 Sec. 2. Minnesota Statutes 2020, section 121A.031, subdivision 5, is amended to read:

176.12 Subd. 5. **Safe and supportive schools programming.** (a) Districts and schools ~~are~~
176.13 ~~encouraged to~~ must provide developmentally appropriate programmatic instruction to help
176.14 students identify, prevent, and reduce prohibited conduct; ~~value diversity in school and~~
176.15 ~~society; develop and improve students' knowledge and skills for solving problems, managing~~
176.16 ~~conflict, engaging in civil discourse, and recognizing, responding to, and reporting prohibited~~
176.17 ~~conduct; and make effective prevention and intervention programs available to students.~~
176.18 ~~Upon request, the school safety technical assistance center under section 127A.052 must~~
176.19 ~~assist a district or school in helping students understand social media and cyberbullying.~~
176.20 ~~Districts and schools must establish~~ by establishing strategies for creating a positive school
176.21 climate and use evidence-based social-emotional learning to prevent and reduce
176.22 discrimination and other improper conduct.

176.23 (b) Districts and schools ~~are encouraged to~~ must:

176.24 (1) engage all students in creating a safe and supportive school environment;

176.25 (2) partner with parents and other community members to develop and implement
176.26 prevention and intervention programs;

176.27 (3) engage all students and adults in integrating education, intervention, and other
176.28 remedial responses into the school environment;

176.29 (4) train student bystanders to intervene in and report incidents of prohibited conduct to
176.30 the school's primary contact person;

176.31 (5) teach students to advocate for themselves and others;

177.1 (6) prevent inappropriate referrals to special education of students who may engage in
177.2 prohibited conduct; and

177.3 (7) foster student collaborations that foster a safe and supportive school climate.

177.4 Sec. 3. Minnesota Statutes 2020, section 121A.031, subdivision 6, is amended to read:

177.5 Subd. 6. **State model policy.** (a) The commissioner, in consultation with the
177.6 commissioner of human rights, shall develop and maintain a state model policy. A district
177.7 or school that does not adopt and implement a local policy under subdivisions 3 to 5 must
177.8 implement and may supplement the provisions of the state model policy. The commissioner
177.9 must assist districts and schools under this subdivision to implement the state policy. The
177.10 state model policy must:

177.11 (1) define prohibited conduct, consistent with this section;

177.12 (2) apply the prohibited conduct policy components in this section;

177.13 (3) for a child with a disability, whenever an evaluation by an individualized education
177.14 program team or a section 504 team indicates that the child's disability affects the child's
177.15 social skills development or the child is vulnerable to prohibited conduct because of the
177.16 child's disability, the child's individualized education program or section 504 plan may
177.17 address the skills and proficiencies the child needs to not engage in and respond to such
177.18 conduct; and

177.19 (4) encourage violence prevention and character development education programs under
177.20 section 120B.232, subdivision 1.

177.21 (b) The commissioner shall develop and post departmental procedures for:

177.22 (1) periodically reviewing district and school programs and policies for compliance with
177.23 this section;

177.24 (2) investigating, reporting, and responding to noncompliance with this section, which
177.25 may include an annual review of plans to improve and provide a safe and supportive school
177.26 climate; and

177.27 (3) allowing students, parents, and educators to file a complaint about noncompliance
177.28 with the commissioner.

177.29 (c) The commissioner must post on the department's website information indicating that
177.30 when districts and schools allow non-curriculum-related student groups access to school
177.31 facilities, the district or school must give all student groups equal access to the school
177.32 facilities regardless of the content of the group members' speech.

178.1 (d) The commissioner must develop and maintain resources to assist a district or school
178.2 in implementing strategies for creating a positive school climate and use evidence-based
178.3 social-emotional learning to prevent and reduce discrimination and other improper conduct.

178.4 (e) The commissioner must develop and adopt state-level social-emotional learning
178.5 standards.

178.6 **Sec. 4. [121A.20] SCHOOL MENTAL HEALTH SYSTEMS.**

178.7 Mental health is defined as the social, emotional, and behavioral well-being of students.
178.8 Comprehensive school mental health systems provide an array of supports and services that
178.9 promote positive school climate, social-emotional learning, and mental health and well-being,
178.10 while reducing the prevalence and severity of mental illness. School mental health systems
178.11 are built on a strong foundation of district and school professionals, including administrators,
178.12 educators, and specialized instructional support personnel including school psychologists,
178.13 school social workers, school counselors, school nurses, and other school health professionals,
178.14 all in strategic partnership with students and families, as well as community health and
178.15 mental health partners. School mental health systems also assess and address the social and
178.16 environmental factors that impact mental health, including public policies and social norms
178.17 that shape mental health outcomes.

178.18 **Sec. 5. [121A.201] MULTI-TIERED SYSTEM OF SUPPORTS.**

178.19 The Minnesota Multi-Tiered System of Supports is a systemic, continuous improvement
178.20 framework for ensuring positive social, emotional, behavioral, developmental, and academic
178.21 outcomes for every student. The Multi-Tiered System of Supports provides access to layered
178.22 tiers of culturally and linguistically responsive, evidence-based practices. The Multi-Tiered
178.23 System of Supports framework relies on the understanding and belief that every student
178.24 can learn and thrive, and it engages an anti-racist approach to examining policies and
178.25 practices and ensuring equitable distribution of resources and opportunity. This systemic
178.26 framework requires:

178.27 (1) design and delivery of culturally and linguistically responsive, effective,
178.28 standards-based core instruction in safe, supportive environments inclusive of every student
178.29 as a necessary foundation for tiered supports;

178.30 (2) layered tiers of culturally and linguistically responsive supplemental and intensive
178.31 supports to meet each student's needs;

179.1 (3) developing collective knowledge and experience through engagement in representative
179.2 partnerships with students, education professionals, families, and communities;

179.3 (4) multidisciplinary teams of education professionals that review and use data to prevent
179.4 and solve problems, inform instruction and supports, and ensure effective implementation
179.5 in partnership with students and families;

179.6 (5) effective and timely use of meaningful, culturally relevant data disaggregated by
179.7 student groups identified in section 121A.031 that includes but is not limited to universal
179.8 screening, frequent progress monitoring, implementation fidelity, and multiple qualitative
179.9 and quantitative sources; and

179.10 (6) ongoing professional learning on the Multi-Tiered System of Supports systemic
179.11 framework using anti-racist approaches to training and coaching.

179.12 **Sec. 6. [121A.24] SEIZURE TRAINING AND ACTION PLAN.**

179.13 Subdivision 1. **Seizure action plan.** (a) For purposes of this section, "seizure action
179.14 plan" means a written individualized health plan designed to acknowledge and prepare for
179.15 the health care needs of a student with a seizure disorder diagnosed by the student's treating
179.16 licensed health care provider.

179.17 (b) The requirements of this subdivision apply to a school district or charter school where
179.18 an enrolled student's parent or guardian has notified the school district or charter school that
179.19 the student has a diagnosed seizure disorder and has seizure rescue medication or medication
179.20 prescribed by the student's licensed health care provider to treat seizure disorder symptoms
179.21 approved by the United States Food and Drug Administration. The parent or guardian of a
179.22 student with a diagnosed seizure disorder must collaborate with school personnel to
179.23 implement the seizure action plan.

179.24 (c) A seizure action plan must:

179.25 (1) identify a school nurse or a designated individual at each school site who is on duty
179.26 during the regular school day and can administer or assist with the administration of seizure
179.27 rescue medication or medication prescribed to treat seizure disorder symptoms approved
179.28 by the United States Food and Drug Administration;

179.29 (2) require training on seizure medications for an employee identified under clause (1),
179.30 recognition of signs and symptoms of seizures, and appropriate steps to respond to seizures;

179.31 (3) be provided to the person identified under clause (1); and

180.1 (4) be filed in the office of the school principal or licensed school nurse or, in the absence
180.2 of a licensed school nurse, a professional nurse or designated individual.

180.3 (d) A school district or charter school employee or volunteer responsible for the
180.4 supervision or care of a student with a diagnosed seizure disorder must be given notice and
180.5 a copy of the seizure action plan, the name or position of the employee identified under
180.6 paragraph (c), clause (1), and the method by which the trained school employee may be
180.7 contacted in an emergency.

180.8 Subd. 2. **Training requirements.** A school district or charter school must provide all
180.9 licensed school nurses or, in the absence of a licensed school nurse, a professional nurse or
180.10 designated individual, and other school staff working with students with self-study materials
180.11 on seizure disorder signs, symptoms, medications, and appropriate responses.

180.12 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

180.13 Sec. 7. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

180.14 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
180.15 the meanings given:

180.16 (1) "new position" means a student support services personnel full-time or part-time
180.17 position not under contract by a school district, charter school, or cooperative unit at the
180.18 start of the 2021-2022 school year; and

180.19 (2) "student support services personnel" means an individual licensed to serve as a school
180.20 counselor, school psychologist, school social worker, school nurse, or chemical dependency
180.21 counselor in Minnesota.

180.22 Subd. 2. **Purpose.** The purpose of student support personnel aid is to:

180.23 (1) address shortages of student support services personnel within Minnesota schools;

180.24 (2) decrease caseloads for existing student support services personnel to ensure effective
180.25 services;

180.26 (3) ensure that students receive effective academic guidance and integrated and
180.27 comprehensive services to improve prekindergarten through grade 12 school outcomes and
180.28 career and college readiness;

180.29 (4) ensure that student support services personnel serve within the scope and practice
180.30 of their training and licensure;

181.1 (5) fully integrate learning supports, instruction, and school management within a
181.2 comprehensive approach that facilitates interdisciplinary collaboration; and

181.3 (6) improve school safety and school climate to support academic success and career
181.4 and college readiness.

181.5 Subd. 3. **Aid eligibility and application.** A school district, charter school, intermediate
181.6 school district, or other cooperative unit is eligible to apply for student support personnel
181.7 aid under this section. The commissioner must prescribe the form and manner of the
181.8 application, which must include a plan describing how the aid will be used.

181.9 Subd. 4. **Student support personnel aid.** (a) The initial student support personnel aid
181.10 for a school district equals the greater of \$20 times the number of pupils enrolled at the
181.11 district on October 1 of the previous fiscal year or \$31,500. The initial student support
181.12 personnel aid for a charter school equals \$20 times the number of pupils enrolled at the
181.13 charter school on October 1 of the previous fiscal year.

