

2.15

ARTICLE 1

2.16

GENERAL EDUCATION

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

2.18 120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.

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

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

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

2.25 120A.40 SCHOOL CALENDAR.

2.26 (a) Except for learning programs during summer, flexible learning year programs
2.27 authorized under sections 124D.12 to 124D.127, and learning year programs under section
2.28 124D.128, a district must not commence an elementary or secondary school year before
2.29 Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops
2.30 may be held before Labor Day. Districts that enter into cooperative agreements are
2.31 encouraged to adopt similar school calendars.

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

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

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

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

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

2.4

ARTICLE 1

2.5

GENERAL EDUCATION

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

14.4 120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.

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

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

[NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 2, SECTION 1]

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

14.11 120A.40 SCHOOL CALENDAR.

14.12 (a) Except for learning programs during summer, ~~flexible learning year programs~~
14.13 ~~authorized under sections 124D.12 to 124D.127,~~ and learning year programs under section
14.14 124D.128, a district must not commence an elementary or secondary school year before
14.15 Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops
14.16 may be held before Labor Day. Districts that enter into cooperative agreements are
14.17 encouraged to adopt similar school calendars.

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

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

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

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

14.24 (c) A school board may consider the community's religious observance when adopting
14.25 an annual school calendar.

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

[NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 2, SECTION 2]

2.6 Section 1. Minnesota Statutes 2020, section 123A.05, subdivision 1, is amended to read:

2.7 Subdivision 1. **Governance.** (a) A district may establish an area learning center,
2.8 alternative learning program, or contract alternative in accordance with sections 124D.68,
2.9 subdivision 3, paragraph (d), and 124D.69.

2.10 (b) An area learning center is encouraged to cooperate with a service cooperative, an
 2.11 intermediate school district, a local education and employment transitions partnership, public
 2.12 and private secondary and postsecondary institutions, public agencies, businesses, and
 2.13 foundations. ~~Except for a district located in a city of the first class,~~ An area learning center
 2.14 ~~must~~ is encouraged, but not required, to be established in cooperation with other districts
 2.15 and ~~must~~ may serve the geographic area of at least two districts. An area learning center
 2.16 must provide comprehensive educational services to enrolled secondary students throughout
 2.17 the year, including a daytime school within a school or separate site for both high school
 2.18 and middle school level students.

2.19 (c) An alternative learning program may serve the students of one or more districts, may
 2.20 designate which grades are served, and may make program hours and a calendar optional.

2.21 (d) A contract alternative is an alternative learning program operated by a private
 2.22 organization that has contracted with a school district to provide educational services for
 2.23 students under section 124D.68, subdivision 2.

2.24 Sec. 2. Minnesota Statutes 2020, section 123B.44, subdivision 1, is amended to read:

2.25 Subdivision 1. **Provided services.** The commissioner of education shall promulgate
 2.26 rules under the provisions of chapter 14 requiring each district or other intermediary service
 2.27 area: (a) to provide each year upon formal request by a specific date by or on behalf of a
 2.28 nonpublic school pupil enrolled in a nonpublic school located in that district or area, the
 2.29 same specific health services as are provided for public school pupils by the district where
 2.30 the nonpublic school is located; and (b) to provide each year upon formal request by a
 2.31 specific date by or on behalf of a nonpublic school elementary or secondary pupil enrolled
 2.32 in a nonpublic school located in that district or area or an elementary or secondary pupil
 2.33 enrolled in an American Indian-controlled tribal contract or grant school, the same specific
 3.1 guidance and counseling services as are provided for public school secondary pupils by the
 3.2 district where the nonpublic school is located. The district where the nonpublic school is
 3.3 located must provide the necessary transportation within the district boundaries between
 3.4 the nonpublic school and a public school or neutral site for nonpublic school pupils who
 3.5 are provided pupil support services under this section if the district elects to provide pupil
 3.6 support services at a site other than the nonpublic school. Each request for pupil support
 3.7 services must set forth the guidance and counseling or health services requested by or on
 3.8 behalf of all eligible nonpublic school pupils enrolled in a given nonpublic school. No
 3.9 district or intermediary service area must not expend an amount for these pupil support
 3.10 services which exceeds the amount allotted to it under this section.

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

3.12 Sec. 3. Minnesota Statutes 2020, section 123B.44, subdivision 5, is amended to read:

3.13 Subd. 5. **Guidance and counseling services; allotment.** Each school year the
 3.14 commissioner shall allot to the school districts or intermediary service areas for the provision
 3.15 of guidance and counseling services pursuant to this section the actual cost of the services

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

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

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

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

3.18 (b) A pupil enrolled in a Minnesota public school in any grade 4 through 12 who in the
3.19 previous school year took a commissioner-provided assessment measuring the pupil's
3.20 emerging academic English, shall be counted as an English learner in calculating English

3.16 provided for the pupils in each respective nonpublic school for that school year. The allotment
3.17 for guidance and counseling services for the elementary pupils in each nonpublic school
3.18 must not exceed the average expenditure per public school elementary pupil for these services
3.19 by those Minnesota public schools that provide these services to their elementary pupils,
3.20 multiplied by the number of elementary pupils in that particular nonpublic school who
3.21 request these services and who are enrolled as of September 15 of the current school year.
3.22 The allotment for guidance and counseling services for the secondary pupils in each
3.23 nonpublic school must not exceed the average expenditure per public school secondary
3.24 pupil for these services by those Minnesota public schools ~~which~~ that provide these services
3.25 to their secondary pupils, multiplied by the number of secondary pupils in that particular
3.26 nonpublic school who request these services and who are enrolled as of September 15 of
3.27 the current school year.

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

3.29 Sec. 4. Minnesota Statutes 2020, section 123B.44, subdivision 6, is amended to read:

3.30 Subd. 6. **Computation of maximum allotments.** For purposes of computing maximum
3.31 allotments for each school year pursuant to this section, the average public school expenditure
3.32 per pupil for health services and the average public school expenditure per elementary and
3.33 secondary pupil for guidance and counseling services shall be computed and established
4.1 by the department by February 1 of the preceding school year from the most recent public
4.2 school year data then available.

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

3.21 learner pupil units under section 126C.05, subdivision 17, and shall generate state English
 3.22 learner aid under section 124D.65, subdivision 5, if the pupil scored below the state cutoff
 3.23 score or is otherwise counted as a nonproficient participant on the assessment measuring
 3.24 the pupil's emerging academic English, or, in the judgment of the pupil's classroom teachers,
 3.25 consistent with section 124D.61, clause (1), the pupil is unable to demonstrate academic
 3.26 language proficiency in English, including oral academic language, sufficient to successfully
 3.27 and fully participate in the general core curriculum in the regular classroom.

3.28 (c) Notwithstanding paragraphs (a) and (b), a pupil in early childhood special education
 3.29 or prekindergarten under section 124D.151, through grade 12 shall not be counted as an
 3.30 English learner in calculating English learner pupil units under section 126C.05, subdivision
 3.31 17, and shall not generate state English learner aid under section 124D.65, subdivision 5,
 3.32 if:

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

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

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

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

4.7 Subd. 5. **School district EL revenue.** (a) The English learner programs initial allowance
 4.8 equals \$704 for fiscal year 2021. The English learner programs allowance equals \$755 for
 4.9 fiscal year 2022. The English learner programs initial allowance for fiscal year 2023 and
 4.10 later equals the product of \$755 times the ratio of the formula allowance under section
 4.11 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section
 4.12 126C.10, subdivision 2, for fiscal year 2022.

4.13 (b) The English learner programs concentration allowance equals \$250 for fiscal year
 4.14 2021. The English learner programs concentration allowance equals \$536 for fiscal year
 4.15 2022. The English learner programs concentration allowance for fiscal year 2023 and later
 4.16 equals the product of \$536 times the ratio of the formula allowance under section 126C.10,
 4.17 subdivision 2, for the current fiscal year to the formula allowance under section 126C.10,
 4.18 subdivision 2, for fiscal year 2022.

4.19 ~~(a)~~ (c) A district's English learner programs initial revenue equals the product of (1)
 4.20 \$704 the English learner programs initial allowance times (2) the greater of 20 or the adjusted
 4.21 average daily membership of eligible English learners enrolled in the district during the
 4.22 current fiscal year.

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

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

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

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

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

5.2 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance,
 5.3 which includes an annual report of American Indian student data using the state count, to
 5.4 districts, schools and postsecondary institutions for preservice and in-service training for
 5.5 teachers, American Indian education teachers and paraprofessionals specifically designed
 5.6 to implement culturally responsive teaching methods, culturally based curriculum
 5.7 development, testing and testing mechanisms, and the development of materials for American
 5.8 Indian education programs.

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

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

4.4 Sec. 5. Minnesota Statutes 2020, section 126C.01, subdivision 8, is amended to read:

4.5 Subd. 8. **Shared time pupils.** "Shared time pupils" means those pupils who:

4.6 (1) attend public school programs for part of the regular school day; or

4.7 (2) attend public school career and technical education programs offered for secondary
 4.8 credit outside of the regular school day;

4.9 and who otherwise fulfill the requirements of section 120A.22 by attendance at a nonpublic
 4.10 school.

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

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

5.20 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
5.21 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
5.22 average daily membership enrolled in the district of residence, in another district under
5.23 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
5.24 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
5.25 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
5.26 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

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

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

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

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

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

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

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

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

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

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

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

- 6.22 (3) has one or more of the risk factors specified by the eligibility requirements for a
 6.23 school readiness plus program,
- 6.24 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more
 6.25 than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same
 6.26 manner as a voluntary prekindergarten student for all general education and other school
 6.27 funding formulas.
- 6.28 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.
- 6.29 Sec. 8. Minnesota Statutes 2020, section 126C.05, subdivision 3, is amended to read:
- 6.30 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units ~~for~~
 6.31 ~~fiscal year 1998 and thereafter~~ must be computed according to this subdivision.
- 7.1 (a) The compensation revenue concentration percentage for each building in a district
 7.2 equals the product of 100 times the ratio of:
- 7.3 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
 7.4 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
 7.5 previous fiscal year; to
- 7.6 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal
 7.7 year.
- 7.8 (b) The compensation revenue pupil weighting factor for a building equals ~~the lesser of~~
 7.9 ~~one or~~ the quotient obtained by dividing the building's compensation revenue concentration
 7.10 percentage by 80.0.
- 7.11 (c) The compensation revenue pupil units for a building equals the product of:
- 7.12 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
 7.13 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
 7.14 previous fiscal year; times
- 7.15 (2) the compensation revenue pupil weighting factor for the building; times
- 7.16 (3) .60.
- 7.17 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under
 7.18 section 124D.151, charter schools, and contracted alternative programs in the first year of
 7.19 operation, compensation revenue pupil units shall be computed using data for the current
 7.20 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative
 7.21 program begins operation after October 1, compensatory revenue pupil units shall be
 7.22 computed based on pupils enrolled on an alternate date determined by the commissioner,
 7.23 and the compensation revenue pupil units shall be prorated based on the ratio of the number
 7.24 of days of student instruction to 170 days.

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

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

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

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

8.2 Subd. 17. **English learner pupil units.** (a) English learner pupil units for fiscal year
 8.3 ~~2004 and thereafter~~ 2022 and later shall be determined according to this subdivision.

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

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

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

8.9 (c) For fiscal year 2021, the English learner pupil units for each eligible English learner
 8.10 in average daily membership equals the lesser of one or the quotient obtained by dividing
 8.11 the English learner concentration percentage for the pupil's district of enrollment by 11.5.
 8.12 For fiscal year 2022 and later, the English learner pupil units for each eligible English learner
 8.13 in average daily membership equals the lesser of one or the quotient obtained by dividing
 8.14 the English learner concentration percentage for the pupil's district of enrollment by 16.8.

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

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

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

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

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

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

8.26 (b) The formula allowance for fiscal year 2022 is \$6,698. The formula allowance for
 8.27 fiscal year 2023 is \$6,832. The formula allowance for fiscal year 2024 is \$6,866. The formula
 8.28 allowance for fiscal year 2025 is \$6,900.

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

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

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

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

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

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

9.14 ~~(b)~~ (c) Extended time revenue for pupils placed in an on-site education program at the
 9.15 Prairie Lakes Education Center or the Lake Park School, located within the borders of
 9.16 Independent School District No. 347, Willmar, for instruction provided after the end of the
 9.17 preceding regular school year and before the beginning of the following regular school year
 9.18 equals membership hours divided by the minimum annual instructional hours in section
 9.19 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section
 9.20 126C.05, subdivision 1, times ~~\$5,117~~ the extended time allowance.

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

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

4.12 Sec. 6. Minnesota Statutes 2020, section 126C.10, subdivision 2a, is amended to read:

4.13 Subd. 2a. **Extended time revenue.** (a) A school district's extended time revenue is equal
 4.14 to the product of \$5,117 and the sum of the adjusted pupil units of the district for each pupil
 4.15 in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05,
 4.16 subdivision 8.

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

4.24 (c) A school district qualifies for extended time revenue for every pupil placed in a
 4.25 children's residential facility, whether the education services are provided on-site or off-site
 4.26 for instruction provided after the end of the preceding regular school year and before the
 4.27 beginning of the following regular school year. Extended time revenue under this paragraph
 4.28 equals total membership hours in summer instruction divided by the minimum annual
 4.29 instructional hours in section 126C.05, subdivision 15, not to exceed 0.20, times the pupil
 4.30 unit weighting in section 126C.05, subdivision 1, times \$5,117.

5.1 (d) For purposes of this subdivision, "children's residential facility" means a residential
 5.2 facility for children, including a psychiatric residential treatment facility (PRTF), licensed
 5.3 by the Department of Human Services or the Department of Corrections and subject to
 5.4 Minnesota Rules, chapter 2960, or an inpatient hospitalization that includes mental health
 5.5 services.

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

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

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

10.5 Subd. 2e. **Local optional revenue.** (a) ~~For fiscal year 2020, local optional revenue for~~
 10.6 ~~a school district equals \$424 times the adjusted pupil units of the district for that school~~
 10.7 ~~year.~~ For fiscal year 2021 and later, local optional revenue for a school district equals the
 10.8 sum of the district's first tier local optional revenue and second tier local optional revenue.
 10.9 A district's first tier local optional revenue equals \$300 times the adjusted pupil units of the
 10.10 district for that school year. A district's second tier local optional revenue equals \$424 times
 10.11 the adjusted pupil units of the district for that school year.