181.14 (b) The cooperative student support personnel aid for a school district that is a member
181.15 of an intermediate school district or other cooperative unit that enrolls students equals \$6
181.16 times the number of pupils enrolled at the district on October 1 of the previous fiscal year.
181.17 If a district is a member of more than one cooperative unit that enrolls students, the revenue
181.18 must be allocated among the cooperative units.

181.19 (c) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not
181.20 exceed the district or cooperative unit's actual expenditure according to the approved plan
181.21 under subdivision 3.

181.22 Subd. 5. **Allowed uses; match requirements.** (a) Aid under this section must be used
181.23 to hire new positions for student support services personnel.

181.24 (b) Cooperative student support personnel aid must be transferred to the intermediate
181.25 district or other cooperative unit of which the district is a member and used to hire new
181.26 positions for student support services personnel at the intermediate district or cooperative
181.27 unit.

181.28 (c) If a school district, charter school, or cooperative unit is not able to hire a new full-time
181.29 equivalent position with student support personnel aid, the aid may be used for contracted
181.30 services from individuals licensed to serve as a school counselor, school psychologist, school
181.31 social worker, school nurse, or chemical dependency counselor in Minnesota.

182.1 (d) Student support personnel hired or contracted before the start of the 2021-2022 school
 182.2 year with federal funding related to COVID-19, including the American Rescue Plan, Public
 182.3 Law 117-2, is considered personnel hired for new positions.

182.4 Subd. 6. **Report required.** By February 1 following any fiscal year in which student
 182.5 support personnel aid was received, a school district, charter school, or cooperative unit
 182.6 must submit a written report to the commissioner indicating how the new position affected
 182.7 two or more of the following measures:

182.8 (1) school climate;

182.9 (2) attendance rates;

182.10 (3) academic achievement;

182.11 (4) career and college readiness;

182.12 (5) postsecondary completion rates; and

182.13 (6) student health.

182.14 **Sec. 8. APPROPRIATIONS.**

182.15 Subdivision 1. **Department of Education.** The sums indicated in this section are
 182.16 appropriated from the general fund to the Department of Education in the fiscal year
 182.17 designated.

182.18 Subd. 2. **Student support personnel aid.** For aid to support schools in addressing
 182.19 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

182.20 § 17,223,000 2023

182.21 Subd. 3. **Suicide prevention training for teachers.** (a) For transfer to the commissioner
 182.22 of health for a grant to a nationally recognized provider of evidence-based online training
 182.23 on suicide prevention and engagement of students experiencing mental distress:

182.24 § 265,000 2022

182.25 (b) Training funded by the grant must be accessible to teachers in every school district,
 182.26 charter school, intermediate school district, service cooperative, and Tribal school in
 182.27 Minnesota.

182.28 (c) The grant recipient must report to the commissioner of health the number of teachers
 182.29 completing the online training, average length of time to complete training, and length of
 182.30 average stay using the online training. The commissioner must survey online training users
 182.31 to determine their perception of the online training. By January 8, 2023, the commissioner

184.1 district may include in its authority under this section a proportionate share of the long-term
184.2 maintenance costs of the intermediate district or cooperative unit, or joint powers district.
184.3 The cooperative unit or joint powers district may issue bonds to finance the project costs
184.4 or levy for the costs, using long-term maintenance revenue transferred from member districts
184.5 to make debt service payments or pay project costs or, for leased facilities, pay the portion
184.6 of lease costs attributable to the amortized cost of long-term facilities maintenance projects
184.7 completed by the landlord. Authority under this subdivision is in addition to the authority
184.8 for individual district projects under subdivision 1.

184.9 (b) The resolution adopted under paragraph (a) may specify which member districts will
184.10 share the project costs under this subdivision, except that debt service payments for bonds
184.11 issued by a cooperative unit or joint powers district to finance long-term maintenance project
184.12 costs must be the responsibility of all member districts.

184.13 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

184.14 Sec. 3. Minnesota Statutes 2020, section 126C.40, subdivision 1, is amended to read:

184.15 Subdivision 1. **To lease building or land.** (a) When an independent or a special school
184.16 district or a group of independent or special school districts finds it economically
184.17 advantageous to rent or lease a building or land for any instructional purposes or for school
184.18 storage or furniture repair, and it determines that the operating capital revenue authorized
184.19 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
184.20 commissioner for permission to make an additional capital expenditure levy for this purpose.
184.21 An application for permission to levy under this subdivision must contain financial
184.22 justification for the proposed levy, the terms and conditions of the proposed lease, and a
184.23 description of the space to be leased and its proposed use.

184.24 (b) The criteria for approval of applications to levy under this subdivision must include:
184.25 the reasonableness of the price, the appropriateness of the space to the proposed activity,
184.26 the feasibility of transporting pupils to the leased building or land, conformity of the lease
184.27 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
184.28 lease to the space needs and the financial condition of the district. The commissioner must
184.29 not authorize a levy under this subdivision in an amount greater than the cost to the district
184.30 of renting or leasing a building or land for approved purposes. The proceeds of this levy
184.31 must not be used for custodial or other maintenance services. A district may not levy under
184.32 this subdivision for the purpose of leasing or renting a district-owned building or site to
184.33 itself.

185.1 (c) For agreements finalized after July 1, 1997, a district may not levy under this
185.2 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
185.3 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
185.4 building addition or additions used primarily for regular kindergarten, elementary, or
185.5 secondary instruction that contains more than 20 percent of the square footage of the
185.6 previously existing building.

185.7 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
185.8 purpose of leasing or renting a district-owned building or site to itself only if the amount is
185.9 needed by the district to make payments required by a lease purchase agreement, installment
185.10 purchase agreement, or other deferred payments agreement authorized by law, and the levy
185.11 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
185.12 under this paragraph may be in the amount needed by the district to make payments required
185.13 by a lease purchase agreement, installment purchase agreement, or other deferred payments
185.14 agreement authorized by law, provided that any agreement include a provision giving the
185.15 school districts the right to terminate the agreement annually without penalty.

185.16 (e) The total levy under this subdivision for a district for any year must not exceed \$212
185.17 times the adjusted pupil units for the fiscal year to which the levy is attributable.

185.18 (f) For agreements for which a review and comment have been submitted to the
185.19 Department of Education after April 1, 1998, the term "instructional purpose" as used in
185.20 this subdivision excludes expenditures on stadiums.

185.21 (g) The commissioner of education may authorize a school district to exceed the limit
185.22 in paragraph (e) if the school district petitions the commissioner for approval. The
185.23 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
185.24 for not more than five years if the district meets the following criteria:

185.25 (1) the school district has been experiencing pupil enrollment growth in the preceding
185.26 five years;

185.27 (2) the purpose of the increased levy is in the long-term public interest;

185.28 (3) the purpose of the increased levy promotes colocation of government services; and

185.29 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding
185.30 over construction of school facilities.

185.31 (h) A school district that is a member of an intermediate school district or other
185.32 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under
185.33 section 471.59 may include in its authority under this section the costs associated with leases

186.1 of administrative and classroom space for ~~intermediate school district~~ programs of the
186.2 intermediate school district or other cooperative unit under section 123A.24, subdivision
186.3 2, or joint powers district under section 471.59. This authority must not exceed \$65 times
186.4 the adjusted pupil units of the member districts. This authority is in addition to any other
186.5 authority authorized under this section. The intermediate school district, other cooperative
186.6 unit, or joint powers district may specify which member districts will levy for lease costs
186.7 under this paragraph.

186.8 ~~(i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012~~
186.9 ~~to 2023, a district that is a member of the "Technology and Information Education Systems"~~
186.10 ~~data processing joint board, that finds it economically advantageous to enter into a lease~~
186.11 ~~agreement to finance improvements to a building and land for a group of school districts~~
186.12 ~~or special school districts for staff development purposes, may levy for its portion of lease~~
186.13 ~~costs attributed to the district within the total levy limit in paragraph (e). The total levy~~
186.14 ~~authority under this paragraph shall not exceed \$632,000.~~

186.15 ~~(j)~~ (i) Notwithstanding paragraph (a), a district may levy under this subdivision for the
186.16 purpose of leasing administrative space if the district can demonstrate to the satisfaction of
186.17 the commissioner that the lease cost for the administrative space is no greater than the lease
186.18 cost for instructional space that the district would otherwise lease. The commissioner must
186.19 deny this levy authority unless the district passes a resolution stating its intent to lease
186.20 instructional space under this section if the commissioner does not grant authority under
186.21 this paragraph. The resolution must also certify that the lease cost for administrative space
186.22 under this paragraph is no greater than the lease cost for the district's proposed instructional
186.23 lease.

186.24 (j) Notwithstanding paragraph (a), a district may levy under this subdivision for the
186.25 district's proportionate share of deferred maintenance expenditures for a district-owned
186.26 building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint
186.27 powers district under section 471.59 for any instructional purposes or for school storage.

186.28 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

186.29 Sec. 4. Minnesota Statutes 2020, section 126C.44, is amended to read:

186.30 **126C.44 SAFE SCHOOLS LEVY.**

186.31 (a) Each district may make a levy on all taxable property located within the district for
186.32 the purposes specified in this section. The maximum amount which may be levied for all

187.1 costs under this section shall be equal to \$36 multiplied by the district's adjusted pupil units
187.2 for the school year.

187.3 (b) The proceeds of the levy must be reserved and used for directly funding the following
187.4 purposes or for reimbursing the cities and counties who contract with the district for the
187.5 following purposes:

187.6 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
187.7 officers and sheriffs for liaison in services in the district's schools;

187.8 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,
187.9 subdivision 3, paragraph (e), in the elementary schools;

187.10 (3) to pay the costs for a gang resistance education training curriculum in the district's
187.11 schools;

187.12 (4) to pay the costs for security in the district's schools and on school property;

187.13 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
187.14 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
187.15 school district;

187.16 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
187.17 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
187.18 counselors to help provide early responses to problems;

187.19 (7) to pay for facility security enhancements including laminated glass, public
187.20 announcement systems, emergency communications devices, and equipment and facility
187.21 modifications related to violence prevention and facility security;

187.22 (8) to pay for costs associated with improving the school climate; or

187.23 (9) to pay costs for collocating and collaborating with mental health professionals who
187.24 are not district employees or contractors.