10.12 ~~(b) For fiscal year 2020, a district's local optional levy equals its local optional revenue~~
 10.13 ~~times the lesser of one or the ratio of its referendum market value per resident pupil unit to~~
 10.14 ~~\$510,000.~~

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

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

10.20 (d) For fiscal year 2022, a district's second tier local optional levy equals the district's
 10.21 second tier local optional revenue times the lesser of one or the ratio of the district's
 10.22 referendum market value per resident pupil unit to \$510,000. For fiscal year 2023, a district's
 10.23 second tier local optional levy equals the district's second tier local optional revenue times
 10.24 the lesser of one or the ratio of the district's referendum market value per resident pupil unit
 10.25 to \$557,256. For fiscal year 2024, a district's second tier local optional levy equals the
 10.26 district's second tier local optional revenue times the lesser of one or the ratio of the district's
 10.27 referendum market value per resident pupil unit to \$545,965. For fiscal year 2025 and later,
 10.28 a district's second tier local optional levy equals the district's second tier local optional
 10.29 revenue times the lesser of one or the ratio of the district's referendum market value per
 10.30 resident pupil unit to \$553,650.

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

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

5.6 (e) A school district's extended time revenue may be used for extended day programs,
 5.7 extended week programs, summer school, vacation break academies such as spring break
 5.8 academies and summer term academies, and other programming authorized under the
 5.9 learning year program.

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

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

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

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

11.8 (1) compensatory revenue under subdivision 3; plus

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

11.10 ~~(3) \$250 times the English learner pupil units under section 126C.05, subdivision 17.~~

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

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

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

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

11.19 (2) the sum of:

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

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

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

11.23 and

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

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

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

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

12.2 Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10,
12.3 subdivision 4, must be reserved and ~~used~~ must be spent on evidence-based practices to meet
12.4 the educational needs of pupils who enroll under-prepared to learn and whose progress
12.5 toward meeting state or local content or performance standards is below the level that is
12.6 appropriate for learners of their age. Basic skills revenue may also be used for programs
12.7 designed to prepare children and their families for entry into school whether the student

5.11 Sec. 7. Minnesota Statutes 2020, section 126C.10, subdivision 18a, is amended to read:

5.12 Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special
5.13 school district's transportation sparsity revenue under subdivision 18 is increased by the
5.14 greater of zero or ~~18.2~~ 70 percent of the difference between:

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

5.18 (2) the sum of:

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

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

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

5.22 and

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

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

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

5.28 Sec. 8. Minnesota Statutes 2020, section 126C.15, subdivision 1, is amended to read:

5.29 Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10,
5.30 subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll
6.1 under-prepared to learn and whose progress toward meeting state or local content or
6.2 performance standards is below the level that is appropriate for learners of their age. Basic
6.3 skills revenue may also be used for programs designed to prepare children and their families
6.4 for entry into school whether the student first enrolls in kindergarten or first grade. Any of
6.5 the following may be provided to meet these learners' needs:

12.8 first enrolls in kindergarten or first grade. ~~Any of the following may be provided to meet~~
 12.9 ~~these learners' needs.~~ Evidence-based practices may be provided in the following areas:

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

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

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

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

12.19 (5) comprehensive and ongoing staff development consistent with district and site plans
 12.20 according to section 122A.60 and to implement plans under section 120B.12, subdivision
 12.21 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to
 12.22 identify the needs of these learners and provide appropriate remediation, intervention,
 12.23 accommodations, or modifications;

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

12.26 (7) programs to reduce truancy, encourage completion of high school, enhance
 12.27 self-concept, provide health services, provide nutrition services, provide a safe and secure
 12.28 learning environment, provide coordination for pupils receiving services from other
 12.29 governmental agencies, provide psychological services to determine the level of social,
 12.30 emotional, cognitive, and intellectual development, and provide counseling services, guidance
 12.31 services, and social work services;

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

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

13.1 ~~(10) (9) early education programs, parent-training programs, school readiness programs,~~
 13.2 ~~kindergarten voluntary prekindergarten and school readiness plus programs for four-year-olds,~~
 13.3 ~~voluntary home visits under section 124D.13, subdivision 4, and other outreach efforts~~
 13.4 ~~designed to prepare children for kindergarten;~~

13.5 ~~(11) (10) extended school day and extended school year programs, including summer~~
 13.6 ~~programs that may be offered directly by the site or under a performance-based contract~~
 13.7 ~~with a community-based organization; and~~

13.8 ~~(12) (11) substantial parent involvement in developing and implementing remedial~~
 13.9 ~~education or intervention plans for a learner, including learning contracts between the school,~~

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

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

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

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

6.15 (5) comprehensive and ongoing staff development consistent with district and site plans
 6.16 according to section 122A.60 and to implement plans under section 120B.12, subdivision
 6.17 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to
 6.18 identify the needs of these learners and provide appropriate remediation, intervention,
 6.19 accommodations, or modifications;

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

6.22 (7) programs to reduce truancy, encourage completion of high school, enhance
 6.23 self-concept, provide health services, provide nutrition services, provide a safe and secure
 6.24 learning environment, provide coordination for pupils receiving services from other
 6.25 governmental agencies, provide psychological services to determine the level of social,
 6.26 emotional, cognitive, and intellectual development, and provide counseling services, guidance
 6.27 services, and social work services;

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

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

6.30 ~~(10) (9) early education programs, parent-training programs, school readiness programs,~~
 6.31 ~~kindergarten voluntary prekindergarten and school readiness plus programs for four-year-olds,~~
 6.32 ~~voluntary home visits under section 124D.13, subdivision 4, and other outreach efforts~~
 6.33 ~~designed to prepare children for kindergarten;~~

7.1 ~~(11) (10) extended school day and extended school year programs, including summer~~
 7.2 ~~programs that may be offered directly by the site or under a performance-based contract~~
 7.3 ~~with a community-based organization; and~~

7.4 ~~(12) (11) substantial parent involvement in developing and implementing remedial~~
 7.5 ~~education or intervention plans for a learner, including learning contracts between the school,~~

13.10 the learner, and the parent that establish achievement goals and responsibilities of the learner
13.11 and the learner's parent or guardian; and

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

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

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

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

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

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

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

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

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

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

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

7.6 the learner, and the parent that establish achievement goals and responsibilities of the learner
7.7 and the learner's parent or guardian.

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

7.9 Sec. 9. Minnesota Statutes 2020, section 126C.15, subdivision 5, is amended to read:

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

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

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

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

14.19 (1) the per-pupil amount of the referendum is the same as the amount expiring, or for
14.20 an expiring referendum that was adjusted annually by the rate of inflation, the same as the
14.21 per-pupil amount of the expiring referendum, adjusted annually for inflation in the same
14.22 manner as if the expiring referendum had continued;

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

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

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

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

7.17 Sec. 10. Minnesota Statutes 2020, section 126C.17, subdivision 6, is amended to read:

7.18 Subd. 6. **Referendum equalization levy.** (a) A district's referendum equalization levy
7.19 equals the sum of the first tier referendum equalization levy and the second tier referendum
7.20 equalization levy.

7.21 (b) A district's first tier referendum equalization levy equals the district's first tier
7.22 referendum equalization revenue times the lesser of one or the ratio of the district's
7.23 referendum market value per resident pupil unit to \$567,000. For fiscal year 2023 and later,
7.24 a district's first tier referendum equalization levy must not exceed the amount raised by a
7.25 tax rate of 0.062 percent times the referendum market value of the district times the ratio
7.26 of the district's first tier referendum equalization allowance to \$460.

7.27 (c) A district's second tier referendum equalization levy equals the district's second tier
7.28 referendum equalization revenue times the lesser of one or the ratio of the district's
7.29 referendum market value per resident pupil unit to \$290,000. For fiscal year 2023 and later,
7.30 a district's second tier referendum equalization levy must not exceed the amount raised by
7.31 a tax rate of 0.155 percent times the referendum market value of the district times the ratio
7.32 of the district's second tier referendum equalization allowance to 25 percent of the formula
8.1 allowance, minus the sum of \$300 and the district's first tier referendum equalization
8.2 allowance.

8.3 **EFFECTIVE DATE.** This section is effective for taxes payable in 2022 and later.

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

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

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

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

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

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

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

15.15 (2) the ratio of:

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

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

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

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

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

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

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

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

8.4 Sec. 11. Minnesota Statutes 2020, section 127A.49, subdivision 3, is amended to read:

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

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

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

8.14 (2) the ratio of:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16.24 Subd. 2. **Conditions for assignment.** A qualifying taxpayer may assign all or part of
 16.25 an anticipated refund for the current and future taxable years to a financial institution or a
 16.26 qualifying organization. A financial institution or qualifying organization accepting
 16.27 assignment must pay the amount secured by the assignment to a third-party vendor. The
 16.28 commissioner of education shall, upon request from a third-party vendor, certify that the
 16.29 vendor's products and services qualify for the education credit. A denial of a certification
 16.30 ~~is subject to the contested case procedure under~~ may be appealed to the commissioner of
 16.31 education notwithstanding chapter 14. A financial institution or qualifying organization that
 16.32 accepts assignments under this section must verify as part of the assignment documentation
 17.1 that the product or service to be provided by the third-party vendor has been certified by
 17.2 the commissioner of education as qualifying for the education credit. The amount assigned
 17.3 for the current and future taxable years may not exceed the maximum allowable education

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

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

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

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

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

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

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

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

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

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

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

17.4 credit for the current taxable year. Both the taxpayer and spouse must consent to the
 17.5 assignment of a refund from a joint return.

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

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

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

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

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

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

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

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

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

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

17.27 (1) prepay any outstanding bonds;

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

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

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

18.4 (d) For purposes of a district for which the request for certification was made prior to
 18.5 August 1, 1979, excess increments equal the amount of increments on hand on December
 18.6 31, less the principal and interest obligations due on outstanding bonds or advances,
 18.7 qualifying under subdivision 1c, clauses (1), (2), (4), and (5), after December 31 of the year
 18.8 and not prepaid under paragraph (c).

9.23 Sec. 12. Minnesota Statutes 2020, section 469.176, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

10.13 (1) prepay any outstanding bonds;

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

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

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

10.19 (d) For purposes of a district for which the request for certification was made prior to
 10.20 August 1, 1979, excess increments equal the amount of increments on hand on December
 10.21 31, less the principal and interest obligations due on outstanding bonds or advances,
 10.22 qualifying under subdivision 1c, clauses (1), (2), (4), and (5), after December 31 of the year
 10.23 and not prepaid under paragraph (c).

18.9 (e) The county auditor must, prior to February 1 of each year, report to the commissioner
18.10 of education the amount of any excess tax increment distributed to a school district ~~within~~
18.11 ~~30 days of the distribution~~ for the preceding taxable year.

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

18.14 (g) The state auditor may exempt an authority from reporting the amounts calculated
18.15 under this subdivision for a calendar year, if the authority certifies to the auditor in its report
18.16 that the total amount authorized by the tax increment plan to be paid with increments from
18.17 the district exceeds the sum of the total increments collected for the district for all years by
18.18 20 percent.

18.19 Sec. 22. APPROPRIATIONS.

18.20 Subdivision 1. **Department of Education.** The sums indicated in this section are
18.21 appropriated from the general fund to the Department of Education for the fiscal years
18.22 designated.

18.23 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,
18.24 section 126C.13, subdivision 4:

18.25 \$ 7,563,143,000 2022

18.26 \$ 7,801,734,000 2023

18.27 The 2022 appropriation includes \$717,326,000 for 2021 and \$6,845,817,000 for 2022.

18.28 The 2023 appropriation includes \$760,646,000 for 2022 and \$7,041,088,000 for 2023.

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

19.1 \$ 12,000 2022

19.2 \$ 13,000 2023

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

19.4 \$ 2,897,000 2022

19.5 \$ 3,558,000 2023

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

10.24 (e) The county auditor must, prior to February 1 of each year, report to the commissioner
10.25 of education the amount of any excess tax increment distributed to a school district ~~within~~
10.26 ~~30 days of the distribution~~ for the preceding taxable year.

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

10.29 (g) The state auditor may exempt an authority from reporting the amounts calculated
10.30 under this subdivision for a calendar year, if the authority certifies to the auditor in its report
10.31 that the total amount authorized by the tax increment plan to be paid with increments from
11.1 the district exceeds the sum of the total increments collected for the district for all years by
11.2 20 percent.

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

11.4 Sec. 13. APPROPRIATIONS.

11.5 Subdivision 1. **Department of Education.** The sums indicated in this section are
11.6 appropriated from the general fund to the Department of Education for the fiscal years
11.7 designated.

11.8 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,
11.9 section 126C.13, subdivision 4:

11.10 \$ 7,411,499,000 2022

11.11 \$ 7,443,657,000 2023

11.12 The 2022 appropriation includes \$717,326,000 for 2021 and \$6,694,173,000 for 2022.

11.13 The 2023 appropriation includes \$717,081,000 for 2022 and \$6,726,576,000 for 2023.

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

11.17 \$ 12,000 2022

11.18 \$ 13,000 2023

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

11.20 \$ 2,897,000 2022

11.21 \$ 3,558,000 2023

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

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

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

19.10 \$ 309,000 2022

19.11 \$ 373,000 2023

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

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

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

19.16 \$ 17,173,000 2022

19.17 \$ 17,864,000 2023

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

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

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

19.22 \$ 19,692,000 2022

19.23 \$ 19,809,000 2023

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

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

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

19.28 \$ 65,000 2022

19.29 \$ 65,000 2023

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

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

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

11.26 \$ 309,000 2022

11.27 \$ 373,000 2023

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

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

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

12.3 \$ 18,460,000 2022

12.4 \$ 19,062,000 2023

12.5 The 2022 appropriation includes \$1,903,000 for 2021 and \$16,557,000 for 2022.

12.6 The 2023 appropriation includes \$1,839,000 for 2022 and \$17,223,000 for 2023.

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

12.9 \$ 19,344,000 2022

12.10 \$ 19,084,000 2023

12.11 The 2022 appropriation includes \$1,910,000 for 2021 and \$17,434,000 for 2022.

12.12 The 2023 appropriation includes \$1,937,000 for 2022 and \$17,147,000 for 2023.

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

12.15 \$ 65,000 2022

12.16 \$ 65,000 2023

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

20.3 \$ 2,700,000 2022

20.4 \$ 2,307,000 2023

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

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

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

20.10 \$ 56,000 2022

20.11 \$ 55,000 2023

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

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

12.19 \$ 2,668,000 2022

12.20 \$ 2,279,000 2023

12.21 The 2022 appropriation includes \$323,000 for 2021 and \$2,345,000 for 2022.

12.22 The 2023 appropriation includes \$260,000 for 2022 and \$2,019,000 for 2023.

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

12.26 \$ 56,000 2022

12.27 \$ 55,000 2023

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

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

13.1 (d) The base for fiscal year 2024 and later is \$55,000.