187.25 ~~(b)~~ (c) For expenditures under paragraph ~~(a)~~ (b), clause (1), the district must initially
187.26 attempt to contract for services to be provided by peace officers or sheriffs with the police
187.27 department of each city or the sheriff's department of the county within the district containing
187.28 the school receiving the services. If a local police department or a county sheriff's department
187.29 does not wish to provide the necessary services, the district may contract for these services
187.30 with any other police or sheriff's department located entirely or partially within the school
187.31 district's boundaries.

188.1 ~~(e)~~ (d) A school district that is a member of an intermediate school district may include
 188.2 in its authority under this section the costs associated with safe schools activities authorized
 188.3 under paragraph ~~(a)~~ (b) for intermediate school district programs. This authority must not
 188.4 exceed \$15 times the adjusted pupil units of the member districts. This authority is in addition
 188.5 to any other authority authorized under this section. Revenue raised under this paragraph
 188.6 must be transferred to the intermediate school district.

188.7 (e) A school district or charter school receiving revenue under this section must annually
 188.8 report safe schools expenditures to the commissioner, in the form and manner specified by
 188.9 the commissioner. The report must conform to uniform financial and reporting standards
 188.10 established for this purpose and provide a breakdown by functional area.

188.11 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

188.12 Sec. 5. **APPROPRIATIONS.**

188.13 Subdivision 1. **Department of Education.** The sums indicated in this section are
 188.14 appropriated from the general fund to the Department of Education for the fiscal years
 188.15 designated.

188.16 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
 188.17 Minnesota Statutes, section 123B.53, subdivision 6:

188.18 \$ 25,001,000 2022

188.19 \$ 24,286,000 2023

188.20 The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

188.21 The 2023 appropriation includes \$2,371,000 for 2022 and \$21,915,000 for 2023.

188.22 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
 188.23 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

188.24 \$ 108,582,000 2022

188.25 \$ 111,077,000 2023

188.26 The 2022 appropriation includes \$10,660,000 for 2021 and \$97,922,000 for 2022.

188.27 The 2023 appropriation includes \$10,880,000 for 2022 and \$100,197,000 for 2023.

188.28 Subd. 4. **Equity in telecommunications access.** (a) For equity in telecommunications
 188.29 access:

188.30 \$ 3,750,000 2022

188.31 \$ 3,750,000 2023

189.1 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
 189.2 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
 189.3 revenue for fiscal years 2022 and 2023 shall be prorated.

189.4 (c) Any balance in the first year does not cancel but is available in the second year.

189.5 Subd. 5. **Maximum effort loan aid.** For aid payments to schools under Minnesota
 189.6 Statutes, section 477A.09.

189.7 \$ 3,288,000 2022

189.8 \$ 0 2023

189.9 The base for fiscal year 2024 is \$0.

189.10

ARTICLE 8

189.11

NUTRITION AND LIBRARIES

189.12 Section 1. Minnesota Statutes 2020, section 124D.111, is amended to read:

189.13 **124D.111 SCHOOL MEAL POLICY; LUNCH AID; FOOD SERVICE**

189.14 **ACCOUNTING.**

189.15 Subdivision 1. ~~School lunch aid computation~~ meal policy. (a) Each Minnesota sponsor
 189.16 of the national school lunch program or school breakfast program must adopt and post to
 189.17 its website, or the website of the organization where the meal is served, a school meal policy.

189.18 The policy must:

189.19 (1) be in writing, accessible in multiple languages, and clearly communicate student
 189.20 meal charges when payment cannot be collected at the point of service;

189.21 (2) be reasonable and well-defined and maintain the dignity of students by prohibiting
 189.22 lunch shaming or otherwise ostracizing any student;

189.23 (3) address whether the sponsor uses a collection agency to collect unpaid school meal
 189.24 debt;

189.25 (4) require any communication to collect unpaid school meal debt be done by school
 189.26 staff trained on the school district's policy on collecting student meal debt;

189.27 (5) require that all communication relating to school meal debt be delivered only to a
 189.28 student's parent or guardian and not directly to the student;

189.29 (6) ensure that once a sponsor has placed a meal on a tray or otherwise served a
 189.30 reimbursable meal to a student, the meal may not be subsequently withdrawn from the

190.1 student by the cashier or other school official because the student has outstanding meal
190.2 debt;

190.3 (7) ensure that a student who has been determined eligible for free and reduced-price
190.4 lunch must always be served a reimbursable meal even if the student has outstanding debt;

190.5 (8) provide the third-party provider with its school meal policy if the school contracts
190.6 with a third-party provider for its meal services; and

190.7 (9) require school nutrition staff be trained on the policy.

190.8 (b) Any contract between a school and a third-party provider of meal services entered
190.9 into or modified on or after July 1, 2021, must ensure that the third-party provider adheres
190.10 to the sponsor's school meal policy.

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

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

190.17 Subd. 2a. **Federal Child and Adult Care Food Program; criteria and notice.** The
190.18 commissioner must post on the department's website eligibility criteria and application
190.19 information for nonprofit organizations interested in applying to the commissioner for
190.20 approval as a multisite sponsoring organization under the federal Child and Adult Care
190.21 Food Program. The posted criteria and information must inform interested nonprofit
190.22 organizations about:

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

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

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

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

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

191.5 (c) Revenues and expenditures for food service activities must be recorded in the food
191.6 service fund. The costs of processing applications, accounting for meals, preparing and
191.7 serving food, providing kitchen custodial services, and other expenses involving the preparing
191.8 of meals or the kitchen section of the lunchroom may be charged to the food service fund
191.9 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial
191.10 services, lunchroom utilities, and other administrative costs of the food service program
191.11 must be charged to the general fund.

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

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

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

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

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

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

192.7 Subd. 4. **No fees.** A participant sponsor that receives school lunch aid under this section
192.8 must make lunch meals available without charge and must not deny a school lunch or
192.9 breakfast to all participating students who qualify for free or reduced-price meals, whether
192.10 or not the student has an outstanding balance in the student's meal account attributable to a
192.11 la carte purchases or for any other reason. The participant sponsor must also ensure that
192.12 any reminders for payment of outstanding student meal balances do not demean or stigmatize
192.13 any child participating in the school lunch program or school breakfast program.

192.14 Subd. 5. **Respectful treatment.** (a) The sponsor must also provide meals to students in
192.15 a respectful manner according to the policy adopted under subdivision 1. The sponsor must
192.16 ensure respectful treatment of students, including, but not limited to, ensuring that: a meal
192.17 is not dumped in the trash; no meal that has been served is withdrawn from a student; and
192.18 no students with outstanding meals balances have their names announced or listed in a
192.19 public manner nor receive a sticker, stamp, or pinned note reminding the students of the
192.20 outstanding meals balance. The sponsor must not impose any other restriction prohibited
192.21 under section 123B.37 due to unpaid student meal debt. The sponsor must not limit a student's
192.22 participation in any school activities, graduation ceremonies, field trips, athletics, activity
192.23 clubs, or other extracurricular activities or access to materials, technology, or other items
192.24 provided to students due to an unpaid student meal debt.

192.25 (b) If the commissioner or the commissioner's designee determines a sponsor has violated
192.26 the requirement to provide meals to participating students in a respectful manner, the
192.27 commissioner or the commissioner's designee must send a letter of noncompliance to the
192.28 sponsor. The sponsor is required to respond and, if applicable, remedy the practice within
192.29 60 days.

192.30 Subd. 6. **Definitions.** (a) For the purposes of this section, the terms defined in this
192.31 subdivision have the meanings given.

192.32 (b) "A la carte" means a food item ordered separately from the school meal.

192.33 (c) "School meal" means a meal provided to students during the school day.

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

193.1 Sec. 2. Minnesota Statutes 2020, section 124D.1158, is amended to read:

193.2 **124D.1158 SCHOOL BREAKFAST PROGRAM.**

193.3 Subdivision 1. **Purpose.** The purpose of the school breakfast program is to provide
193.4 affordable morning nutrition to children so that they can effectively learn. Public and
193.5 nonpublic schools that participate in the federal school breakfast program may receive state
193.6 breakfast aid. Schools shall encourage all children to eat a nutritious breakfast, either at
193.7 home or at school, and shall work to eliminate barriers to breakfast participation at school
193.8 such as inadequate facilities and transportation.

193.9 Subd. 2. **Program; eligibility.** Each school year, public and nonpublic schools that
193.10 participate in the federal school breakfast program are eligible for the state breakfast program.

193.11 Subd. 3. **Program reimbursement.** Each school year, the state must reimburse each
193.12 participating school 30 cents for each reduced-price breakfast, 55 cents for each fully paid
193.13 breakfast served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served
193.14 to a prekindergarten student enrolled in an approved voluntary prekindergarten program
193.15 under section 124D.151, early childhood special education students participating in a program
193.16 authorized under section 124D.151, or a kindergarten student.

193.17 Subd. 4. **No fees.** A school that receives school breakfast aid under this section must
193.18 make breakfast available without charge to all participating students in grades 1 to 12 who
193.19 qualify for free or reduced-price meals and to all prekindergarten students enrolled in an
193.20 approved voluntary prekindergarten program under section 124D.151, early childhood
193.21 special education students participating in a program authorized under section 124D.151,
193.22 and all kindergarten students.

193.23 Sec. 3. **[124D.901] SCHOOL LIBRARIES AND MEDIA CENTERS.**

193.24 A school district or charter school library or school library media center provides equitable
193.25 and free access to students, teachers, and administrators. A school library or school library
193.26 media center is defined as having the following characteristics:

193.27 (1) ensures every student has equitable access to resources and is able to locate, access,
193.28 and use on-site resources that are organized and cataloged;

193.29 (2) has a collection development policy that includes but is not limited to materials
193.30 selection and de-selection, a challenged materials procedure, and an intellectual and academic
193.31 freedom statement;

- 194.1 (3) is housed in a central location that provides an environment for expanded learning
194.2 to meet the unique needs and interests of individual students;
- 194.3 (4) has technology tools and broadband access; and
- 194.4 (5) employs a licensed school library media specialist or licensed school librarian.