13.2 Subd. 11. **Minnesota classroom support aid.** (a) For providing onetime aid to school
 13.3 districts, charter schools, intermediate school districts, and the Minnesota State Academies
 13.4 for Minnesota classroom support aid:

13.5 \$ 60,000,000 2022

13.6 \$ 0 2023

13.7 (b) Of the amount in paragraph (a), the commissioner must allocate \$2,000,000 to the
 13.8 four intermediate school districts and the Minnesota State Academies. The commissioner
 13.9 must directly distribute \$400,000 to each intermediate school district and \$400,000 to the
 13.10 Minnesota State Academies.

13.11 (c) Of the amount in paragraph (a), the commissioner must allocate the remainder of the
 13.12 appropriation to school districts and charter schools in an amount equal to \$58,000,000
 13.13 multiplied by the ratio of an eligible school district or charter school's fiscal year 2020
 13.14 average daily membership divided by the total fiscal year 2020 average daily membership
 13.15 of all school districts and charter schools. The aid for a school district or charter school that
 13.16 received \$5,000 per pupil or more of federal COVID-19 revenue must not exceed the lesser
 13.17 of the amount calculated under this paragraph or \$1,000,000. Federal COVID-19 revenue
 13.18 per pupil for each school district or charter school equals:

- 13.19 (1) the sum of a school district or charter school's Elementary and Secondary School
- 13.20 Emergency Relief formula-based allocation received under:
- 13.21 (i) the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136;
- 13.22 (ii) the Consolidated Appropriations Act, 2021, division M, Coronavirus Response and
- 13.23 Relief Supplemental Appropriations Act, Public Law 116-260; and
- 13.24 (iii) the American Rescue Plan Act of 2021, Public Law 117-2; and
- 13.25 (2) divided by the school district or charter school's fiscal year 2020 average daily
- 13.26 membership.
- 13.27 (d) One hundred percent of the aid under this section must be paid in the current year.
- 13.28 (e) This appropriation is available until June 30, 2023. This is a onetime appropriation.

20.16

ARTICLE 2

20.17

EDUCATION EXCELLENCE

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

20.19 Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision
20.20 5, educational data is private data on individuals and shall not be disclosed except as follows:

20.21 (a) pursuant to section 13.05;

20.22 (b) pursuant to a valid court order;

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

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

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

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

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

21.7 (h) to the appropriate school district officials to the extent necessary under subdivision
21.8 6, annually to indicate the extent and content of remedial instruction, including the results
21.9 of assessment testing and academic performance at a postsecondary institution during the
21.10 previous academic year by a student who graduated from a Minnesota school district within
21.11 two years before receiving the remedial instruction;

21.12 (i) to appropriate authorities as provided in United States Code, title 20, section
21.13 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the
21.14 system to effectively serve, prior to adjudication, the student whose records are released;
21.15 provided that the authorities to whom the data are released submit a written request for the
21.16 data that certifies that the data will not be disclosed to any other person except as authorized
21.17 by law without the written consent of the parent of the student and the request and a record
21.18 of the release are maintained in the student's file;

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

14.1

ARTICLE 2

14.2

EDUCATION EXCELLENCE

- 21.22 (k) to provide student recruiting information, from educational data held by colleges
 21.23 and universities, as required by and subject to Code of Federal Regulations, title 32, section
 21.24 216;
- 21.25 (l) to the juvenile justice system if information about the behavior of a student who poses
 21.26 a risk of harm is reasonably necessary to protect the health or safety of the student or other
 21.27 individuals;
- 21.28 (m) with respect to Social Security numbers of students in the adult basic education
 21.29 system, to Minnesota State Colleges and Universities and the Department of Employment
 21.30 and Economic Development for the purpose and in the manner described in section 124D.52,
 21.31 subdivision 7;
- 21.32 (n) to the commissioner of education for purposes of an assessment or investigation of
 21.33 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request
 22.1 by the commissioner of education, data that are relevant to a report of maltreatment and are
 22.2 from charter school and school district investigations of alleged maltreatment of a student
 22.3 must be disclosed to the commissioner, including, but not limited to, the following:
- 22.4 (1) information regarding the student alleged to have been maltreated;
- 22.5 (2) information regarding student and employee witnesses;
- 22.6 (3) information regarding the alleged perpetrator; and
- 22.7 (4) what corrective or protective action was taken, if any, by the school facility in response
 22.8 to a report of maltreatment by an employee or agent of the school or school district;
- 22.9 (o) when the disclosure is of the final results of a disciplinary proceeding on a charge
 22.10 of a crime of violence or nonforcible sex offense to the extent authorized under United
 22.11 States Code, title 20, section 1232g(b)(6)(A) and (B) and Code of Federal Regulations, title
 22.12 34, sections 99.31 (a)(13) and (14);
- 22.13 (p) when the disclosure is information provided to the institution under United States
 22.14 Code, title 42, section 14071, concerning registered sex offenders to the extent authorized
 22.15 under United States Code, title 20, section 1232g(b)(7); ~~or~~
- 22.16 (q) when the disclosure is to a parent of a student at an institution of postsecondary
 22.17 education regarding the student's violation of any federal, state, or local law or of any rule
 22.18 or policy of the institution, governing the use or possession of alcohol or of a controlled
 22.19 substance, to the extent authorized under United States Code, title 20, section 1232g(i), and
 22.20 Code of Federal Regulations, title 34, section 99.31 (a)(15), and provided the institution
 22.21 has an information release form signed by the student authorizing disclosure to a parent.
 22.22 The institution must notify parents and students about the purpose and availability of the
 22.23 information release forms. At a minimum, the institution must distribute the information
 22.24 release forms at parent and student orientation meetings; or

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

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

22.29 Subd. 7. **Education records.** (a) A district, a charter school, or a nonpublic school that
22.30 receives services or aid under sections 123B.40 to 123B.48 from which a student is
22.31 transferring must transmit the student's educational records, within ten business days of a
22.32 request, to the district, the charter school, or the nonpublic school in which the student is
23.1 enrolling. Districts, charter schools, and nonpublic schools that receive services or aid under
23.2 sections 123B.40 to 123B.48 must make reasonable efforts to determine the district, the
23.3 charter school, or the nonpublic school in which a transferring student is next enrolling in
23.4 order to comply with this subdivision.

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

23.8 (c) A school district, a charter school, or a nonpublic school that receives services or aid
23.9 under sections 123B.40 to 123B.48 that transmits a student's educational records to another
23.10 school district or other educational entity, charter school, or nonpublic school to which the
23.11 student is transferring must include in the transmitted records information about any formal
23.12 suspension, expulsion, and exclusion disciplinary action, as well as pupil withdrawals, under
23.13 sections 121A.40 to 121A.56. The transmitted records must include services a pupil needs
23.14 to prevent the inappropriate behavior from recurring. The district, the charter school, or the
23.15 nonpublic school that receives services or aid under sections 123B.40 to 123B.48 must
23.16 provide notice to a student and the student's parent or guardian that formal disciplinary
23.17 records will be transferred as part of the student's educational record, in accordance with
23.18 data practices under chapter 13 and the Family Educational Rights and Privacy Act of 1974,
23.19 United States Code, title 20, section 1232(g).

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

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

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

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

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

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

24.2 (2) mathematics and science;

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

24.4 ~~and~~

24.5 (4) health and physical education; and

24.6 (5) indigenous education.

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

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

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

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

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

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

24.15 ~~(4)~~ (3) provide instruction in a school that is accredited by an accrediting agency,
24.16 recognized according to section 123B.445, or recognized by the commissioner;

24.17 ~~(5)~~ (4) hold a baccalaureate degree; or

24.18 ~~(6)~~ (5) be the parent of a child who is assessed according to the procedures in subdivision

24.19 11.

24.20 Any person providing instruction in a public school must meet the requirements of clause
24.21 (1).

(SEE ARTICLE 1, SECTION 1 FOR HOUSE LANGUAGE)

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

14.4 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.**

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

(SEE ARTICLE 1, SECTION 2 FOR HOUSE LANGUAGE)

- 14.9 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.
- 14.10 Sec. 2. Minnesota Statutes 2020, section 120A.40, is amended to read:
- 14.11 **120A.40 SCHOOL CALENDAR.**
- 14.12 (a) Except for learning programs during summer, ~~flexible learning year programs~~
14.13 ~~authorized under sections 124D.12 to 124D.127,~~ and learning year programs under section
14.14 124D.128, a district must not commence an elementary or secondary school year before
14.15 Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops
14.16 may be held before Labor Day. Districts that enter into cooperative agreements are
14.17 encouraged to adopt similar school calendars.
- 14.18 (b) A district may begin the school year on any day before Labor Day:
- 14.19 (1) to accommodate a construction or remodeling project of \$400,000 or more affecting
14.20 a district school facility;
- 14.21 (2) if the district has an agreement under section 123A.30, 123A.32, or 123A.35 with a
14.22 district that qualifies under clause (1); or
- 14.23 (3) if the district agrees to the same schedule with a school district in an adjoining state.
- 14.24 (c) A school board may consider the community's religious observance when adopting
14.25 an annual school calendar.
- 14.26 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.
- 14.27 Sec. 3. Minnesota Statutes 2020, section 120A.41, is amended to read:
- 14.28 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**
- 14.29 (a) A school board's annual school calendar must include at least 425 hours of instruction
14.30 for a kindergarten student without a disability, 935 hours of instruction for a student in
15.1 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not
15.2 including summer school. The school calendar for all-day kindergarten must include at least
15.3 850 hours of instruction for the school year. The school calendar for a prekindergarten
15.4 student under section 124D.151, if offered by the district, must include at least 350 hours
15.5 of instruction for the school year. A school board's annual calendar must include at least
15.6 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule
15.7 has been approved by the ~~commissioner~~ school board under section ~~124D.126~~ 124D.122.
- 15.8 (b) A school board's annual school calendar may include plans for ~~up to five days of~~
15.9 ~~instruction provided through online instruction due to inclement weather. The inclement~~
15.10 ~~weather~~ an unlimited number of days of instruction provided through distance learning due
15.11 to weather or a health or natural disaster emergency. The distance learning plans must be
15.12 developed according to section 120A.414.

15.13 (c) Hours of instruction include all learning opportunities and services designed to
15.14 support a student to be prepared to succeed and lead by having the knowledge and skills to
15.15 learn, engage civically, and lead meaningful lives, through implementation of evidence-based
15.16 practices, quality instruction, and personalized learning supports. Such opportunities and
15.17 services include but are not limited to blended learning, distance learning, project-based
15.18 learning, work-based learning, service learning, supervised internships, and in-person
15.19 learning in a school building.

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

16.15 Sec. 5. Minnesota Statutes 2020, section 120A.42, is amended to read:

16.16 **120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.**

16.17 (a) The governing body of any district may contract with any of the teachers of the
16.18 district for the conduct of schools, and may conduct schools, on either, or any, of the
16.19 following holidays, provided that a clause to this effect is inserted in the teacher's contract:
16.20 Martin Luther King's birthday, Lincoln's and Washington's birthdays, Columbus Day and
16.21 Veterans' Day. On Martin Luther King's birthday, Washington's birthday, Lincoln's birthday,
16.22 and Veterans' Day at least one hour of the school program must be devoted to a patriotic
16.23 observance of the day.

16.24 (b) A district may conduct a school program to honor Constitution Day and Citizenship
16.25 Day by providing opportunities for students to learn about the principles of American
16.26 democracy, the American system of government, American citizens' rights and
16.27 responsibilities, American history, and American geography, symbols, and holidays. Among
16.28 other activities under this paragraph, districts may administer to students the test questions
16.29 United States Citizenship and Immigration Services officers pose to applicants for
16.30 naturalization.

16.31 (c) Upon request of a group or organization identified as a patriotic society in United
16.32 States Code, title 36, formed to serve students under the age of 21, a school district must
16.33 include the group or organization in the school program identified in paragraph (a) or (b),
17.1 or provide a representative of a patriotic society an opportunity each school year to speak
17.2 for a reasonable amount of time to students during the school day. School districts must not
17.3 allow groups described as hate groups by the United States Federal Bureau of Investigation
17.4 in the schools.

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

24.23 Subdivision 1. **Educational expectations.** (a) The legislature is committed to establishing
24.24 rigorous academic standards for Minnesota's public school students. To that end, the
24.25 commissioner shall adopt in rule statewide academic standards. The commissioner shall
24.26 not prescribe in rule or otherwise the delivery system, classroom assessments, or form of
24.27 instruction that school sites must use.

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

- 24.29 (1) the rule is intended to raise academic expectations for students, teachers, and schools;
- 25.1 (2) the rule must be focused on the experiences and perspectives of all students, including
- 25.2 Indigenous people and people of color, within and beyond the United States;
- 25.3 (3) any state action regarding the rule must evidence consideration of school district
- 25.4 autonomy; and
- 25.5 ~~(3)~~ (4) the Department of Education, with the assistance of school districts, must make
- 25.6 available information about all state initiatives related to the rule to students and parents,
- 25.7 teachers, and the general public in a timely format that is appropriate, comprehensive, and
- 25.8 readily understandable.
- 25.9 (c) The commissioner shall periodically review and report on the state's assessment
- 25.10 process.
- 25.11 (d) School districts are not required to adopt specific provisions of the federal
- 25.12 School-to-Work programs.
- 25.13 Sec. 6. Minnesota Statutes 2020, section 120B.021, subdivision 1, is amended to read:
- 25.14 Subdivision 1. **Required academic standards.** (a) The following subject areas are
- 25.15 required for statewide accountability:
- 25.16 (1) language arts;
- 25.17 (2) mathematics;
- 25.18 (3) science;
- 25.19 (4) social studies, including indigenous education, history, geography, economics, and
- 25.20 government and citizenship that includes civics consistent with section 120B.02, subdivision
- 25.21 3;
- 25.22 (5) physical education;
- 25.23 (6) health, for which locally developed academic standards apply; and
- 25.24 (7) the arts, ~~for which statewide or locally developed academic standards apply, as~~
- 25.25 ~~determined by the school district.~~ Public elementary and middle schools must offer at least
- 25.26 three and require at least two of the following ~~four~~ five arts areas: dance; media arts; music;
- 25.27 theater; and visual arts. Public high schools must offer at least three and require at least one
- 25.28 of the following five arts areas: media arts; dance; music; theater; and visual arts.
- 25.29 (b) For purposes of applicable federal law, the academic standards for language arts,
- 25.30 mathematics, and science apply to all public school students, except the very few students
- 25.31 with extreme cognitive or physical impairments for whom an individualized education
- 26.1 program team has determined that the required academic standards are inappropriate. An
- 26.2 individualized education program team that makes this determination must establish
- 26.3 alternative standards.