194.5 Sec. 4. Minnesota Statutes 2020, section 134.34, subdivision 1, is amended to read:

194.6 Subdivision 1. **Local support levels.** (a) Regional library basic system support aid shall
194.7 be provided to any regional public library system where there are at least three participating
194.8 counties and where each participating city and county is providing for public library service
194.9 support the lesser of (a) an amount equivalent to .82 percent of the average of the adjusted
194.10 net tax capacity of the taxable property of that city or county, as determined by the
194.11 commissioner of revenue for the second, third, and fourth year preceding that calendar year
194.12 or (b) a per capita amount calculated under the provisions of this subdivision. The per capita
194.13 amount is established for calendar year 1993 as \$7.62. In succeeding calendar years, the
194.14 per capita amount shall be increased by a percentage equal to one-half of the percentage by
194.15 which the total state adjusted net tax capacity of property as determined by the commissioner
194.16 of revenue for the second year preceding that calendar year increases over that total adjusted
194.17 net tax capacity for the third year preceding that calendar year.

194.18 (b) The minimum level of support specified under this subdivision or subdivision 4 shall
194.19 be certified annually to the participating cities and counties by the Department of Education.
194.20 If a city or county chooses to reduce its local support in accordance with subdivision 4,
194.21 paragraph (b) or (c), it shall notify its regional public library system. The regional public
194.22 library system shall notify the Department of Education that a revised certification is required.
194.23 The revised minimum level of support shall be certified to the city or county by the
194.24 Department of Education.

194.25 (c) A city which is a part of a regional public library system shall not be required to
194.26 provide this level of support if the property of that city is already taxable by the county for
194.27 the support of that regional public library system. In no event shall the Department of
194.28 Education require any city or county to provide a higher level of support than the level of
194.29 support specified in this section in order for a system to qualify for regional library basic
194.30 system support aid. This section shall not be construed to prohibit a city or county from
194.31 providing a higher level of support for public libraries than the level of support specified
194.32 in this section.

195.1 (d) The amounts required to be expended under this section are subject to the reduced
195.2 maintenance of effort requirements in section 275.761.

195.3 Sec. 5. Minnesota Statutes 2020, section 134.355, subdivision 5, is amended to read:

195.4 Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be
195.5 paid to each system as base aid for basic system services.

195.6 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
195.7 later.

195.8 Sec. 6. Minnesota Statutes 2020, section 134.355, subdivision 6, is amended to read:

195.9 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent
195.10 of the available aid funds shall be distributed to regional public library systems based upon
195.11 the adjusted net tax capacity per capita for each member county or participating portion of
195.12 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is
195.13 provided. Each system's entitlement shall be calculated as follows:

195.14 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating
195.15 portion of a county by .0082;

195.16 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the
195.17 amount of the county or participating portion of a county with the lowest value calculated
195.18 according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion
195.19 of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1).
195.20 Multiply the amount of the additional aid funds by the population of the county or
195.21 participating portion of a county;

195.22 ~~(c)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient
195.23 aid funds that are available under this subdivision to the amount of a county or participating
195.24 portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise
195.25 it and the amount of counties and participating portions of counties with lower values
195.26 calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion
195.27 of a county with the next highest value, until reaching an amount where funds available
195.28 under this subdivision are no longer sufficient to raise the amount of a county or participating
195.29 portion of a county and the amount of counties and participating portions of counties with
195.30 lower values up to the amount of the next highest county or participating portion of a county;
195.31 and

196.1 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (e)~~ clauses (2) and
 196.2 (3) at which the remaining aid funds under this subdivision are not adequate for raising the
 196.3 amount of a county or participating portion of a county and all counties and participating
 196.4 portions of counties with amounts of lower value to the amount of the county or participating
 196.5 portion of a county with the next highest value, those funds are to be divided on a per capita
 196.6 basis for all counties or participating portions of counties that received aid funds under the
 196.7 calculation in ~~paragraphs (b) and (e)~~ clauses (2) and (3).

196.8 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
 196.9 later.

196.10 Sec. 7. Minnesota Statutes 2020, section 134.355, subdivision 7, is amended to read:

196.11 Subd. 7. **Population determination.** A regional public library system's population shall
 196.12 be determined according to must be calculated using the most recent estimate available
 196.13 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which
 196.14 must be by April 1 in the year the calculation is made.

196.15 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
 196.16 later.

196.17 Sec. 8. **APPROPRIATIONS.**

196.18 Subdivision 1. **Department of Education.** The sums indicated in this section are
 196.19 appropriated from the general fund to the Department of Education for the fiscal years
 196.20 designated. Any balance in the first year does not cancel but is available in the second year.

196.21 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
 196.22 and Code of Federal Regulations, title 7, section 210.17:

196.23 \$ 16,661,000 2022

196.24 \$ 16,954,000 2023

196.25 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
 196.26 section 124D.1158:

196.27 \$ 12,133,000 2022

196.28 \$ 12,485,000 2023

196.29 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
 196.30 section 124D.118:

197.1 \$ 656,000 2022

197.2 \$ 658,000 2023

197.3 Subd. 5. **Summer school food service replacement.** For summer school food service
 197.4 replacement aid under Minnesota Statutes, section 124D.119:

197.5 \$ 150,000 2022

197.6 \$ 150,000 2023

197.7 Subd. 6. **Basic system support.** For basic system support aid under Minnesota Statutes,
 197.8 section 134.355:

197.9 \$ 15,370,000 2022

197.10 \$ 15,570,000 2023

197.11 The 2022 appropriation includes \$1,357,000 for 2021 and \$14,013,000 for 2022.

197.12 The 2023 appropriation includes \$1,557,000 for 2022 and \$14,013,000 for 2023.

197.13 Subd. 7. **Multicounty, multitype library systems.** For aid under Minnesota Statutes,
 197.14 sections 134.353 and 134.354, to multicounty, multitype library systems:

197.15 \$ 1,300,000 2022

197.16 \$ 1,300,000 2023

197.17 The 2022 appropriation includes \$130,000 for 2021 and \$1,170,000 for 2022.

197.18 The 2023 appropriation includes \$130,000 for 2022 and \$1,170,000 for 2023.

197.19 Subd. 8. **Electronic library for Minnesota.** For statewide licenses to online databases
 197.20 selected in cooperation with the Minnesota Office of Higher Education for school media
 197.21 centers, public libraries, state government agency libraries, and public or private college or
 197.22 university libraries:

197.23 \$ 900,000 2022

197.24 \$ 900,000 2023

197.25 Subd. 9. **Regional library telecommunications.** For regional library telecommunications
 197.26 aid under Minnesota Statutes, section 134.355:

197.27 \$ 2,300,000 2022

197.28 \$ 2,300,000 2023

197.29 The 2022 appropriation includes \$230,000 for 2021 and \$2,070,000 for 2022.

197.30 The 2023 appropriation includes \$230,000 for 2022 and \$2,070,000 for 2023.

198.1 **ARTICLE 9**198.2 **COMMUNITY EDUCATION AND LIFELONG LEARNING**

198.3 Section 1. Minnesota Statutes 2020, section 124D.531, subdivision 1, is amended to read:

198.4 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic
198.5 education aid for fiscal year ~~2011~~ 2022 equals ~~\$44,419,000~~ \$51,781,000, plus any amount
198.6 that is not paid during the previous fiscal year as a result of adjustments under subdivision
198.7 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education
198.8 aid for later fiscal years equals:

198.9 (1) the state total adult basic education aid for the preceding fiscal year plus any amount
198.10 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision
198.11 4, paragraph (a), or section 124D.52, subdivision 3; times

198.12 (2) the lesser of 1.03, or the greater of:

198.13 (i) ~~1.03~~ one plus the percent change in the formula allowance under section 126C.10,
198.14 subdivision 2, from the previous fiscal year to the current fiscal year; or

198.15 (ii) the average growth in state total contact hours over the prior ten program years.

198.16 Three percent of the state total adult basic education aid must be set aside for adult basic
198.17 education supplemental service grants under section 124D.522.

198.18 (b) The state total adult basic education aid, excluding basic population aid, equals the
198.19 difference between the amount computed in paragraph (a), and the state total basic population
198.20 aid under subdivision 2.

198.21 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

198.22 Sec. 2. Minnesota Statutes 2020, section 124D.55, is amended to read:

198.23 **124D.55 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST**
198.24 **FEES.**

198.25 ~~(a) The commissioner shall pay 60 percent of the fee that is charged to an eligible~~
198.26 ~~individual for the full battery of the commissioner-selected high school equivalency tests;~~
198.27 ~~but not more than \$40 for an eligible individual.~~

198.28 ~~(b) Notwithstanding paragraph (a), for fiscal years 2020 and 2021 only,~~ The commissioner
198.29 shall pay 100 percent of the fee charged to an eligible individual for the full battery of the
198.30 commissioner-selected high school equivalency tests, but not more than the cost of one full
198.31 battery of tests per year for any individual.

199.1 Sec. 3. **APPROPRIATIONS.**

199.2 Subdivision 1. Department of Education. The sums indicated in this section are
 199.3 appropriated from the general fund to the Department of Education for the fiscal years
 199.4 designated. Any balances in the first year do not cancel but are available in the second year.

199.5 Subd. 2. Community education aid. For community education aid under Minnesota
 199.6 Statutes, section 124D.20:

199.7 \$ 180,000 2022

199.8 \$ 155,000 2023

199.9 The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

199.10 The 2023 appropriation includes \$17,000 for 2022 and \$138,000 for 2023.

199.11 Subd. 3. Adults with disabilities program aid. For adults with disabilities programs
 199.12 under Minnesota Statutes, section 124D.56:

199.13 \$ 710,000 2022

199.14 \$ 710,000 2023

199.15 The 2022 appropriation includes \$71,000 for 2021 and \$639,000 for 2022.

199.16 The 2023 appropriation includes \$71,000 for 2022 and \$639,000 for 2023.

199.17 Subd. 4. Hearing-impaired adults. For programs for hearing-impaired adults under
 199.18 Minnesota Statutes, section 124D.57:

199.19 \$ 70,000 2022

199.20 \$ 70,000 2023

199.21 Subd. 5. School-age care aid. For school-age care aid under Minnesota Statutes, section
 199.22 124D.22:

199.23 \$ 1,000 2022

199.24 \$ 1,000 2023

199.25 The 2022 appropriation includes \$0 for 2021 and \$1,000 for 2022.

199.26 The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023.

199.27 Subd. 6. Tier 1 grants. (a) For education partnership program Tier 1 sustaining grants
 199.28 under Minnesota Statutes, section 124D.99:

199.29 \$ 3,580,000 2022

199.30 \$ 3,580,000 2023

200.1 (b) Of the amounts in paragraph (a), \$1,790,000 each year is for the Northside
 200.2 Achievement Zone and \$1,790,000 each year is for the St. Paul Promise Neighborhood.