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

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

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

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

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

26.25 (2) related to the indigenous experience in Minnesota, including Tribal history,
26.26 sovereignty, culture, treaty rights, government, socioeconomic experiences, contemporary
26.27 issues, and current events;

26.28 (3) historically accurate, Tribally endorsed, culturally relevant, community based,
26.29 contemporary, and developmentally appropriate; and

26.30 (4) aligned with the academic content standards, including all yearly revisions that
26.31 include the contributions of Minnesota's Tribal nations and communities.

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

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

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

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

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

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

27.13 (5) representatives of the Minnesota business community;

27.14 (6) representatives from the Tribal Nations Education Committee and Minnesota's Tribal
27.15 Nations and communities, including both Anishinaabe and Dakota;

27.16 (7) youth currently enrolled in kindergarten through grade 12 school districts and charter
27.17 schools in Minnesota; and

27.18 (8) other stakeholders that represent the ethnic, racial, and geographic diversity of
27.19 Minnesota, including gender and sexual orientation, immigrant status, and religious and
27.20 linguistic background.

27.21 (b) Academic standards must:

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

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

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

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

27.26 Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of this section
27.27 and section 120B.022, must adopt statewide rules under section 14.389 for implementing
27.28 statewide rigorous core academic standards in language arts, mathematics, science, social
27.29 studies, physical education, and the arts. After the rules authorized under this subdivision
27.30 are initially adopted, the commissioner may not amend or repeal these rules nor adopt new
28.1 rules on the same topic without specific legislative authorization unless done pursuant to
28.2 subdivision 4.

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

28.4 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
28.5 revise and appropriately embed indigenous education standards that include the contributions
28.6 of American Indian Tribes and communities into the state academic standards and graduation
28.7 requirements. These standards must be consistent with recommendations from the Tribal
28.8 Nations Education Committee.

28.9 (b) The commissioner of education must revise and appropriately embed technology
28.10 and information literacy standards consistent with recommendations from school media
28.11 specialists into the state's academic standards and graduation requirements and implement
28.12 a ten-year cycle to review and, consistent with the review, revise state academic standards
28.13 and related benchmarks, consistent with this subdivision. During each ten-year review and
28.14 revision cycle, the commissioner also must examine the alignment of each required academic

17.5 Sec. 6. Minnesota Statutes 2020, section 120B.021, subdivision 4, is amended to read:

17.6 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
17.7 revise and appropriately embed technology and information literacy standards consistent
17.8 with recommendations from school media specialists into the state's academic standards
17.9 and graduation requirements and implement a ten-year cycle to review and, consistent with
17.10 the review, revise state academic standards and related benchmarks, consistent with this
17.11 subdivision. During each ten-year review and revision cycle, the commissioner also must
17.12 examine the alignment of each required academic standard and related benchmark with the
17.13 knowledge and skills students need for career and college readiness and advanced work in
17.14 the particular subject area. The commissioner must include the contributions of Minnesota
17.15 American Indian tribes and communities as related to the academic standards during the
17.16 review and revision of the required academic standards.

28.15 standard and related benchmark with the knowledge and skills students need for career and
28.16 college readiness and advanced work in the particular subject area.

28.17 ~~(c)~~ (d) The commissioner must ~~include the contributions of Minnesota American Indian~~
28.18 ~~tribes and communities as related to the~~ appropriately embed ethnic studies into all required
28.19 state academic standards during the review and revision of the required academic standards.

28.20 ~~(b)~~ (d) The commissioner must ensure that the statewide mathematics assessments
28.21 administered to students in grades 3 through 8 and 11 are aligned with the state academic
28.22 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).
28.23 The commissioner must implement a review of the academic standards and related
28.24 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years
28.25 thereafter.

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

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

28.30 ~~(g)~~ (g) The commissioner must implement a review of the academic standards and related
28.31 benchmarks in language arts beginning in the 2019-2020 school year and every ten years
28.32 thereafter.

29.1 ~~(h)~~ (h) The commissioner must implement a review of the academic standards and related
29.2 benchmarks in social studies beginning in the 2020-2021 school year and every ten years
29.3 thereafter.

29.4 ~~(i)~~ (i) The commissioner must implement a review of the academic standards and related
29.5 benchmarks in physical education beginning in the ~~2022-2023~~ 2026-2027 school year and
29.6 every ten years thereafter.

29.7 ~~(j)~~ (j) School districts and charter schools must revise and align local academic standards
29.8 and high school graduation requirements in health, world languages, and career and technical
29.9 education to require students to complete the revised standards beginning in a school year
29.10 determined by the school district or charter school. School districts and charter schools must
29.11 formally establish a periodic review cycle for the academic standards and related benchmarks
29.12 in health, world languages, and career and technical education.

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

29.14 Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the~~
29.15 ~~2011-2012 school year and later~~ must successfully complete the following high school level
29.16 credits for graduation:

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

17.17 (b) The commissioner must ensure that the statewide mathematics assessments
17.18 administered to students in grades 3 through 8 and 11 are aligned with the state academic
17.19 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).
17.20 The commissioner must implement a review of the academic standards and related
17.21 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years
17.22 thereafter.

17.23 (c) The commissioner must implement a review of the academic standards and related
17.24 benchmarks in arts beginning in the 2017-2018 school year and every ten years thereafter.

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

17.27 (e) The commissioner must implement a review of the academic standards and related
17.28 benchmarks in language arts beginning in the 2019-2020 school year and every ten years
17.29 thereafter.

17.30 (f) The commissioner must implement a review of the academic standards and related
17.31 benchmarks in social studies beginning in the 2020-2021 school year and every ten years
17.32 thereafter.

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

18.4 (h) School districts and charter schools must revise and align local academic standards
18.5 and high school graduation requirements in health, world languages, and career and technical
18.6 education to require students to complete the revised standards beginning in a school year
18.7 determined by the school district or charter school. School districts and charter schools must
18.8 formally establish a periodic review cycle for the academic standards and related benchmarks
18.9 in health, world languages, and career and technical education.

- 29.19 (2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient
 29.20 to satisfy all of the academic standards in mathematics;
- 29.21 (3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade
 29.22 standards in mathematics. The credit does not bear high school credit;
- 29.23 (4) three credits of science, including at least one credit of biology, one credit of chemistry
 29.24 or physics, and one elective credit of science. The combination of credits under this clause
 29.25 must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics
 29.26 and (ii) all other academic standards in science;
- 29.27 (5) three and one-half credits of social studies, including credit for a course in government
 29.28 and citizenship in either 11th or 12th grade for students beginning 9th grade in the 2022-2023
 29.29 school year and later or an advanced placement, international baccalaureate, or other rigorous
 29.30 course on government and citizenship under section 120B.021, subdivision 1a, and a
 29.31 combination of other credits encompassing at least indigenous education, United States
 29.32 history, geography, government and citizenship, world history, and economics sufficient
 29.33 to satisfy all of the academic standards in social studies;
- 30.1 (6) one credit of the arts sufficient to satisfy all of the ~~state or local~~ academic standards
 30.2 in the arts; ~~and~~
- 30.3 (7) one-half credit of physical education sufficient to satisfy all of the academic standards
 30.4 in physical education; and
- 30.5 ~~(7)~~ (8) a minimum of ~~seven~~ six and one-half elective credits.
- 30.6 (b) A school district is encouraged to offer a course for credit in government and
 30.7 citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year
 30.8 and later, that satisfies the government and citizenship requirement in paragraph (a), clause
 30.9 (5). A school district must offer the course starting in the 2022-2023 school year.
- 30.10 Sec. 11. [120B.025] ETHNIC STUDIES.
- 30.11 Subdivision 1. Definition. "Ethnic studies" means the critical and interdisciplinary study
 30.12 of race, ethnicity, and indigeneity with a focus on the experiences and perspectives of people
 30.13 of color within and beyond the United States. Ethnic studies analyzes the ways in which
 30.14 race and racism have been and continue to be powerful social, cultural, and political forces,
 30.15 and race and racism's connections to the stratification of other groups, including stratification
 30.16 based on gender, class, sexual orientation, gender identity, and legal status.
- 30.17 Subd. 2. Department of Education. The Department of Education must employ
 30.18 dedicated ethnic studies staff to provide expertise for adopting ethnic studies standards into
 30.19 academic standards and providing assistance to school districts and charter schools in
 30.20 implementing ethnic studies standards. Duties of ethnic studies staff may include:

30.21 (1) supporting a school district or charter school in implementing ethnic studies courses
30.22 and curriculum that fulfill ethnic studies standards;

30.23 (2) providing training for teachers and school district staff to successfully implement
30.24 ethnic studies standards;

30.25 (3) assisting school districts and charter schools to annually evaluate the implementation
30.26 of the ethnic studies curriculum by seeking feedback from students, parents or guardians,
30.27 and community members; and

30.28 (4) making available to school districts and charter schools the following:

30.29 (i) an ethnic studies school survey for each school district and charter school to use as
30.30 part of a school needs assessment;

31.1 (ii) a list of recommended materials, resources, sample curricula, and pedagogical skills
31.2 for use in kindergarten through grade 12 that accurately reflect the diversity of the state of
31.3 Minnesota;

31.4 (iii) training materials for teachers and district and school staff, including an ethnic
31.5 studies coordinator, to implement ethnic studies requirements, including a school needs
31.6 assessment; and

31.7 (iv) other resources to assist districts and charter schools in successfully implementing
31.8 ethnic studies standards.

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

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

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

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

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

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

31.24 (d) "Experiential learning" means learning for students that includes career exploration
31.25 through a specific class or course or through work-based experiences such as job shadowing,

18.10 Sec. 7. Minnesota Statutes 2020, section 120B.11, subdivision 1, is amended to read:

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

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

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

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

18.24 (d) "Experiential learning" means learning for students that includes career exploration
18.25 through a specific class or course or through work-based experiences such as job shadowing,

31.26 mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative
31.27 work experience, youth apprenticeship, or employment.

31.28 (e) "Ethnic studies curriculum" means the critical and interdisciplinary study of race,
31.29 ethnicity, and indigeneity with a focus on the experiences and perspectives of people of
31.30 color within and beyond the United States. Ethnic studies analyzes the ways in which race
31.31 and racism have been and continue to be powerful social, cultural, and political forces, and
31.32 race and racism's connections to the stratification of other groups, including stratification
32.1 based on gender, class, sexual orientation, gender identity, and legal status. The ethnic
32.2 studies curriculum may be integrated in existing curricular opportunities or provided through
32.3 additional curricular offerings.

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

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

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

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

32.18 Sec. 13. Minnesota Statutes 2020, section 120B.11, subdivision 1a, is amended to read:

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

32.21 (1) the size of the academic achievement gap, rigorous course taking under section
32.22 120B.35, subdivision 3, paragraph (c), clause (2), participation in honors or gifted and
32.23 talented programming, and enrichment experiences by student subgroup;

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

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

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

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

18.26 mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative
18.27 work experience, youth apprenticeship, or employment.

18.28 (e) "On track for graduation" means that at the end of grade 9, a student has earned at
18.29 least five credits and has received no more than one failing grade in a semester in a course
18.30 in language arts, mathematics, science, or social studies. A student is off track for graduation
18.31 if the student fails to meet either of these criteria.

19.1 Sec. 8. Minnesota Statutes 2020, section 120B.11, subdivision 1a, is amended to read:

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

19.4 (1) the size of the academic achievement gap, rigorous course taking under section
19.5 120B.35, subdivision 3, paragraph (c), clause (2), participation in honors or gifted and
19.6 talented programming, and enrichment experiences by student subgroup;

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

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

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

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

32.29 (b) A school district that offers advanced placement, international baccalaureate, or dual
32.30 enrollment programs must report on the following performance measures starting in the
32.31 2023-2024 school year:

33.1 (1) participation in postsecondary enrollment options and concurrent enrollment programs;
33.2 (2) the number of students who took an advanced placement exam and the number of
33.3 students who passed the exam; and

33.4 (3) the number of students who took the international baccalaureate exam and the number
33.5 of students who passed the exam.

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

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

33.9 Sec. 14. Minnesota Statutes 2020, section 120B.11, subdivision 2, is amended to read:

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

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

33.16 (2) a process to assess and evaluate each student's progress toward meeting state and
33.17 local academic standards, assess and identify students to participate in gifted and talented
33.18 programs and accelerate their instruction, and adopt early-admission procedures consistent
33.19 with section 120B.15, assess ethnic studies curriculum needs to determine priorities for
33.20 integrating ethnic studies into existing courses or developing new courses, and identifying
33.21 the strengths and weaknesses of instruction in pursuit of student and school success and
33.22 curriculum affecting students' progress and growth toward career and college readiness and
33.23 leading to the world's best workforce;

33.24 (3) a system to periodically review and evaluate the effectiveness of all instruction and
33.25 curriculum, including ethnic studies curriculum, taking into account strategies and best
33.26 practices, student outcomes, school principal evaluations under section 123B.147, subdivision
33.27 3, students' access to effective teachers who are members of populations underrepresented
33.28 among the licensed teachers in the district or school and who reflect the diversity of enrolled
33.29 students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher
33.30 evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

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

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

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

34.7 (6) education effectiveness practices that:

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

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

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

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

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

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

34.21 Sec. 15. Minnesota Statutes 2020, section 120B.11, subdivision 3, is amended to read:

34.22 Subd. 3. **District advisory committee.** Each school board ~~shall~~ must establish an advisory
 34.23 committee to ensure active community participation in all phases of planning and improving
 34.24 the instruction and curriculum affecting state and district academic standards, consistent
 34.25 with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~ must reflect
 34.26 the diversity of the district and its school sites, include teachers, parents, support staff,
 34.27 students, and other community residents, and provide translation to the extent appropriate
 34.28 and practicable. The district advisory committee ~~shall~~ must pursue community support to
 34.29 accelerate the academic and native literacy and achievement of English learners with varied
 34.30 needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and
 34.31 2a. The district may establish site teams as subcommittees of the district advisory committee
 34.32 under subdivision 4. The district advisory committee ~~shall~~ must recommend to the school
 35.1 board; rigorous academic standards; student achievement goals and measures consistent
 35.2 with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district
 35.3 assessments; means to improve students' equitable access to effective and more diverse
 35.4 teachers; strategies to ensure the curriculum is rigorous, accurate, anti-racist, and culturally
 35.5 sustaining; strategies to ensure that curriculum and learning and work environments validate,
 35.6 affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic
 35.7 groups; and program evaluations. School sites may expand upon district evaluations of

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

35.10 Sec. 16. **[120B.113] EQUITABLE SCHOOL ENHANCEMENT GRANTS.**

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

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

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

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

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

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

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

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

36.1 Subd. 3. **Applications and grant awards.** The commissioner must determine application
36.2 procedures and deadlines, select schools to participate in the grant program, and determine
36.3 the award amount and payment process of the grants. To the extent that there are sufficient
36.4 applications, the commissioner must award an approximately equal number of grants between
36.5 districts in greater Minnesota and those in the Twin Cities metropolitan area. If there are
36.6 an insufficient number of applications received for either geographic area, the commissioner
36.7 may award grants to meet the requests for funds wherever a district is located.