200.3 (c) Any balance in the first year does not cancel but is available in the second year.

200.4 Subd. 7. **Tier 2 implementing grants.** (a) For Tier 2 implementing grants under
 200.5 Minnesota Statutes, section 124D.99:

200.6 \$ 1,500,000 2022

200.7 \$ 1,500,000 2023

200.8 (b) Of the amounts in paragraph (a), \$250,000 each year is for each of the following
 200.9 programs:

200.10 (1) the Northfield Healthy Community Initiative in Northfield;

200.11 (2) the Jones Family Foundation for the Every Hand Joined program in Red Wing;

200.12 (3) the United Way of Central Minnesota for the Partners for Student Success program;

200.13 (4) Austin Aspires;

200.14 (5) Rochester Area Foundation; and

200.15 (6) Generation Next.

200.16 (c) Any balance in the first year does not cancel but is available in the second year.

200.17 (d) The 2024 base amount for each recipient listed in paragraph (b) is \$250,000.

200.18 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota
 200.19 Statutes, section 124D.531:

200.20 \$ 53,191,000 2022

200.21 \$ 54,768,000 2023

200.22 The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

200.23 The 2023 appropriation includes \$5,334,000 for 2022 and \$49,434,000 for 2023.

200.24 Subd. 9. **High school equivalency tests.** For payment of the costs of the
 200.25 commissioner-selected high school equivalency tests under Minnesota Statutes, section
 200.26 124D.55:

200.27 \$ 250,000 2022

200.28 \$ 250,000 2023

200.29 Subd. 10. **Additional ECFE aid.** (a) For additional Early Childhood Family Education
 200.30 aid under Minnesota Statutes, section 124D.135:

201.1 \$ 608,000 2022

201.2 \$ 1,294,000 2023

201.3 (b) These amounts are in addition to any other appropriation for this purpose.

201.4 Subd. 11. **Additional kindergarten readiness assessment.** (a) For the kindergarten
 201.5 readiness assessment under Minnesota Statutes, section 124D.162:

201.6 \$ 735,000 2022

201.7 \$ 504,000 2023

201.8 (b) These amounts are in addition to any other appropriation for this purpose.

201.9 (c) The amounts added to the base for this program are \$704,000 in fiscal year 2024 and
 201.10 \$504,000 in fiscal year 2025.

201.11

ARTICLE 10

201.12

STATE AGENCIES

201.13 Section 1. Minnesota Statutes 2020, section 122A.07, subdivision 1, is amended to read:

201.14 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and
 201.15 Standards Board consists of ~~4~~ 13 members appointed by the governor, with the advice and
 201.16 consent of the senate. Membership terms, compensation of members, removal of members,
 201.17 the filling of membership vacancies, and fiscal year and reporting requirements are as
 201.18 provided in sections 214.07 to 214.09. ~~No member may be reappointed for more than one~~
 201.19 ~~additional term.~~ A member must not serve more than two consecutive terms.

201.20 Sec. 2. Minnesota Statutes 2020, section 122A.07, subdivision 2, is amended to read:

201.21 Subd. 2. **Eligibility; board composition.** Each ~~nominee~~ appointee, other than a public
 201.22 nominee, must be selected on the basis of professional experience and knowledge of teacher
 201.23 education, accreditation, and licensure. The board must be composed of:

201.24 (1) ~~six~~ seven teachers who are currently teaching in a Minnesota school ~~or who were~~
 201.25 ~~teaching at the time of the appointment~~, have at least five years of teaching experience, and
 201.26 ~~were~~ are not serving in ~~an administrative function at a school district or school when~~
 201.27 ~~appointed~~ a position requiring an administrative license, pursuant to section 122A.14. The
 201.28 ~~six~~ seven teachers must include the following:

201.29 (i) one teacher in a charter school;

201.30 (ii) one teacher from a school located in the seven-county metropolitan area, as defined
 201.31 in section 473.121, subdivision 2;

202.1 (iii) one teacher from a school located outside the seven-county metropolitan area;

202.2 (iv) one teacher from a related service category licensed by the board;

202.3 (v) one special education teacher; and

202.4 (vi) ~~one teacher from a teacher preparation program~~ two teachers licensed in licensure
202.5 areas that represent current or emerging trends in education;

202.6 (2) one educator currently teaching in a Minnesota-approved teacher preparation program;

202.7 ~~(2)~~ (3) one superintendent that alternates, alternating each term between a superintendent
202.8 from a school district in the seven-county metropolitan area, as defined in section 473.121,
202.9 subdivision 2, and a superintendent from a school district outside the metropolitan area;

202.10 ~~(3)~~ (4) one school district human resources director;

202.11 ~~(4)~~ (5) one administrator of a cooperative unit under section 123A.24, subdivision 2,
202.12 who oversees a special education program and who works closely with a cooperative unit
202.13 under section 123A.24, subdivision 2;

202.14 ~~(5)~~ (6) one principal that alternates, alternating each term between an elementary and a
202.15 secondary school principal; and

202.16 ~~(6)~~ (7) one member of the public that may be a current or former school board member.

202.17 Sec. 3. Minnesota Statutes 2020, section 122A.07, subdivision 4a, is amended to read:

202.18 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief
202.19 administrative officer for the board but shall not be a member of the board. The executive
202.20 director shall maintain the records of the board, account for all fees received by the board,
202.21 supervise and direct employees servicing the board, and perform other services as directed
202.22 by the board.

202.23 (b) The Department of Administration must provide administrative support in accordance
202.24 with section 16B.371. The commissioner of administration must assess the board for services
202.25 it provides under this section.

202.26 ~~(c) The Department of Education must provide suitable offices and other space to the~~
202.27 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~
202.28 ~~either the Department of Education or the Department of Administration for the provision~~
202.29 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~
202.30 ~~rooms.~~

203.1 Sec. 4. Minnesota Statutes 2020, section 122A.09, subdivision 4, is amended to read:

203.2 Subd. 4. **Licensing.** (a) The Professional Educator Licensing and Standards Board must
203.3 license teachers, as defined in section 122A.15, subdivision 1, except for supervisory
203.4 personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its
203.5 authority to make all licensing decisions with respect to candidates for teacher licensure.
203.6 The board must evaluate candidates for compliance with statutory or rule requirements for
203.7 licensure and develop licensure verification requirements.

203.8 (b) The Professional Educator Licensing and Standards Board must approve teacher
203.9 preparation providers seeking to prepare candidates for teacher licensure in Minnesota.

203.10 Sec. 5. Minnesota Statutes 2020, section 122A.09, subdivision 6, is amended to read:

203.11 Subd. 6. **Register of persons licensed.** ~~The executive director of the Professional~~
203.12 ~~Educator Licensing and Standards Board must keep a record of the proceedings of and a~~
203.13 ~~register of all persons licensed pursuant to the provisions of this chapter. The register must~~
203.14 ~~show the name, address, licenses and permissions held including renewals, and license~~
203.15 ~~number and the renewal of the license. The board must on July 1, of each year or as soon~~
203.16 ~~thereafter as is practicable, compile a list of such duly licensed teachers. A copy of the~~
203.17 ~~register This list must be available during business hours at the office of the board to any~~
203.18 ~~interested person on the board's website.~~

203.19 Sec. 6. Minnesota Statutes 2020, section 122A.09, subdivision 9, is amended to read:

203.20 Subd. 9. **Professional Educator Licensing and Standards Board must adopt and**
203.21 **revise rules.** (a) The Professional Educator Licensing and Standards Board must adopt and
203.22 revise rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05
203.23 to 122A.09, ~~122A.092~~ 122A.094, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182,
203.24 122A.183, 122A.184, 122A.185, 122A.187, 122A.188, 122A.19, 122A.20, 122A.21,
203.25 122A.23, 122A.26, 122A.28, and 122A.29.

203.26 (b) The board must adopt and revise rules relating to fields of licensure and grade levels
203.27 that a licensed teacher may teach, including a process for granting permission to a licensed
203.28 teacher to teach in a field that is different from the teacher's field of licensure without change
203.29 to the teacher's license tier level.

203.30 ~~(c) The board must adopt rules relating to the grade levels that a licensed teacher may~~
203.31 ~~teach.~~

204.1 ~~(d)~~ (c) If a rule adopted by the board is in conflict with a session law or statute, the law
204.2 or statute prevails. Terms adopted in rule must be clearly defined and must not be construed
204.3 to conflict with terms adopted in statute or session law.

204.4 ~~(e)~~ (d) The board must include a description of a proposed rule's probable effect on
204.5 teacher supply and demand in the board's statement of need and reasonableness under section
204.6 14.131.

204.7 ~~(f)~~ (e) The board must adopt rules only under the specific statutory authority.

204.8 Sec. 7. Minnesota Statutes 2020, section 122A.09, subdivision 10, is amended to read:

204.9 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
204.10 14.056, the Professional Educator Licensing and Standards Board may grant waivers to its
204.11 rules upon application by a school district or a charter school for purposes of implementing
204.12 experimental programs in learning or management.

204.13 (b) To enable a school district or a charter school to meet the needs of students enrolled
204.14 in an alternative education program and to enable licensed teachers instructing those students
204.15 to satisfy content area licensure requirements, the Professional Educator Licensing and
204.16 Standards Board ~~annually~~ may permit a licensed teacher teaching in an alternative education
204.17 program to instruct students in a content area for which the teacher is not licensed, consistent
204.18 with paragraph (a).

204.19 (c) A special education license permission issued by the Professional Educator Licensing
204.20 and Standards Board for a primary employer's low-incidence region is valid in all
204.21 low-incidence regions.

204.22 (d) A candidate that has obtained career and technical education certification may apply
204.23 for a Tier 1 license under section 122A.181. Consistent with section 136F.361, the
204.24 Professional Educator Licensing and Standards Board must strongly encourage approved
204.25 college or university-based teacher preparation programs throughout Minnesota to develop
204.26 alternative pathways for certifying and licensing high school career and technical education
204.27 instructors and teachers, allowing such candidates to meet certification and licensure
204.28 standards that demonstrate their content knowledge, classroom experience, and pedagogical
204.29 practices and their qualifications based on a combination of occupational testing, professional
204.30 certification or licensure, and long-standing work experience.

205.1 Sec. 8. Minnesota Statutes 2020, section 122A.091, subdivision 1, is amended to read:

205.2 Subdivision 1. **Teacher and administrator preparation and performance data;**

205.3 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of

205.4 School Administrators, in cooperation with ~~board-adopted~~ board-approved teacher or

205.5 administrator preparation programs, annually must collect and report summary data on

205.6 teacher and administrator preparation and performance outcomes, consistent with this

205.7 subdivision. The Professional Educator Licensing and Standards Board and the Board of

205.8 School Administrators annually by ~~June~~ July 1 must update and post the reported summary

205.9 preparation and performance data on teachers and administrators from the preceding school

205.10 years on ~~a website hosted jointly by the boards~~ their respective websites.

205.11 (b) Publicly reported summary data on teacher preparation ~~programs~~ providers must

205.12 include:

205.13 ~~(1) student entrance requirements for each Professional Educator Licensing and Standards~~

205.14 ~~Board-approved program, including grade point average for enrolling students in the~~

205.15 ~~preceding year;~~

205.16 ~~(2) the average board-adopted skills examination or ACT or SAT scores of students~~

205.17 ~~entering the program in the preceding year;~~

205.18 ~~(3)~~ (1) summary data on faculty all full-time, part-time, and adjunct teacher educator

205.19 qualifications, including at least the content areas of faculty teacher educator undergraduate

205.20 and graduate degrees and their years of experience either as kindergarten birth through grade

205.21 12 classroom teachers or school administrators;

205.22 ~~(4) the average time resident and nonresident program graduates in the preceding year~~

205.23 ~~needed to complete the program;~~

205.24 (2) the current number and percentage of enrolled candidates who entered the program

205.25 through a transfer pathway disaggregated by race, except when disaggregation would not

205.26 yield statistically reliable results or would reveal personally identifiable information about

205.27 an individual;

205.28 ~~(5)~~ (3) the current number and percentage of students program completers by program

205.29 who graduated, received a standard Minnesota teaching license, and Tier 3 or Tier 4 license

205.30 disaggregated by race, except when disaggregation would not yield statistically reliable

205.31 results or would reveal personally identifiable information about an individual;

205.32 (4) the current number and percentage of program completers who entered the program

205.33 through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race,

206.1 except when disaggregation would not yield statistically reliable results or would reveal
206.2 personally identifiable information about an individual;

206.3 (5) the current number and percentage of program completers who were hired to teach
206.4 full time in their licensure field in a Minnesota district or school in the preceding year
206.5 disaggregated by race, except when disaggregation would not yield statistically reliable
206.6 results or would reveal personally identifiable information about an individual;

206.7 ~~(6) the number of content area credits and other credits by undergraduate program that~~
206.8 ~~students in the preceding school year needed to complete to graduate;~~ the current number
206.9 and percentage of program completers who entered the program through a transfer pathway
206.10 and who were hired to teach full time in their licensure field in a Minnesota district or school
206.11 in the preceding year disaggregated by race, except when disaggregation would not yield
206.12 statistically reliable results or would reveal personally identifiable information about an
206.13 individual;

206.14 (7) ~~students'~~ pass rates on ~~skills~~ pedagogy and subject matter exams required ~~for~~
206.15 ~~graduation~~ in each ~~program and~~ licensure area for program completers in the preceding
206.16 school year;

206.17 (8) survey results measuring ~~student and graduate satisfaction with the program~~ how
206.18 prepared program completers felt during their first year of teaching in the preceding school
206.19 year disaggregated by race, except when disaggregation would not yield statistically reliable
206.20 results or would reveal personally identifiable information about an individual;

206.21 (9) ~~a standard measure of the satisfaction of~~ survey results from school principals or
206.22 ~~supervising teachers with the student teachers assigned to a school or supervising teacher~~
206.23 supervisors on how prepared they felt their first-year teachers were in the preceding school
206.24 year; and

206.25 (10) ~~information under subdivision 3, paragraphs (a) and (b)~~ the number and percentage
206.26 of program completers who met or exceed the state threshold score on the board-adopted
206.27 teacher performance assessment.

206.28 Program reporting must be consistent with subdivision 2.

206.29 (c) Publicly reported summary data on administrator preparation programs approved by
206.30 the Board of School Administrators must include:

206.31 (1) summary data on faculty qualifications, including at least the content areas of faculty
206.32 undergraduate and graduate degrees and the years of experience either as kindergarten
206.33 through grade 12 classroom teachers or school administrators;

207.1 (2) the average time program graduates in the preceding year needed to complete the
207.2 program;

207.3 (3) the current number and percentage of students who graduated, received a standard
207.4 Minnesota administrator license, and were employed as an administrator in a Minnesota
207.5 school district or school in the preceding year disaggregated by race, except when
207.6 disaggregation would not yield statistically reliable results or would reveal personally
207.7 identifiable information about an individual;

207.8 (4) the number of credits by graduate program that students in the preceding school year
207.9 needed to complete to graduate;

207.10 (5) survey results measuring student, graduate, and employer satisfaction with the
207.11 program in the preceding school year disaggregated by race, except when disaggregation
207.12 would not yield statistically reliable results or would reveal personally identifiable
207.13 information about an individual; and

207.14 (6) information under subdivision 3, paragraphs (c) and (d).

207.15 Program reporting must be consistent with section 122A.14, subdivision 10.

207.16 Sec. 9. Minnesota Statutes 2020, section 122A.091, subdivision 2, is amended to read:

207.17 Subd. 2. **Teacher preparation program reporting.** (a) By December 31, 2018, and
207.18 annually thereafter, the Professional Educator Licensing and Standards Board shall report
207.19 and publish on its website the cumulative summary results of at least three consecutive
207.20 years of data reported to the board under subdivision 1, paragraph (b). Where the data are
207.21 sufficient to yield statistically reliable information and the results would not reveal personally
207.22 identifiable information about an individual teacher, the board shall report the data by teacher
207.23 preparation program.

207.24 (b) The Professional Educator Licensing and Standards Board must report annually to
207.25 the chairs and ranking minority members of the legislative committees with jurisdiction
207.26 over kindergarten through grade 12 education, the following information:

207.27 (1) the total number of teacher candidates during the most recent school year taking a
207.28 board-adopted skills examination;

207.29 (2) the number who achieve a qualifying score on the examination;

207.30 (3) the number who do not achieve a qualifying score on the examination; and

207.31 (4) the number of candidates who have not passed a content or pedagogy exam.

208.1 The information reported under this paragraph must be disaggregated by categories of race,
208.2 ethnicity, and, if applicable, eligibility for financial aid. The report must be submitted in
208.3 accordance with section 3.195.

208.4 Sec. 10. Minnesota Statutes 2020, section 122A.21, is amended to read:

208.5 **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

208.6 Subdivision 1. **Licensure applications.** Each applicant submitting an application to the
208.7 Professional Educator Licensing and Standards Board to issue, renew, or extend a teaching
208.8 license, including applications for licensure via portfolio under subdivision 4, must include
208.9 a processing fee of ~~\$57~~ \$85. The processing fee for a teacher's license and for the licenses
208.10 of supervisory personnel must be paid to the executive ~~secretary~~ director of the appropriate
208.11 board and deposited in the state treasury. The fees as set by the board are nonrefundable
208.12 for applicants not qualifying for a license. However, the commissioner of management and
208.13 budget must refund a fee in any case in which the applicant already holds a valid unexpired
208.14 license. The board may waive or reduce fees for applicants who apply at the same time for
208.15 more than one license.

208.16 Subd. 4. **Licensure via portfolio.** ~~A candidate~~ An applicant must pay to the Professional
208.17 Educator Licensing and Standards Board a \$300 fee for ~~the first~~ a pedagogical portfolio
208.18 submitted for review and a \$200 fee for ~~any portfolio submitted subsequently~~ each content
208.19 portfolio. The Professional Educator Licensing and Standards Board executive ~~secretary~~
208.20 director must deposit the fee in the education licensure portfolio account in the special
208.21 revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The
208.22 Professional Educator Licensing and Standards Board may waive or reduce fees for
208.23 ~~candidates~~ applicants based on financial need.

208.24 Subd. 5. **Online licensing system and fees.** (a) The Professional Educator Licensing
208.25 and Standards Board executive director may charge applicants using the online licensing
208.26 system an \$8 fee per license. The fees are nonrefundable.

208.27 (b) An educator licensing technology account is established in the special revenue fund.

208.28 (c) The Professional Educator Licensing and Standards Board executive director must
208.29 deposit the fees for using the online licensing system into the educator licensing technology
208.30 account in the special revenue fund. Funds do not cancel and are available until spent.

208.31 (d) The Professional Educator Licensing and Standards Board executive director may
208.32 use funds in the educator licensing technology account for information technology projects,
208.33 services, and support.

209.1 **Sec. 11. [127A.20] EVIDENCE-BASED EDUCATION GRANTS.**

209.2 **Subdivision 1. Purpose and applicability.** The purpose of this section is to create a
209.3 process to describe, measure, and report on the effectiveness of any prekindergarten through
209.4 grade 12 education program funded in whole or in part through funds appropriated by the
209.5 legislature to the commissioner of education for grants to organizations. The evidence-based
209.6 evaluation required by this section applies to all grants awarded by the commissioner of
209.7 education on or after July 1, 2022.

209.8 **Subd. 2. Goals.** Each applicant for a grant awarded by the commissioner of education
209.9 must include in the grant application a statement of the goals of the education program and
209.10 grant funds. To the extent practicable, the goals must be aligned to the state of Minnesota's
209.11 world's best workforce and the federally required Every Student Succeeds Act accountability
209.12 systems.

209.13 **Subd. 3. Strategies and data.** Each applicant must include in the grant application a
209.14 description of the strategies that will be used to meet the goals specified in the application.
209.15 The applicant must also include a plan to collect data to measure the effectiveness of the
209.16 strategies outlined in the grant application.

209.17 **Subd. 4. Reporting.** Within 180 days of the end of the grant period, each grant recipient
209.18 must compile a report that describes the data that was collected and evaluate the effectiveness
209.19 of the strategies. The evidence-based report may identify or propose alternative strategies
209.20 based on the results of the data. The report must be submitted to the commissioner of
209.21 education and to the chairs and ranking minority members of the legislative committees
209.22 with jurisdiction over prekindergarten through grade 12 education. The report must be filed
209.23 with the Legislative Reference Library according to section 3.195.

209.24 **Subd. 5. Grant defined.** For purposes of this section, "grant" means money appropriated
209.25 from the state general fund to the commissioner of education for distribution to the grant
209.26 recipients.