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

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

36.13 (2) address institutional racism with equitable school policies, structures, and practices,
36.14 consistent with the requirements for long-term plans under section 124D.861, subdivision
36.15 2, paragraph (c).

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

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

36.26 Sec. 17. Minnesota Statutes 2020, section 120B.132, is amended to read:

36.27 **120B.132 RAISED ACADEMIC ACHIEVEMENT; ADVANCED PLACEMENT**
36.28 **AND INTERNATIONAL BACCALAUREATE PROGRAMS.**

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

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

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

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

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

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

19.14 Sec. 9. Minnesota Statutes 2020, section 120B.132, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

37.30 Subd. 2. **Application and review process; funding priority.** (a) Charter schools and
37.31 school districts in which eligible schools under subdivision 1 are located may apply to the
37.32 commissioner, in the form and manner the commissioner determines, for competitive funding
38.1 to further raise students' academic achievement. The application must detail the specific
38.2 efforts the applicant intends to undertake in further raising students' academic achievement,
38.3 consistent with subdivision 1, and a proposed budget detailing the district or charter school's
38.4 current and proposed expenditures for advanced placement, preadvanced placement, and
38.5 international baccalaureate courses and programs. The proposed budget must demonstrate
38.6 that the applicant's efforts will support implementation of advanced placement, preadvanced
38.7 placement, and international baccalaureate courses and programs. Expenditures for
38.8 administration must not exceed five percent of the proposed budget. Priority for advanced
38.9 placement grants must be given to grantees who add or expand offerings of advanced
38.10 placement computer science principles. The commissioner may require an applicant to
38.11 provide additional information.

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

38.15 (1) a focus on developing or expanding preadvanced placement, advanced placement,
38.16 or international baccalaureate courses or programs or increasing students' participation in,

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

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

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

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

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

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

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

38.17 access to, or success with the courses or programs, including the participation, access, or
38.18 success of low-income and other disadvantaged students;

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

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

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

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

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

38.32 Subd. 3. **Funding; permissible funding uses.** (a) The commissioner shall award grants
38.33 to applicant school districts and charter schools that meet the requirements of subdivisions
39.1 1 and 2. The commissioner must award grants on an equitable geographical basis to the
39.2 extent feasible and consistent with this section. Grant awards must not exceed ~~the lesser of:~~

39.3 (1) ~~\$85 times the number of pupils enrolled at the participating sites on October 1 of the~~
39.4 ~~previous fiscal year;~~

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

39.12 (3) ~~\$150,000~~ \$75,000 per district or charter school.

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

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

20.19 Sec. 10. Minnesota Statutes 2020, section 120B.132, subdivision 3, is amended to read:

20.20 Subd. 3. **Funding; permissible funding uses.** (a) The commissioner shall award grants
20.21 to applicant school districts and charter schools that meet the requirements of subdivisions
20.22 1 and 2. The commissioner must award grants on an equitable geographical basis to the
20.23 extent feasible and consistent with this section. Grant awards must not exceed ~~the lesser of:~~

20.24 (1) ~~\$85 times the number of pupils enrolled at the participating sites on October 1 of the~~
20.25 ~~previous fiscal year;~~

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

21.1 (3) \$150,000 per district or charter school.

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

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

39.18 (2) further develop preadvanced placement, advanced placement, or international
 39.19 baccalaureate courses or programs;

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

39.23 (4) purchase books and supplies;

39.24 (5) pay course or program fees;

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

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

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

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

40.4 Subd. 4. **Grants; annual reports.** (a) Each school district and charter school that receives
 40.5 a grant under this section annually must collect demographic and other student data to
 40.6 demonstrate and measure the extent to which the district or charter school raised students'
 40.7 academic achievement under this program and must report the data to the commissioner in
 40.8 the form and manner the commissioner determines. The commissioner annually by February
 40.9 15 must make summary data about this program available to the education policy and finance
 40.10 committees of the legislature.

40.11 (b) Each school district and charter school that receives a grant under this section annually
 40.12 must report to the commissioner, consistent with the Uniform Financial Accounting and
 40.13 Reporting Standards, its actual expenditures for advanced placement, preadvanced placement,
 40.14 and international baccalaureate courses and programs. The report must demonstrate that
 40.15 the school district or charter school has maintained its effort from other sources for advanced
 40.16 placement, preadvanced placement, and international baccalaureate courses and programs
 40.17 compared with the previous fiscal year, and the district or charter school has expended all
 40.18 grant funds, consistent with its approved budget.

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

21.7 (2) further develop preadvanced placement, advanced placement, or international
 21.8 baccalaureate courses or programs;

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

21.12 (4) purchase books and supplies;

21.13 (5) pay course or program fees;

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

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

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

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

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

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

40.23 Sec. 18. Minnesota Statutes 2020, section 120B.15, is amended to read:

40.24 **120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS AND SERVICES.**

40.25 (a) School districts may identify students, locally develop programs and services
40.26 addressing instructional and affective needs, provide staff development, and evaluate
40.27 programs and services to provide gifted and talented students with challenging and
40.28 appropriate educational programs and services.

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

40.32 (1) multiple and objective criteria; and

41.1 (2) assessments and procedures that are valid and reliable, fair, and based on current
41.2 theory and research. Assessments and procedures ~~should~~ must be sensitive and equitable
41.3 to underrepresented groups, including, but not limited to, low-income students, minority
41.4 students of color and American Indian students, twice-exceptional students, students with
41.5 section 504 plans, and English learners. Assessments and procedures must be coordinated
41.6 to allow for optimal identification of programs and services for underrepresented groups.

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

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

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

41.13 (d) School districts must adopt procedures consistent with section 124D.02, subdivision
41.14 1, for early admission to kindergarten or first grade of gifted and talented learners consistent
41.15 with section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to
41.16 underrepresented groups.

41.17 Sec. 19. **[120B.17] IMPLEMENTATION OF INDIGENOUS EDUCATION FOR**
41.18 **ALL CURRICULUM.**

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

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

- 41.24 (2) include any proposed changes, additions, or enhancements to the implementation of
41.25 indigenous education for all in their school or district improvement plan;
- 41.26 (3) ensure that indigenous curriculum is included in plans and activities in years two
41.27 and three for schools and districts identified for improvement plans;
- 41.28 (4) engage Tribal Nations and Indigenous families in the planning and implementation
41.29 of improvement plans in schools and districts when a school or district has ten or more
41.30 American Indian students; and
- 41.31 (5) provide evidence that implementation factors have been completed.
- 41.32 (b) The Department of Education must:
- 42.1 (1) provide monitoring and auditing personnel to coordinate within the department and
42.2 with all indigenous education for all programs in districts and schools;
- 42.3 (2) provide professional development to teachers instituting indigenous curriculum;
- 42.4 (3) provide monitoring of high-quality curriculum materials and teaching practices
42.5 regarding Tribal history, culture, and government of local Tribes for mutual awareness
42.6 between Tribes and districts and understanding the importance of accurate and Tribally
42.7 endorsed curriculum;
- 42.8 (4) provide ongoing support to all schools and districts on curricula and best teaching
42.9 practices and to school boards to identify and adopt curriculum that includes Tribal
42.10 experiences and perspectives to engage Indigenous students and ensure that all students
42.11 learn about the history, culture, government, and experiences of their Indigenous peers and
42.12 neighbors;
- 42.13 (5) refer noncompliance with indigenous curriculum requirements to the Department of
42.14 Human Rights;
- 42.15 (6) by December 1, 2022, and every two years thereafter, report to the commissioner of
42.16 education regarding the progress made in the development of effective
42.17 government-to-government relations, narrowing of the achievement gap, and identification
42.18 and adoption of curriculum including Tribal history, culture, and government. The report
42.19 must include information about the adoption of curriculum regarding Tribal history, culture,
42.20 and government, and must address any obstacles encountered and any strategies being
42.21 developed to overcome the obstacles; and
- 42.22 (7) publicly submit the report to the chairs and ranking minority members of the
42.23 legislative committees with jurisdiction over education and to Minnesota's Tribal leaders,
42.24 including the Tribal National Education Committee, the Minnesota Chippewa Tribe, and
42.25 the Minnesota Indian Affairs Council.

42.26 Sec. 20. Minnesota Statutes 2020, section 120B.30, subdivision 1a, is amended to read:

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

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

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

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

43.3 ~~(4) "Above-grade level" test items contain subject area content that is above the grade~~
 43.4 ~~level of the student taking the assessment and is considered aligned with state academic~~
 43.5 ~~standards to the extent it is aligned with content represented in state academic standards~~
 43.6 ~~above the grade level of the student taking the assessment. Notwithstanding the student's~~
 43.7 ~~grade level, administering above-grade level test items to a student does not violate the~~
 43.8 ~~requirement that state assessments must be aligned with state standards.~~

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

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

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

43.25 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through
 43.26 8, and high school reading, writing, and mathematics tests; and

43.27 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades
 43.28 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the
 43.29 commissioner must not require students to achieve a passing score on high school science
 43.30 assessments as a condition of receiving a high school diploma.

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

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

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

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

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

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

44.17 ~~(d)~~ (d) Reporting of state assessment results must:

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

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

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

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

44.25 ~~(f)~~ (f) A school, school district, and charter school must administer statewide assessments
44.26 under this section, as the assessments become available, to evaluate student progress toward
44.27 career and college readiness in the context of the state's academic standards. A school,
44.28 school district, or charter school may use a student's performance on a statewide assessment
44.29 as one of multiple criteria to determine grade promotion or retention. A school, school
44.30 district, or charter school may use a high school student's performance on a statewide
44.31 assessment as a percentage of the student's final grade in a course, or place a student's
44.32 assessment score on the student's transcript.

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

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

45.5 Sec. 22. Minnesota Statutes 2020, section 120B.30, is amended by adding a subdivision
45.6 to read:

45.7 Subd. 8. **National and international education comparisons.** Each public district and
45.8 school selected to participate in the national assessment of educational progress must do so
45.9 pursuant to United States Code, title 20, section 6312(c)(2), as in effect on December 10,
45.10 2015, or similar national or international assessments, both for the national sample and for
45.11 any state-by-state comparison programs that may be initiated, as directed by the
45.12 commissioner. The assessments must be conducted using the data collection procedures,
45.13 student surveys, educator surveys, and other instruments included in the National Assessment
45.14 of Educational Progress or similar national or international assessments being administered
45.15 in Minnesota. The administration of the assessments must be in addition to and separate
45.16 from the administration of the statewide, standardized assessments.

45.17 Sec. 23. Minnesota Statutes 2020, section 120B.35, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

47.3 (2) a rigorous coursework measure indicating the number and percentage of high school
47.4 graduates in the most recent school year who successfully completed one or more
47.5 college-level advanced placement, international baccalaureate, postsecondary enrollment
47.6 options including concurrent enrollment, other rigorous courses of study under section
47.7 120B.021, subdivision 1a, or industry certification courses or programs.

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

47.12 (d) When reporting student performance under section 120B.36, subdivision 1, the
47.13 commissioner annually, beginning July 1, 2014, must report summary data on school safety
47.14 and students' engagement and connection at school, consistent with the student categories
47.15 identified under paragraph (a), clause (2). The summary data under this paragraph are
47.16 separate from and must not be used for any purpose related to measuring or evaluating the
47.17 performance of classroom teachers. The commissioner, in consultation with qualified experts
47.18 on student engagement and connection and classroom teachers, must identify highly reliable
47.19 variables that generate summary data under this paragraph. The summary data may be used
47.20 at school, district, and state levels only. Any data on individuals received, collected, or
47.21 created that are used to generate the summary data under this paragraph are nonpublic data
47.22 under section 13.02, subdivision 9.

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

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

47.29 (2) the percent of students under this paragraph whose progress and performance levels
47.30 are meeting career and college readiness benchmarks under section 120B.30, subdivision
47.31 1; and

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

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

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

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

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

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

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

48.14 (g) When reporting four- and six-year graduation rates, the commissioner or school
 48.15 district must disaggregate the data by student categories according to paragraph (a), clause
 48.16 (2).

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

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

48.25 Sec. 24. Minnesota Statutes 2020, section 120B.35, subdivision 4, is amended to read:

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

21.26 Sec. 11. Minnesota Statutes 2020, section 121A.04, subdivision 4, is amended to read:

21.27 Subd. 4. **Provision of separate teams.** When an equal opportunity to participate in the
 21.28 elementary or secondary school level athletic program of an educational institution or public
 21.29 service is not provided to members of a sex whose overall athletic opportunities have
 21.30 previously been limited, that educational institution or public service shall, where there is
 21.31 demonstrated interest, provide separate teams for members of the excluded sex in sports
 22.1 which it determines will provide members of that excluded sex with an equal opportunity
 22.2 to participate in its athletic program and which will attempt to accommodate their
 22.3 demonstrated interests. A public elementary or secondary school, or a school that is a member
 22.4 of the Minnesota State High School League, that permits a person whose sex is male to
 22.5 participate in interscholastic or intramural athletics that are designed for women or girls, is
 22.6 in violation of this section. Nothing in this section may be construed to invalidate a court
 22.7 order.

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

49.1 Sec. 25. **[121A.041] AMERICAN INDIAN MASCOTS PROHIBITED.**

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

49.6 (b) A public school may seek an exemption to paragraph (a) by submitting a request in
 49.7 writing to the Tribal Nations Education Committee and the Indian Affairs Council, which
 49.8 jointly shall have discretion to grant such an exemption. A public school that has a mascot
 49.9 prohibited by this section must request an exemption by January 1, 2022.

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

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

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

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

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

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

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

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

49.20 (5) a member of an organized Indian group that received a grant under the Indian
 49.21 Education Act of 1988 as in effect the day preceding October 20, 1994.