209.27 **EFFECTIVE DATE.** This section is effective July 1, 2022.

209.28 **Sec. 12.** Minnesota Statutes 2020, section 609A.03, subdivision 7a, is amended to read:

209.29 **Subd. 7a. Limitations of order effective January 1, 2015, and later.** (a) Upon issuance
209.30 of an expungement order related to a charge supported by probable cause, the DNA samples
209.31 and DNA records held by the Bureau of Criminal Apprehension and collected under authority
209.32 other than section 299C.105 shall not be sealed, returned to the subject of the record, or
209.33 destroyed.

210.1 (b) Notwithstanding the issuance of an expungement order:

210.2 (1) except as provided in clause (2), an expunged record may be opened, used, or
210.3 exchanged between criminal justice agencies without a court order for the purposes of
210.4 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing
210.5 purposes or providing probation or other correctional services;

210.6 (2) when a criminal justice agency seeks access to a record that was sealed under section
210.7 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing
210.8 for lack of probable cause, for purposes of a criminal investigation, prosecution, or
210.9 sentencing, the requesting agency must obtain an ex parte court order after stating a
210.10 good-faith basis to believe that opening the record may lead to relevant information;

210.11 (3) an expunged record of a conviction may be opened for purposes of evaluating a
210.12 prospective employee in a criminal justice agency without a court order;

210.13 (4) an expunged record of a conviction may be opened for purposes of a background
210.14 study under section 245C.08 unless the commissioner had been properly served with notice
210.15 of the petition for expungement and the court order for expungement is directed specifically
210.16 to the commissioner of human services;

210.17 (5) an expunged record of a conviction may be opened for purposes of a background
210.18 check required under section 122A.18, subdivision 8, unless the court order for expungement
210.19 is directed specifically to the Professional Educator Licensing and Standards Board ~~or the~~
210.20 ~~licensing division of the Department of Education~~; and

210.21 (6) the court may order an expunged record opened upon request by the victim of the
210.22 underlying offense if the court determines that the record is substantially related to a matter
210.23 for which the victim is before the court.

210.24 (c) An agency or jurisdiction subject to an expungement order shall maintain the record
210.25 in a manner that provides access to the record by a criminal justice agency under paragraph
210.26 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau
210.27 of Criminal Apprehension shall notify the commissioner of human services, or the
210.28 Professional Educator Licensing and Standards Board, ~~or the licensing division of the~~
210.29 ~~Department of Education~~ of the existence of a sealed record and of the right to obtain access
210.30 under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to
210.31 the expungement order shall provide access to the record to the commissioner of human
210.32 services, or the Professional Educator Licensing and Standards Board, ~~or the licensing~~
210.33 ~~division of the Department of Education~~ under paragraph (b), clause (4) or (5).

211.1 (d) An expunged record that is opened or exchanged under this subdivision remains
211.2 subject to the expungement order in the hands of the person receiving the record.

211.3 (e) A criminal justice agency that receives an expunged record under paragraph (b),
211.4 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the
211.5 record to the investigation, prosecution, or sentencing for which it was obtained.

211.6 (f) For purposes of this section, a "criminal justice agency" means a court or government
211.7 agency that performs the administration of criminal justice under statutory authority.

211.8 (g) This subdivision applies to expungement orders subject to its limitations and effective
211.9 on or after January 1, 2015.

211.10 Sec. 13. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2,
211.11 as amended by Laws 2020, chapter 116, article 5, section 4, is amended to read:

211.12 Subd. 2. **Department.** (a) For the Department of Education:

211.13 \$ 29,196,000 2020

211.14 \$ 24,911,000 2021

211.15 Of these amounts:

211.16 (1) \$319,000 each year is for the Board of School Administrators;

211.17 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
211.18 section 120B.115;

211.19 (3) \$250,000 each year is for the School Finance Division to enhance financial data
211.20 analysis;

211.21 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
211.22 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

211.23 (5) \$123,000 each year is for a dyslexia specialist;

211.24 (6) \$4,700,000 in fiscal year 2020 only is for legal fees and costs associated with
211.25 litigation; and

211.26 (7) \$400,000 in fiscal year 2020 and \$480,000 in fiscal year 2021 and later are for the
211.27 Department of Education's mainframe update.

211.28 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
211.29 Washington, D.C. office.

212.1 (c) The expenditures of federal grants and aids as shown in the biennial budget document
212.2 and its supplements are approved and appropriated and shall be spent as indicated.

212.3 (d) This appropriation includes funds for information technology project services and
212.4 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
212.5 information technology costs will be incorporated into the service level agreement and will
212.6 be paid to the Office of MN.IT Services by the Department of Education under the rates
212.7 and mechanism specified in that agreement.

212.8 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
212.9 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is
212.10 \$24,591,000. The base for fiscal year 2023 is \$24,611,000. The base for fiscal year 2024 is
212.11 \$24,629,000.

212.12 (f) On the effective date of this act, the commissioner of the Department of Education
212.13 must cancel to the general fund \$2,000,000 from the fiscal year 2020 general fund
212.14 appropriations for legal fees and costs associated with litigation.

212.15 (g) On the effective date of this act, the commissioner of the Department of Education
212.16 must cancel to the general fund \$1,252,000 from the fiscal year 2021 general fund
212.17 appropriations for agency operations.

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

212.19 Sec. 14. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

212.20 **Subdivision 1. Department of Education.** (a) Unless otherwise indicated, the sums
212.21 indicated in this section are appropriated from the general fund to the Department of
212.22 Education for the fiscal years designated. Any balance in the first year does not cancel but
212.23 is available in the second year.

212.24 **Subd. 2. Department.** (a) For the Department of Education:

212.25 \$ 36,684,000 2022

212.26 \$ 33,099,000 2023

212.27 Of these amounts:

212.28 (1) \$319,000 each year is for the Board of School Administrators;

212.29 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
212.30 section 120B.115;

213.1 (3) \$250,000 each year is for the School Finance Division to enhance financial data
213.2 analysis;

213.3 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
213.4 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

213.5 (5) \$123,000 each year is for a dyslexia specialist;

213.6 (6) \$480,000 each year is for the Department of Education's mainframe update;

213.7 (7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with
213.8 litigation;

213.9 (8) \$455,000 in fiscal year 2022 and 865,000 in fiscal year 2023 are for data analytics
213.10 for the state count of American Indian children. The base for this program is \$510,000 in
213.11 fiscal year 2024, \$355,000 in fiscal year 2025, and \$133,000 in fiscal year 2026 and later;

213.12 (9) \$3,279,000 in fiscal year 2022 and \$3,384,000 in fiscal year 2023 are for modernizing
213.13 district data submission to support students and educators. The base for this program is
213.14 \$3,252,000 in fiscal year 2024 and beyond;

213.15 (10) \$340,000 in fiscal year 2022 and \$340,000 in fiscal year 2023 are for voluntary
213.16 prekindergarten programs;

213.17 (11) \$3,000,000 each year is for translation services of which \$2,000,000 each year is
213.18 for grants to support school districts and charter schools with translation services; and

213.19 (12) \$144,000 in fiscal year 2022 and \$148,000 in fiscal year 2023 are for incorporating
213.20 ethnic studies into the curriculum standards.

213.21 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
213.22 Washington, D.C., office.

213.23 (c) The expenditures of federal grants and aids as shown in the biennial budget document
213.24 and its supplements are approved and appropriated and must be spent as indicated.

213.25 (d) This appropriation includes funds for information technology project services and
213.26 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
213.27 information technology costs will be incorporated into the service level agreement and will
213.28 be paid to the Office of MN.IT Services by the Department of Education under the rates
213.29 and mechanisms specified in that agreement.

213.30 (e) Eligible grantees for funds for translation services under clause (11) only include
213.31 school districts, charter schools, intermediate school districts, and cooperative units as
213.32 defined in Minnesota Statutes, section 123A.24, subdivision 2.

214.1 (f) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 214.2 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 is
 214.3 \$32,630,000 and the base for fiscal year 2025 is \$32,475,000.

214.4 **Sec. 15. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

214.5 (a) The sums indicated in this section are appropriated from the general fund to the
 214.6 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

214.7 \$ 14,056,000 2022

214.8 \$ 14,317,000 2023

214.9 (b) Any balance in the first year does not cancel but is available in the second year.

214.10 (c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 214.11 section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2024 is
 214.12 \$14,323,000.

214.13 **Sec. 16. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

214.14 (a) The sums in this section are appropriated from the general fund to the Perpich Center
 214.15 for Arts Education for the fiscal years designated:

214.16 \$ 7,406,000 2022

214.17 \$ 7,527,000 2023

214.18 (b) Any balance in the first year does not cancel but is available in the second year.

214.19 (c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 214.20 section 1, paragraph (a), and section 3, paragraph (c), the base for fiscal year 2024 is
 214.21 \$7,532,000.

214.22 **Sec. 17. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
 214.23 **STANDARDS BOARD.**

214.24 Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums
 214.25 indicated in this section are appropriated from the general fund to the Professional Educator
 214.26 Licensing and Standards Board for the fiscal years designated:

214.27 \$ 2,856,000 2022

214.28 \$ 2,843,000 2023

214.29 (b) Any balance in the first year does not cancel but is available in the second year.

215.1 (c) This appropriation includes funds for information technology project services and
 215.2 support subject to Minnesota Statutes, section 16E.0466. Any ongoing information
 215.3 technology costs will be incorporated into an interagency agreement and will be paid to the
 215.4 Office of MN.IT Services by the Professional Educator Licensing and Standards Board
 215.5 under the mechanism specified in that agreement.