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

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

49.25 (e) "Public school" or "school" means a public school under section 120A.05, subdivisions
 49.26 9, 11, 13, and 17, and a charter school under chapter 124E.

49.27 Sec. 26. Minnesota Statutes 2020, section 121A.41, subdivision 10, is amended to read:

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

50.3 (b) "Out-of-school suspension" means an action by the school administration, under
 50.4 rules promulgated by the school board, prohibiting a pupil from attending school for a period
 50.5 of no more than ten school days. If a suspension is longer than five days, the suspending
 50.6 administrator must provide the superintendent with a reason for the longer suspension. This
 50.7 definition does not apply to dismissal from school for ~~one school day or less than one school~~
 50.8 day, except as provided in federal law for a student with a disability. Each suspension action
 50.9 may must include a readmission plan. The readmission plan shall include, where appropriate,
 50.10 a provision for implementing alternative educational services upon readmission and may

50.11 not be used to extend the current suspension. Consistent with section 125A.091, subdivision
 50.12 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication
 50.13 for the parent's child as a condition of readmission. The school administration may not
 50.14 impose consecutive suspensions against the same pupil for the same course of conduct, or
 50.15 incident of misconduct, except where the pupil will create an immediate and substantial
 50.16 danger to self or to surrounding persons or property, or where the district is in the process
 50.17 of initiating an expulsion, in which case the school administration may extend the suspension
 50.18 to a total of 15 school days.

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

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

50.22 **Subd. 12. Nonexclusionary disciplinary policies and practices; alternatives to pupil**
 50.23 **removal and dismissal.** "Nonexclusionary disciplinary policies and practices" means
 50.24 **policies and practices that are alternatives to removing a pupil from class or dismissing a**
 50.25 **pupil from school, including evidence-based positive behavior interventions and supports,**
 50.26 **social and emotional services, school-linked mental health services, counseling services,**
 50.27 **social work services, referrals for special education or section 504 evaluations, academic**
 50.28 **screening for title one services or reading interventions, and alternative education services.**
 50.29 **Nonexclusionary disciplinary policies and practices require school officials to intervene in,**
 50.30 **redirect, and support a pupil's behavior before removing a pupil from class or beginning**
 50.31 **dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are**
 50.32 **not limited to the policies and practices under sections 120B.12; 121A.031, subdivision 4,**
 50.33 **paragraph (a), clause (1); 121A.575, clauses (1) and (2); 121A.61, subdivision 3, paragraph**
 50.34 **(p); and 122A.627, clause (3).**

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

51.2 Sec. 28. Minnesota Statutes 2020, section 121A.41, is amended by adding a subdivision
 51.3 to read:

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

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

51.9 Sec. 29. Minnesota Statutes 2020, section 121A.425, is amended to read:

51.10 **121A.425 FULL AND EQUITABLE PARTICIPATION IN PRESCHOOL AND**
 51.11 **PREKINDERGARTEN EARLY LEARNING.**

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

22.9 Sec. 12. Minnesota Statutes 2020, section 121A.45, is amended by adding a subdivision
 22.10 to read:

51.14 (1) a preschool or prekindergarten program, including ~~a child participating in~~ early
 51.15 childhood family education, school readiness, school readiness plus, voluntary
 51.16 prekindergarten, Head Start, or other school-based preschool or prekindergarten program;
 51.17 ~~may not be subject to dismissals under this chapter; or~~
 51.18 (2) kindergarten through grade 3.

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

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

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

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

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

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

52.2 Sec. 30. Minnesota Statutes 2020, section 121A.45, subdivision 1, is amended to read:

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

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

52.9 Sec. 31. Minnesota Statutes 2020, section 121A.46, subdivision 4, is amended to read:

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

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

22.11 Subd. 4. **Dismissal of students in kindergarten through grade three.** Notwithstanding
 22.12 subdivision 2, a pupil in kindergarten through grade 3 may only be dismissed in
 22.13 circumstances where the child poses a safety threat to the child or others.

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

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

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

52.21 Sec. 33. Minnesota Statutes 2020, section 121A.46, is amended by adding a subdivision
52.22 to read:

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

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

53.2 Sec. 34. Minnesota Statutes 2020, section 121A.47, subdivision 2, is amended to read:

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

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

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

53.7 (c) state the date, time, and place of the hearing;

53.8 (d) be accompanied by a copy of sections 121A.40 to 121A.56;

53.9 (e) describe ~~alternative educational services~~ the nonexclusionary disciplinary policies
53.10 and practices accorded the pupil in an attempt to avoid the expulsion proceedings; and

53.11 (f) inform the pupil and parent or guardian of the right to:

53.12 (1) have a representative of the pupil's own choosing, including legal counsel, at the
53.13 hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost
53.14 legal assistance may be available and that a legal assistance resource list is available from
53.15 the Department of Education and is posted on the department's website;

53.16 (2) examine the pupil's records before the hearing;

53.17 (3) present evidence; and

53.18 (4) confront and cross-examine witnesses.

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

53.20 Sec. 35. Minnesota Statutes 2020, section 121A.47, subdivision 14, is amended to read:

53.21 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare
53.22 and enforce an admission or readmission plan for any pupil who is excluded or expelled
53.23 from school. The plan ~~may~~ must include measures to improve the pupil's behavior, ~~including~~
53.24 ~~which may include~~ completing a character education program; consistent with section
53.25 120B.232, subdivision 1, ~~and social and emotional learning, counseling, social work services,~~
53.26 ~~mental health services, referrals for special education or section 504 evaluation, and~~
53.27 ~~evidence-based academic interventions.~~ The plan must require parental involvement in the
53.28 admission or readmission process, and may indicate the consequences to the pupil of not
53.29 improving the pupil's behavior.

54.1 (b) The definition of suspension under section 121A.41, subdivision 10, does not apply
54.2 to a student's dismissal from school for ~~one school day or less than one school day~~, except
54.3 as provided under federal law for a student with a disability. Each suspension action may
54.4 include a readmission plan. A readmission plan must provide, where appropriate, alternative
54.5 education services, which must not be used to extend the student's current suspension period.
54.6 Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a
54.7 parent or guardian to provide psychotropic drugs to their student as a condition of
54.8 readmission. School officials must not use the refusal of a parent or guardian to consent to
54.9 the administration of psychotropic drugs to their student or to consent to a psychiatric
54.10 evaluation, screening or examination of the student as a ground, by itself, to prohibit the
54.11 student from attending class or participating in a school-related activity, or as a basis of a
54.12 charge of child abuse, child neglect or medical or educational neglect.

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

54.14 Sec. 36. Minnesota Statutes 2020, section 121A.53, subdivision 1, is amended to read:

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

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

54.26 Sec. 37. Minnesota Statutes 2020, section 121A.55, is amended to read:

54.27 **121A.55 POLICIES TO BE ESTABLISHED.**

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

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

55.7 (1) A school is responsible for ensuring that the alternative educational services, ~~if the~~
55.8 ~~pupil wishes to take advantage of them,~~ provided to a pupil must be adequate to allow the
55.9 pupil to make progress towards toward meeting the graduation standards adopted under
55.10 section 120B.02 and help prepare the pupil for readmission, and are in accordance with
55.11 section 121A.46, subdivision 5.

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

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

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

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

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

22.14 Sec. 13. Minnesota Statutes 2020, section 121A.55, is amended to read:

22.15 **121A.55 POLICIES TO BE ESTABLISHED.**

22.16 Subdivision 1. Written discipline policies; area learning centers; removal of
22.17 students. (a) The commissioner of education shall promulgate guidelines to assist each
22.18 school board. Each school board shall establish uniform criteria for dismissal and adopt
22.19 written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The
22.20 policies shall emphasize preventing dismissals through early detection of problems and
22.21 shall be designed to address students' inappropriate behavior from recurring. The policies
22.22 shall recognize the continuing responsibility of the school for the education of the pupil
22.23 during the dismissal period. The alternative educational services, if the pupil wishes to take
22.24 advantage of them, must be adequate to allow the pupil to make progress towards meeting
22.25 the graduation standards adopted under section 120B.02 and help prepare the pupil for
22.26 readmission.

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

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

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

56.1 Sec. 38. Minnesota Statutes 2020, section 121A.58, is amended to read:

56.2 **121A.58 CORPORAL PUNISHMENT.**

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

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

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

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

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

56.12 Subd. 2a. **Prone restraint not allowed.** An employee or agent of a district, including a
56.13 school resource officer or police officer contracted with the district, must not inflict prone
56.14 restraint or cause prone restraint to be inflicted upon a pupil to reform unacceptable conduct
56.15 or as a penalty for unacceptable conduct. Further, an employee or agent of a district, including
56.16 a school resource officer or police officer contracted with the district, must not inflict any
56.17 form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or
56.18 impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's

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

23.4 Subd. 2. **Annual discipline policy review; stakeholder group.** (a) A school board must
23.5 annually convene stakeholders to review the district's discipline policy. The stakeholder
23.6 group must consist of at least 25 percent parents or guardians of current students and at least
23.7 25 percent of current students. Other stakeholders may include other community members
23.8 and relevant school staff. The school board may assign the duty to review the discipline
23.9 policy to an existing school or site council that has the same percentage of parents and
23.10 students as required of the stakeholder group.

23.11 (b) The stakeholder group may make recommendations to the school board regarding
23.12 changes to the discipline policy. The stakeholder group must have access to data on discipline
23.13 incidents the district reports to the Department of Education and the Office for Civil Rights.
23.14 Any data that includes identifiable student information must be excluded from the data
23.15 provided to the stakeholder group.

56.19 head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in
56.20 straddling a pupil's torso.

56.21 Subd. 3. **Violation.** Conduct that violates subdivision 2 or 2a is not a crime under section
56.22 645.241, but may be a crime under chapter 609 if the conduct violates a provision of chapter
56.23 609.

56.24 Sec. 39. Minnesota Statutes 2020, section 121A.61, is amended to read:

56.25 **121A.61 DISCIPLINE AND REMOVAL OF STUDENTS FROM CLASS.**

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

57.4 Subd. 2. **Grounds for removal from class.** The policy must establish the various grounds
57.5 for which a student may be removed from a class in the district for a period of time under
57.6 the procedures specified in the policy. The policy must include a procedure for notifying
57.7 and meeting with a student's parent or guardian to discuss the problem that is causing the
57.8 student to be removed from class after the student has been removed from class more than
57.9 ten times in one school year. The grounds in the policy must ~~include at least the following~~
57.10 ~~provisions as well as other grounds determined appropriate by the board;~~ at least include
57.11 provisions pertaining to addressing

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

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

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

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

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

23.16 Subd. 3. **Parent, guardian, or student review of suspensions.** The district's discipline
23.17 policy must provide a process for a parent, guardian, or student age 18 or older to request
23.18 review of an imposed suspension.

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

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

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

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

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

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

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

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

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

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

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

58.5 (j) any procedures determined appropriate for encouraging early detection of behavioral
58.6 problems;

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

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

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

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

58.15 ~~(n)~~ (n) procedures for ~~immediate~~ timely and appropriate interventions tied to violations
58.16 of the code;

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

58.20 ~~(p)~~ (p) an agreement regarding procedures to coordinate crisis services to the extent
58.21 funds are available with the county board responsible for implementing sections 245.487
58.22 to 245.4889 for students with a serious emotional disturbance or other students who have

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

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

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

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

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

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

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

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

60.3 (j) any procedures determined appropriate for encouraging early detection of behavioral
60.4 problems;

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

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

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

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

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

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

60.17 (q) an agreement regarding procedures to coordinate crisis services to the extent funds
60.18 are available with the county board responsible for implementing sections 245.487 to
60.19 245.4889 for students with a serious emotional disturbance or other students who have an
60.20 individualized education program whose behavior may be addressed by crisis intervention;
60.21 and

58.23 an individualized education program whose behavior may be addressed by crisis intervention;
58.24 ~~and~~

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

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

58.31 EFFECTIVE DATE. This section is effective July 1, 2022.

60.22 (r) a provision that states a student must be removed from class immediately if the student
60.23 engages in assault or violent behavior. For purposes of this paragraph, "assault" has the
60.24 meaning given it in section 609.02, subdivision 10. The removal shall be for a period of
60.25 time deemed appropriate by the principal, in consultation with the teacher. The principal
60.26 must remove the student from class for at least three school days following the day of the
60.27 incident. A student may only return to the class from which they were removed after the
60.28 student has been given assistance to prevent the inappropriate behavior from recurring.

(NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 3, SECTION 2)

23.19 Sec. 14. Minnesota Statutes 2020, section 122A.06, subdivision 4, is amended to read:

23.20 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive,
23.21 scientifically based reading instruction" includes a program or collection of instructional
23.22 practices that is based on valid, replicable evidence showing that when these programs or
23.23 practices are used, students can be expected to achieve, at a minimum, satisfactory reading
23.24 progress. The program or collection of practices must include, at a minimum, effective;
23.25 ~~balanced~~ instruction in all five areas of reading: phonemic awareness, phonics, fluency,
23.26 vocabulary development, and reading comprehension.

23.27 Comprehensive, scientifically based reading instruction also includes and integrates
23.28 instructional strategies for continuously assessing, evaluating, and communicating the
23.29 student's reading progress and needs in order to design and implement ongoing interventions
23.30 so that students of all ages and proficiency levels can read and comprehend text, write, and
23.31 apply higher level thinking skills. For English learners developing literacy skills, districts
23.32 are encouraged to use strategies that teach reading and writing in the students' native language
23.33 and English at the same time.

24.1 (b) "Fluency" is the ability of students to read text with speed, accuracy, and proper
24.2 expression.

24.3 (c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate
24.4 individual sounds in spoken syllables and words.

24.5 (d) "Phonics" is the understanding that there are systematic and predictable relationships
24.6 between written letters and spoken words. Phonics instruction is a way of teaching reading
24.7 that stresses learning how letters correspond to sounds and how to apply this knowledge in
24.8 reading and spelling.

24.9 (e) "Reading comprehension" is an active process that requires intentional thinking
24.10 during which meaning is constructed through interactions between text and reader.
24.11 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and

24.12 implementing specific cognitive strategies to help beginning readers derive meaning through
24.13 intentional, problem-solving thinking processes.

24.14 (f) "Vocabulary development" is the process of teaching vocabulary both directly and
24.15 indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich
24.16 contexts, incidental learning, and use of computer technology enhance the acquiring of
24.17 vocabulary.

24.18 (g) Nothing in this subdivision limits the authority of a school district to select a school's
24.19 reading program or curriculum.