215.6 Subd. 2. **Licensure by portfolio.** For licensure by portfolio:

215.7 \$ 34,000 2022

215.8 \$ 34,000 2023

215.9 This appropriation is from the education licensure portfolio account in the special revenue
 215.10 fund.

215.11 **ARTICLE 11**

215.12 **FORECAST ADJUSTMENTS**

215.13 Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision
 215.14 3, as amended by Laws 2020, chapter 116, article 6, section 2, is amended to read:

215.15 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending
 215.16 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation
 215.17 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

215.18 \$ 19,000 2020

215.19 ~~20,000~~

215.20 \$ 11,000 2021

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

215.22 Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4,
 215.23 as amended by Laws 2020, chapter 116, article 6, section 3, is amended to read:

215.24 Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

215.25 \$ 1,770,000 2020

215.26 ~~2,827,000~~

215.27 \$ 2,595,000 2021

215.28 The 2020 appropriation includes \$274,000 for 2019 and \$1,496,000 for 2020.

215.29 The 2021 appropriation includes \$166,000 for 2020 and ~~\$2,661,000~~ \$2,429,000 for
 215.30 2021.

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

216.2 Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6,
216.3 as amended by Laws 2020, chapter 116, article 6, section 4, is amended to read:

216.4 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under
216.5 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

216.6 \$ 17,925,000 2020

216.7 ~~18,917,000~~

216.8 \$ 18,918,000 2021

216.9 The 2020 appropriation includes \$1,806,000 for 2019 and \$16,119,000 for 2020.

216.10 The 2021 appropriation includes \$1,790,000 for 2020 and ~~\$17,127,000~~ \$17,128,000 for
216.11 2021.

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

216.13 Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7,
216.14 as amended by Laws 2020, chapter 116, article 6, section 5, is amended to read:

216.15 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under
216.16 Minnesota Statutes, section 123B.92, subdivision 9:

216.17 \$ 19,168,000 2020

216.18 ~~20,100,000~~

216.19 \$ 19,106,000 2021

216.20 The 2020 appropriation includes \$1,961,000 for 2019 and \$17,207,000 for 2020.

216.21 The 2021 appropriation includes \$1,911,000 for 2020 and ~~\$18,189,000~~ \$17,195,000 for
216.22 2021.

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

216.24 Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9,
216.25 as amended by Laws 2020, chapter 116, article 6, section 6, is amended to read:

216.26 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota
216.27 Statutes, section 124D.4531, subdivision 1b:

216.28 \$ 3,857,000 2020

216.29 ~~3,433,000~~

216.30 \$ 3,288,000 2021

216.31 The 2020 appropriation includes \$422,000 for 2019 and \$3,435,000 for 2020.

217.1 The 2021 appropriation includes \$378,000 for 2020 and ~~\$3,055,000~~ \$2,910,000 for
217.2 2021.

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

217.4 Sec. 6. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2,
217.5 as amended by Laws 2020, chapter 116, article 3, section 2, is amended to read:

217.6 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
217.7 Minnesota Statutes, section 124D.862:

217.8 \$ 77,247,000 2020

217.9 ~~81,233,000~~

217.10 \$ 87,574,000 2021

217.11 The 2020 appropriation includes \$7,058,000 for 2019 and \$70,189,000 for 2020.

217.12 The 2021 appropriation includes \$7,763,000 for 2020 and ~~\$73,470,000~~ \$79,811,000 for
217.13 2021.

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

217.15 Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3,
217.16 as amended by Laws 2020, chapter 116, article 6, section 7, is amended to read:

217.17 Subd. 3. **Interdistrict desegregation or integration transportation grants.** For
217.18 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
217.19 section 124D.87:

217.20 \$ 14,231,000 2020

217.21 ~~14,962,000~~

217.22 \$ 15,670,000 2021

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

217.24 Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6,
217.25 as amended by Laws 2020, chapter 116, article 6, section 10, is amended to read:

217.26 Subd. 6. **American Indian education aid.** For American Indian education aid under
217.27 Minnesota Statutes, section 124D.81, subdivision 2a:

217.28 \$ 10,113,000 2020

217.29 ~~10,696,000~~

217.30 \$ 10,939,000 2021

217.31 The 2020 appropriation includes \$960,000 for 2019 and \$9,153,000 for 2020.

218.1 The 2021 appropriation includes \$1,016,000 for 2020 and ~~\$9,680,000~~ \$9,923,000 for
218.2 2021.

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

218.4 Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 16,
218.5 as amended by Laws 2020, chapter 116, article 6, section 11, is amended to read:

218.6 Subd. 16. **Charter school building lease aid.** For building lease aid under Minnesota
218.7 Statutes, section 124E.22:

218.8 \$ 83,214,000 2020

218.9 ~~88,454,000~~

218.10 \$ 85,916,000 2021

218.11 The 2020 appropriation includes \$8,021,000 for 2019 and \$75,193,000 for 2020.

218.12 The 2021 appropriation includes \$8,354,000 for 2020 and ~~\$80,100,000~~ \$77,562,000 for
218.13 2021.

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

218.15 Sec. 10. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3,
218.16 as amended by Laws 2020, chapter 116, article 6, section 12, is amended to read:

218.17 Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
218.18 aid under Minnesota Statutes, section 122A.415, subdivision 4:

218.19 \$ 89,166,000 2020

218.20 ~~88,851,000~~

218.21 \$ 88,788,000 2021

218.22 (b) The 2020 appropriation includes \$8,974,000 for 2019 and \$80,192,000 for 2020.

218.23 (c) The 2021 appropriation includes \$8,887,000 for 2020 and ~~\$79,964,000~~ \$79,901,000
218.24 for 2021.

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

218.26 Sec. 11. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2,
218.27 as amended by Laws 2020, chapter 116, article 6, section 13, is amended to read:

218.28 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
218.29 section 125A.75:

219.1 \$ 1,600,889,000 2020

219.2 ~~1,747,701,000~~

219.3 \$ 1,727,596,000 2021

219.4 The 2020 appropriation includes \$184,363,000 for 2019 and \$1,416,526,000 for 2020.

219.5 The 2021 appropriation includes \$199,406,000 for 2020 and ~~\$1,548,295,000~~

219.6 \$1,528,190,000 for 2021.

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

219.8 Sec. 12. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3,

219.9 as amended by Laws 2020, chapter 116, article 6, section 14, is amended to read:

219.10 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section

219.11 125A.75, subdivision 3, for children with disabilities placed in residential facilities within

219.12 the district boundaries for whom no district of residence can be determined:

219.13 \$ 1,109,000 2020

219.14 ~~1,267,000~~

219.15 \$ 1,644,000 2021

219.16 If the appropriation for either year is insufficient, the appropriation for the other year is

219.17 available.

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

219.19 Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4,

219.20 as amended by Laws 2020, chapter 116, article 6, section 15, is amended to read:

219.21 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based

219.22 services under Minnesota Statutes, section 125A.75, subdivision 1:

219.23 \$ 445,000 2020

219.24 ~~467,000~~

219.25 \$ 254,000 2021

219.26 The 2020 appropriation includes \$40,000 for 2019 and \$405,000 for 2020.

219.27 The 2021 appropriation includes \$44,000 for 2020 and ~~\$423,000~~ \$210,000 for 2021.

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

220.1 Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5,
220.2 as amended by Laws 2020, chapter 116, article 6, section 16, is amended to read:

220.3 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
220.4 districts for unreimbursed eligible expenditures attributable to children placed in the serving
220.5 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

220.6 \$ -0- 2020

220.7 ~~23,000~~

220.8 \$ -0- 2021

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

220.10 Sec. 15. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2,
220.11 as amended by Laws 2020, chapter 116, article 6, section 17, and Laws 2020, Fifth Special
220.12 Session chapter 3, article 5, section 36, is amended to read:

220.13 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
220.14 Minnesota Statutes, section 123B.53, subdivision 6:

220.15 \$ 20,684,000 2020

220.16 ~~25,380,000~~

220.17 \$ 25,335,000 2021

220.18 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

220.19 The 2021 appropriation includes \$2,043,000 for 2020 and ~~\$23,337,000~~ \$23,292,000 for
220.20 2021.

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

220.22 Sec. 16. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3,
220.23 as amended by Laws 2020, chapter 116, article 6, section 18, is amended to read:

220.24 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
220.25 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

220.26 \$ 104,690,000 2020

220.27 ~~107,820,000~~

220.28 \$ 106,356,000 2021

220.29 The 2020 appropriation includes \$10,464,000 for 2019 and \$94,226,000 for 2020.

220.30 The 2021 appropriation includes \$10,412,000 for 2020 and ~~\$97,408,000~~ \$95,944,000
220.31 for 2021.

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

221.2 Sec. 17. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2,
221.3 as amended by Laws 2020, chapter 116, article 6, section 20, is amended to read:

221.4 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
221.5 and Code of Federal Regulations, title 7, section 210.17:

221.6 \$ 16,245,000 2020

221.7 ~~16,514,000~~

221.8 \$ 4,796,000 2021

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

221.10 Sec. 18. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3,
221.11 as amended by Laws 2020, chapter 116, article 6, section 21, is amended to read:

221.12 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
221.13 section 124D.1158:

221.14 \$ 11,428,000 2020

221.15 ~~11,846,000~~

221.16 \$ 3,242,000 2021

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

221.18 Sec. 19. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4,
221.19 as amended by Laws 2020, chapter 116, article 6, section 22, is amended to read:

221.20 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
221.21 section 124D.118:

221.22 \$ 658,000 2020

221.23 ~~658,000~~

221.24 \$ 494,000 2021

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

221.26 Sec. 20. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5,
221.27 as amended by Laws 2020, chapter 116, article 6, section 23, is amended to read:

221.28 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
221.29 aid under Minnesota Statutes, section 124D.135:

222.1 \$ 32,151,000 2020

222.2 ~~33,540,000~~

222.3 \$ 33,204,000 2021

222.4 (b) The 2020 appropriation includes \$3,098,000 for 2019 and \$29,053,000 for 2020.

222.5 (c) The 2021 appropriation includes \$3,133,000 for 2020 and ~~\$30,407,000~~ \$30,071,000

222.6 for 2021.

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

222.8 Sec. 21. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision

222.9 14, as amended by Laws 2020, chapter 116, article 6, section 24, is amended to read:

222.10 Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section

222.11 124D.135:

222.12 \$ 521,000 2020

222.13 ~~528,000~~

222.14 \$ 481,000 2021

222.15 (b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

222.16 (c) The 2021 appropriation includes \$51,000 for 2020 and ~~\$477,000~~ \$430,000 for 2021.

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

222.18 Sec. 22. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2,

222.19 as amended by Laws 2020, chapter 116, article 6, section 25, is amended to read:

222.20 Subd. 2. **Community education aid.** For community education aid under Minnesota

222.21 Statutes, section 124D.20:

222.22 \$ 327,000 2020

222.23 ~~249,000~~

222.24 \$ 236,000 2021

222.25 The 2020 appropriation includes \$40,000 for 2019 and \$287,000 for 2020.

222.26 The 2021 appropriation includes \$31,000 for 2020 and ~~\$218,000~~ \$205,000 for 2021.

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