24.20 Sec. 15. Minnesota Statutes 2020, section 123B.86, subdivision 3, is amended to read:

24.21 Subd. 3. **Board control.** (a) When transportation is provided, the scheduling of routes,
24.22 manner and method of transportation, control and discipline of school children and any
24.23 other matter relating thereto shall be within the sole discretion, control and management of
24.24 the board.

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

24.27 (1) A school board that provides pupil transportation through its employees may transport
24.28 nonpublic pupils according to the plan and retain the nonpublic pupil transportation aid
24.29 attributable to that plan. A nonpublic school may make a payment to the school district to
24.30 cover additional transportation services agreed to in the written plan for nonpublic pupil
24.31 transportation services not required under sections 123B.84 to 123B.87.

25.1 (2) A school board that contracts for pupil transportation services may enter into a
25.2 contractual arrangement with a school bus contractor according to the written plan adopted
25.3 by the school board and the nonpublic school to transport nonpublic pupils and retain the
25.4 nonpublic pupil transportation aid attributable to that plan for purposes of paying the school
25.5 bus contractor. A nonpublic school may make a payment to the school district to cover
25.6 additional transportation services agreed to in the written plan for nonpublic pupil
25.7 transportation services included in the contract that are not required under sections 123B.84
25.8 to 123B.87.

25.9 (c) The school district must report the number of nonpublic pupils transported and the
25.10 nonpublic pupil transportation expenditures incurred under paragraph (b) in the form and
25.11 manner specified by the commissioner.

59.1 Sec. 40. Minnesota Statutes 2020, section 124D.09, subdivision 3, is amended to read:

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

59.4 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,
59.5 nonprofit two-year trade and technical school granting associate degrees, an opportunities
59.6 industrialization center accredited by an accreditor recognized by the United States

59.7 Department of Education, or a private, residential, two-year or four-year, liberal arts,
 59.8 degree-granting college or university located in Minnesota. An eligible institution cannot
 59.9 require or base any part of the admission decision on a student's race, color, creed, religion,
 59.10 national origin, sex, age, marital status, status with regard to public assistance, sexual
 59.11 orientation, disability, or gender.

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

59.13 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under
 59.14 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by
 59.15 a secondary teacher or a postsecondary faculty member, and are offered at a high school
 59.16 for which the district is eligible to receive concurrent enrollment program aid under section
 59.17 124D.091.

59.18 Sec. 41. Minnesota Statutes 2020, section 124D.09, subdivision 5, is amended to read:

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

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

59.30 (2) the pupil's school as soon as practicable if the student withdraws from the course or
 59.31 stops attending the course.

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

25.12 Sec. 16. Minnesota Statutes 2020, section 124D.09, subdivision 5a, is amended to read:

25.13 Subd. 5a. **Authorization; career or technical education.** A 10th, 11th, or 12th grade
 25.14 pupil enrolled in a district or an American Indian-controlled tribal contract or grant school
 25.15 eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district
 25.16 under a cultural exchange program, may enroll in a career or technical education course
 25.17 offered by a Minnesota state college or university. A 10th grade pupil applying for enrollment
 25.18 in a career or technical education course under this subdivision must have received a passing
 25.19 score on the 8th grade Minnesota Comprehensive Assessment in reading as a condition of
 25.20 enrollment. A current 10th grade pupil who did not take the 8th grade Minnesota
 25.21 Comprehensive Assessment in reading may substitute another reading assessment accepted
 25.22 by the enrolling postsecondary institution. A secondary pupil may enroll in the pupil's first

60.1 Sec. 42. Minnesota Statutes 2020, section 124D.09, subdivision 7, is amended to read:

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

60.13 Sec. 43. Minnesota Statutes 2020, section 124D.09, subdivision 8, is amended to read:

60.14 Subd. 8. **Limit on participation.** A pupil who first enrolls in grade 9 may not enroll in
60.15 postsecondary courses under this section for secondary credit for more than the equivalent
60.16 of four academic years. A pupil who first enrolls in grade 10 may not enroll in postsecondary
60.17 courses under this section for secondary credit for more than the equivalent of three academic
60.18 years. A pupil who first enrolls in grade 11 may not enroll in postsecondary courses under
60.19 this section for secondary credit for more than the equivalent of two academic years. A
60.20 pupil who first enrolls in grade 12 may not enroll in postsecondary courses under this section
60.21 for secondary credit for more than the equivalent of one academic year. If a pupil in grade
60.22 9, 10, 11, or 12 first enrolls in a postsecondary course for secondary credit during the school
60.23 year, the time of participation shall be reduced proportionately. If a pupil is in a learning
60.24 year or other year-round program and begins each grade in the summer session, summer
60.25 sessions shall not be counted against the time of participation. If a school district determines
60.26 a pupil is not on track to graduate, the limit on participation does not apply to that pupil. ✪

25.23 postsecondary options enrollment course under this subdivision. A student who is refused
25.24 enrollment by a Minnesota state college or university under this subdivision may apply to
25.25 an eligible institution offering a career or technical education course. A 10th grade student
25.26 who qualifies to enroll in a career or technical education course under this subdivision may
25.27 enroll in more than one career or technical education course in their first semester of their
25.28 10th grade school year. The postsecondary institution must give priority to its students
25.29 according to subdivision 9. If a secondary student receives a grade of "C" or better in the
25.30 career or technical education course taken under this subdivision, the postsecondary
25.31 institution must allow the student to take additional postsecondary courses for secondary
25.32 credit at that institution, not to exceed the limits in subdivision 8. A "career or technical
25.33 course" is a course that is part of a career and technical education program that provides
25.34 individuals with coherent, rigorous content aligned with academic standards and relevant
25.35 technical knowledge and skills needed to prepare for further education and careers in current
26.1 and emerging professions and provide technical skill proficiency, an industry recognized
26.2 credential, and a certificate, a diploma, or an associate degree.

26.3 Sec. 17. Minnesota Statutes 2020, section 124D.09, subdivision 7, is amended to read:

26.4 Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier
26.5 of (1) three weeks prior to the date by which a student must register for district courses for
26.6 the following school year, or (2) March 1 of each year, a district must provide up-to-date
26.7 information on the district's website and in materials that are distributed to parents and
26.8 students about the program, including information about enrollment requirements and the
26.9 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the
26.10 district in planning, a pupil must inform the district by May 30 of each year of the pupil's
26.11 intent to enroll in postsecondary courses during the following school year. A pupil is bound
26.12 by notifying or not notifying the district by May 30. The May 30 deadline does not apply
26.13 if the district does not meet the requirements for dissemination of information under this
26.14 subdivision.

60.27 ~~pupil who has graduated from high school cannot participate in a program under this section.~~
 60.28 A pupil who has completed course requirements for graduation ~~but who has not received a~~
 60.29 ~~diploma may participate in the program under this section~~ may only participate in the
 60.30 program under this section until the earlier of the end of the school year in which those
 60.31 requirements are met or the school year in which the pupil's peers graduated.

26.15 Sec. 18. Minnesota Statutes 2020, section 124D.09, subdivision 9, is amended to read:

26.16 Subd. 9. **Enrollment priority.** (a) A postsecondary institution must give priority to its
 26.17 postsecondary students when enrolling pupils in grades 10, 11, and 12 in its courses. A
 26.18 postsecondary institution may provide information about its programs to a secondary school
 26.19 or to a pupil or parent and it may advertise or otherwise recruit or solicit a secondary pupil
 26.20 ~~to enroll in its programs, or guardian on educational and, programmatic, and financial~~
 26.21 ~~grounds only except, notwithstanding other law to the contrary, and for the 2014-2015~~
 26.22 ~~through 2019-2020 school years only. An eligible postsecondary institution may advertise~~
 26.23 ~~or otherwise recruit or solicit a secondary pupil residing in a school district with 700 students~~
 26.24 ~~or more in grades 10, 11, and 12, to enroll in its programs on educational, programmatic,~~
 26.25 ~~or financial grounds.~~

26.26 (b) An institution must not enroll secondary pupils, for postsecondary enrollment options
 26.27 purposes, in remedial, developmental, or other courses that are not college level except
 26.28 when a student eligible to participate and enrolled in the graduation incentives program
 26.29 under section 124D.68 enrolls full time in a middle or early college program. A middle or
 26.30 early college program must be specifically designed to allow the student to earn dual high
 26.31 school and college credit with a well-defined pathway to allow the student to earn a
 26.32 postsecondary degree or credential. In this case, the student must receive developmental
 26.33 college credit and not college credit for completing remedial or developmental courses.

27.1 (c) Once a pupil has been enrolled in any postsecondary course under this section, the
 27.2 pupil must not be displaced by another student.

27.3 (d) If a postsecondary institution enrolls a secondary school pupil in a course under this
 27.4 section, the postsecondary institution also must enroll in the same course an otherwise
 27.5 enrolled and qualified postsecondary student who qualifies as a veteran under section
 27.6 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's
 27.7 established enrollment timelines were not practicable for that student.

27.8 (e) A postsecondary institution must allow secondary pupils to enroll in online courses
 27.9 under this section consistent with the institution's policy regarding postsecondary pupil
 27.10 enrollment in online courses.

27.11 Sec. 19. Minnesota Statutes 2020, section 124D.09, subdivision 11, is amended to read:

27.12 Subd. 11. **Participation in high school activities.** Enrolling in a course under this section
 27.13 shall not, by itself, prohibit a pupil from participating in activities sponsored by the pupil's

61.1 Sec. 44. Minnesota Statutes 2020, section 124D.09, subdivision 12, is amended to read:

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

61.4 (b) A district ~~shall~~ must grant academic credit to a pupil enrolled in a course for secondary
61.5 credit if the pupil successfully completes the course. Seven quarter or four semester college
61.6 credits equal at least one full year of high school credit. Fewer college credits may be
61.7 prorated. A district must also grant academic credit to a pupil enrolled in a course for
61.8 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
61.9 offered by the district, the district must, as soon as possible, notify the commissioner, who
61.10 ~~shall~~ must determine the number of credits that ~~shall~~ must be granted to a pupil who
61.11 successfully completes a course. If a comparable course is offered by the district, the school
61.12 board ~~shall~~ must grant a comparable number of credits to the pupil. If there is a dispute
61.13 between the district and the pupil regarding the number of credits granted for a particular
61.14 course, the pupil may appeal the board's decision to the commissioner. The commissioner's
61.15 decision regarding the number of credits ~~shall be~~ is final.

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

61.20 (d) The secondary credits granted to a pupil must be counted toward the graduation
61.21 requirements and subject area requirements of the district. Evidence of successful completion
61.22 of each course and secondary credits granted must be included in the pupil's secondary
61.23 school record. A pupil ~~shall~~ must provide the school with a copy of the pupil's grade grades
61.24 in each course taken for secondary credit under this section, including interim or nonfinal
61.25 grades earned during the academic term. Upon the request of a pupil, the pupil's secondary
61.26 school record must also include evidence of successful completion and credits granted for
61.27 a course taken for postsecondary credit. In either case, the record must indicate that the
61.28 credits were earned at a postsecondary institution.

61.29 (e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the
61.30 postsecondary institution must award postsecondary credit for any course successfully
61.31 completed for secondary credit at that institution. Other postsecondary institutions may
61.32 award, after a pupil leaves secondary school, postsecondary credit for any courses
61.33 successfully completed under this section. An institution may not charge a pupil for the
61.34 award of credit.

27.14 high school, leadership roles, or participating in national organizations sponsored by the
27.15 pupil's high school.

27.16 Sec. 20. Minnesota Statutes 2020, section 124D.09, subdivision 12, is amended to read:

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

27.19 (b) A district shall grant academic credit to a pupil enrolled in a course for secondary
27.20 credit if the pupil successfully completes the course. Seven quarter or four semester college
27.21 credits equal at least one full year of high school credit. Fewer college credits may be
27.22 prorated. A district must also grant academic credit to a pupil enrolled in a course for
27.23 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
27.24 offered by the district, the district must, as soon as possible, notify the commissioner, who
27.25 shall determine the number of credits that shall be granted to a pupil who successfully
27.26 completes a course. If a comparable course is offered by the district, the school board shall
27.27 grant a comparable number of credits to the pupil. If there is a dispute between the district
27.28 and the pupil regarding the number of credits granted for a particular course, the pupil may
27.29 appeal the board's decision to the commissioner. The commissioner's decision regarding
27.30 the number of credits shall be final.

27.31 (c) A school board must adopt a policy regarding weighted grade point averages for any
27.32 high school or dual enrollment course. The board must adopt an identical policy regarding
28.1 weighted grade point averages for credits earned through postsecondary enrollment options
28.2 coursework as it gives to credits earned through comparable concurrent enrollment
28.3 coursework. The policy must state whether the district offers weighted grades. A school
28.4 board must annually publish on its website a list of courses for which a student may earn a
28.5 weighted grade.

28.6 (d) The secondary credits granted to a pupil must be counted toward the graduation
28.7 requirements and subject area requirements of the district. Evidence of successful completion
28.8 of each course and secondary credits granted must be included in the pupil's secondary
28.9 school record. A pupil shall provide the school with a copy of the pupil's grade in each
28.10 course taken for secondary credit under this section. Upon the request of a pupil, the pupil's
28.11 secondary school record must also include evidence of successful completion and credits
28.12 granted for a course taken for postsecondary credit. In either case, the record must indicate
28.13 that the credits were earned at a postsecondary institution.

28.14 (e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the
28.15 postsecondary institution must award postsecondary credit for any course successfully
28.16 completed for secondary credit at that institution. Other postsecondary institutions may
28.17 award, after a pupil leaves secondary school, postsecondary credit for any courses
28.18 successfully completed under this section. An institution may not charge a pupil for the
28.19 award of credit.

62.1 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the
 62.2 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary
 62.3 postsecondary institutions should, award postsecondary credit for any successfully completed
 62.4 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships
 62.5 offered according to an agreement under subdivision 10. Consistent with section 135A.101,
 62.6 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who
 62.7 completes for postsecondary credit a postsecondary course or program that is part or all of
 62.8 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a
 62.9 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies
 62.10 as completed a secondary student's postsecondary course or program that is part or all of a
 62.11 goal area or a transfer curriculum, every MnSCU institution must consider the student's
 62.12 course or program for that goal area or the transfer curriculum as completed.

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

62.14 Sec. 45. Minnesota Statutes 2020, section 124D.09, subdivision 13, is amended to read:

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

62.18 The department must not make payments to a school district or postsecondary institution
 62.19 for a course taken for postsecondary credit only. The department must not make payments
 62.20 to a postsecondary institution for a course from which a student officially withdraws during
 62.21 the first ~~14~~ ten business days of the postsecondary institution's quarter or semester or who
 62.22 has been absent from the postsecondary institution for the first ~~15 consecutive school~~ ten
 62.23 business days of the postsecondary institution's quarter or semester and is not receiving
 62.24 instruction in the home or hospital.

62.25 A postsecondary institution shall receive the following:

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

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

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

28.20 (f) The Board of Trustees of the Minnesota State Colleges and Universities and the
 28.21 Board of Regents of the University of Minnesota must, and private nonprofit and proprietary
 28.22 postsecondary institutions should, award postsecondary credit for any successfully completed
 28.23 courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships
 28.24 offered according to an agreement under subdivision 10. Consistent with section 135A.101,
 28.25 subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who
 28.26 completes for postsecondary credit a postsecondary course or program that is part or all of
 28.27 a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a
 28.28 MnSCU institution after leaving secondary school. Once one MnSCU institution certifies
 28.29 as completed a secondary student's postsecondary course or program that is part or all of a
 28.30 goal area or a transfer curriculum, every MnSCU institution must consider the student's
 28.31 course or program for that goal area or the transfer curriculum as completed.

63.6 Sec. 46. Minnesota Statutes 2020, section 124D.095, subdivision 2, is amended to read:

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

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

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

28.32 Sec. 21. Minnesota Statutes 2020, section 124D.09, subdivision 22, is amended to read:

28.33 Subd. 22. **Transportation.** (a) A parent or guardian of a pupil enrolled in a course for
28.34 secondary credit may apply to the pupil's district of residence for reimbursement for
29.1 transporting the pupil between the secondary school in which the pupil is enrolled or the
29.2 pupil's home and the postsecondary institution that the pupil attends. The state shall provide
29.3 state aid to a district in an amount sufficient to reimburse the parent or guardian, or district,
29.4 for the necessary transportation costs when the family's or guardian's income is at or below
29.5 the poverty level, as determined by the federal government. The reimbursement shall be
29.6 the pupil's or district's actual cost of transportation or 15 cents per mile traveled, whichever
29.7 is less. Reimbursement may not be paid for more than 250 miles per week. However, if the
29.8 nearest postsecondary institution is more than 25 miles from the pupil's resident secondary
29.9 school, the weekly reimbursement may not exceed the reimbursement rate per mile times
29.10 the actual distance between the secondary school or the pupil's home and the nearest
29.11 postsecondary institution times ten. The state must pay aid to the district according to this
29.12 subdivision. A district that is reimbursed for transporting an eligible pupil under this
29.13 subdivision must not charge any pupil for transportation to or from a postsecondary
29.14 institution.

29.15 (b) A parent or guardian of an alternative pupil enrolled in a course for secondary credit
29.16 may apply to the pupil's postsecondary institution for reimbursement for transporting the
29.17 pupil between the secondary school in which the pupil is enrolled or the pupil's home and
29.18 the postsecondary institution in an amount sufficient to reimburse the parent or guardian
29.19 for the necessary transportation costs when the family's or guardian's income is at or below
29.20 the poverty level, as determined by the federal government. The amount of the reimbursement
29.21 shall be determined as in paragraph (a). The state must pay aid to the postsecondary institution
29.22 according to this subdivision.

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

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

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

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

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

63.26 ~~(g)~~ (g) "Online learning student" is a student enrolled in an online learning course or
63.27 program delivered by an online learning provider under paragraph ~~(c)~~ (e).

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

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

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

64.4 ~~(k)~~ (k) "Online learning course syllabus" is a written document that an online learning
64.5 provider transmits to the enrolling district using a format prescribed by the commissioner
64.6 to identify the state academic standards embedded in an online course, the course content
64.7 outline, required course assessments, expectations for actual teacher contact time and other
64.8 student-to-teacher communications, and the academic support available to the online learning
64.9 student.

64.10 Sec. 47. Minnesota Statutes 2020, section 124D.095, subdivision 7, is amended to read:

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

64.18 (b) The online learning courses and programs must be rigorous, aligned with state
64.19 academic standards, and contribute to grade progression in a single subject. The online
64.20 learning provider, other than a digital learning provider offering digital learning to its enrolled
64.21 students only under subdivision 4, paragraph (d), must give the commissioner written

64.22 assurance that: (1) all courses meet state academic standards; and (2) the online learning
64.23 curriculum, instruction, and assessment, expectations for actual teacher-contact time or
64.24 other student-to-teacher communication, and academic support meet nationally recognized
64.25 professional standards and are described as such in an online learning course syllabus that
64.26 meets the commissioner's requirements. Once an online learning provider is approved under
64.27 this paragraph, all of its online learning course offerings are eligible for payment under this
64.28 section unless a course is successfully challenged by an enrolling district or the department
64.29 under paragraph (c).

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

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

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

65.5 (f) The department may review a complaint about an online learning provider, or a
65.6 complaint about a provider based on the provider's response to notice of a violation. If the
65.7 department determines that an online learning provider violated a law or rule, the department
65.8 may:

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

65.10 (2) withhold funds from the provider under sections 124D.095, 124E.25, and 127A.42.
65.11 The department must notify an online learning provider in writing about withholding funds
65.12 and provide detailed calculations.

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

30.1 Sec. 23. Minnesota Statutes 2020, section 124D.12, is amended to read:

30.2 **124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.**

30.3 Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use
30.4 of flexible learning year programs. It is anticipated that the open selection of the type of
30.5 flexible learning year operation from a variety of alternatives will allow each district seeking
30.6 to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives
30.7 must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester
30.8 plans, extended learning year plans, and flexible all-year plans. ~~A school district with an~~

30.9 approved four-day week plan in the 2014-2015 school year may continue under a four-day
30.10 week plan through the end of the 2019-2020 school year. Future approvals are contingent
30.11 upon meeting the school district's performance goals established in the district's plan under
30.12 section 120B.11. The commissioner must give a school district one school year's notice
30.13 before revoking approval of its flexible learning year program.

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

30.15 Sec. 24. Minnesota Statutes 2020, section 124D.121, is amended to read:

30.16 **124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.**

30.17 "Flexible learning year program" means any district plan approved by the ~~commissioner~~
30.18 school board that utilizes buildings and facilities during the entire year or that provides
30.19 forms of optional scheduling of pupils and personnel during the learning year in elementary
30.20 and secondary schools or residential facilities for children with a disability.

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

30.22 Sec. 25. Minnesota Statutes 2020, section 124D.122, is amended to read:

30.23 **124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.**

30.24 The board of any district or a consortium of districts, ~~with the approval of the~~
30.25 ~~commissioner~~, may establish and operate a flexible learning year program in one or more
30.26 of the day or residential facilities for children with a disability within the district. Consortiums
30.27 may use a single application and evaluation process, though results, public hearings, and
30.28 board approvals must be obtained for each district as required under appropriate sections.
30.29 ~~The commissioner must approve or disapprove of a flexible learning year application within~~
30.30 ~~45 business days of receiving the application. If the commissioner disapproves the~~
30.31 ~~application, the commissioner must give the district or consortium detailed reasons for the~~
30.32 ~~disapproval.~~

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

31.2 Sec. 26. Minnesota Statutes 2020, section 124D.126, subdivision 1, is amended to read:

31.3 Subdivision 1. **Powers and duties.** The commissioner must:

31.4 ~~(1) promulgate rules necessary to the operation of sections 124D.12 to 124D.127;~~

31.5 ~~(2) (1)~~ cooperate with and provide supervision of flexible learning year programs to
31.6 determine compliance with the provisions of sections 124D.12 to 124D.127, ~~the~~
31.7 ~~commissioner's standards and qualifications, and the proposed program as submitted and~~
31.8 ~~approved;~~

31.9 ~~(3) (2)~~ provide any necessary adjustments of ~~(a)~~ (i) attendance and membership
31.10 computations and ~~(b)~~ (ii) the dates and percentages of apportionment of state aids; and

65.17 Sec. 48. Minnesota Statutes 2020, section 124D.128, subdivision 1, is amended to read:

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

65.24 Sec. 49. Minnesota Statutes 2020, section 124D.128, subdivision 3, is amended to read:

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

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

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

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

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

31.11 ~~(4)~~ (3) consistent with the definition of "average daily membership" in section 126C.05,
31.12 subdivision 8, furnish the board of a district implementing a flexible learning year program
31.13 with a formula for computing average daily membership. This formula must be computed
31.14 so that tax levies to be made by the district, state aids to be received by the district, and any
31.15 and all other formulas based upon average daily membership are not affected solely as a
31.16 result of adopting this plan of instruction.

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

31.18 Sec. 27. Minnesota Statutes 2020, section 124D.127, is amended to read:

31.19 **124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.**

31.20 The board of any district, ~~with the approval of the commissioner of education,~~ may
31.21 terminate a flexible learning year program in one or more of the day or residential facilities
31.22 for children with a disability within the district. This section shall not be construed to permit
31.23 an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

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

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

31.25 Sec. 28. [124D.4536] RURAL CAREER AND TECHNICAL EDUCATION
31.26 CONSORTIUM GRANTS.

31.27 Subdivision 1. Definition. (a) "Rural career and technical education (CTE) consortium"
31.28 means a voluntary collaboration of at least one greater Minnesota service cooperative and
31.29 other regional public and private partners, including school districts and higher education
32.1 institutions, that work together to provide career and technical education opportunities
32.2 within the service cooperative's multicounty service area.

32.3 (b) A consortium that includes more than one service cooperative must designate one
32.4 service cooperative to serve as fiscal host for the consortium.

32.5 Subd. 2. Establishment. (a) A rural CTE consortium shall:

32.6 (1) focus on the development of courses and programs that encourage collaboration
32.7 between two or more school districts;

32.8 (2) develop new career and technical programs that focus on the industry sectors that
32.9 fuel the rural regional economy;

32.10 (3) facilitate the development of highly trained and knowledgeable students who are
32.11 equipped with technical and workplace skills needed by regional employers;

32.12 (4) improve access to career and technical education programs for students who attend
32.13 sparsely populated rural school districts by developing public and private partnerships with
32.14 business and industry leaders and by increasing coordination of high school and
32.15 postsecondary program options;

32.16 (5) increase family and student awareness of the availability and benefit of career and
32.17 technical education courses and training opportunities; and

32.18 (6) provide capital start-up costs for items, including but not limited to a mobile welding
32.19 lab, medical equipment and lab, and industrial kitchen equipment.

32.20 (b) In addition to the requirements in paragraph (a), a rural CTE consortium may:

32.21 (1) address the teacher shortage crisis in career and technical education through incentive
32.22 funding and training programs; and

32.23 (2) provide transportation reimbursement grants to provide equitable opportunities
32.24 throughout the region for students to participate in career and technical education.

32.25 Subd. 3. Rural career and technical education advisory committee. In order to be
32.26 eligible for a grant under this section, a greater Minnesota service cooperative must establish

66.10 Sec. 50. Minnesota Statutes 2020, section 124D.74, subdivision 1, is amended to read:

66.11 Subdivision 1. **Program described.** American Indian education programs are programs

66.12 in public elementary and secondary schools, nonsectarian nonpublic, community, Tribal,

66.13 charter, or alternative schools enrolling American Indian children designed to:

66.14 (1) support postsecondary preparation for pupils;

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

66.16 (3) make the curriculum relevant to the needs, interests, and cultural heritage of American

66.17 Indian pupils;

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

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

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

66.21 Program services designed to increase completion and graduation rates of American Indian

66.22 students must emphasize academic achievement, retention, and attendance; development

66.23 of support services for staff, including in-service training and technical assistance in methods

66.24 of teaching American Indian pupils; research projects, including innovative teaching

66.25 approaches and evaluation of methods of relating to American Indian pupils; provision of

66.26 career counseling to American Indian pupils; modification of curriculum, instructional

66.27 methods, and administrative procedures to meet the needs of American Indian pupils; and

66.28 supplemental instruction in American Indian language, literature, history, and culture.

66.29 Districts offering programs may make contracts for the provision of program services by

66.30 establishing cooperative liaisons with Tribal programs and American Indian social service

67.1 agencies. These programs may also be provided as components of early childhood and

67.2 family education programs.

32.27 a rural career and technical education advisory committee to advise the cooperative on the

32.28 administration of the rural CTE consortium.

32.29 Subd. 4. **Private funding.** A rural CTE consortium may receive other sources of funds

32.30 to supplement state funding. All funds received shall be administered by the service

32.31 cooperative that is a member of the consortium.

33.1 Subd. 5. **Reporting requirements.** By January 15 of each year, a rural CTE consortium

33.2 receiving funding under this section must submit an annual report on the progress of its

33.3 activities to the commissioner of education and the chairs and ranking minority members

33.4 of the legislative committees with jurisdiction over secondary and postsecondary education.

33.5 The annual report must contain a financial report for the preceding fiscal year.

33.6 Subd. 6. **Grant awards.** The Minnesota Service Cooperatives may consult with the

33.7 commissioner to award grants to any rural CTE consortium that qualifies under this section.

67.3 Sec. 51. Minnesota Statutes 2020, section 124D.74, subdivision 3, is amended to read:

67.4 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent ~~it is~~
67.5 ~~economically feasible~~ that the unique educational and culturally related academic needs of
67.6 American Indian people are met and American Indian student accountability factors are the
67.7 same or higher than their non-Indian peers, a district or participating school may make
67.8 provision for the voluntary enrollment of non-American Indian children in the instructional
67.9 components of an American Indian education program in order that they may acquire an
67.10 understanding of the cultural heritage of the American Indian children for whom that
67.11 particular program is designed. However, in determining eligibility to participate in a
67.12 program, priority must be given to American Indian children. American Indian children
67.13 and other children enrolled in an existing nonpublic school system may be enrolled on a
67.14 shared time basis in American Indian education programs.

67.15 Sec. 52. Minnesota Statutes 2020, section 124D.78, subdivision 1, is amended to read:

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

67.28 The American Indian education parent advisory committee must develop its
67.29 recommendations in consultation with the curriculum advisory committee required by
67.30 section 120B.11, subdivision 3. This committee must afford parents the necessary information
67.31 and the opportunity effectively to express their views concerning all aspects of American
67.32 Indian education and the educational needs of the American Indian children enrolled in the
67.33 school or program. The school board or American Indian school must ensure that programs
68.1 are planned, operated, and evaluated with the involvement of and in consultation with parents
68.2 of students served by the programs.

68.3 Sec. 53. Minnesota Statutes 2020, section 124D.78, subdivision 3, is amended to read:

68.4 Subd. 3. **Membership.** The American Indian education parent advisory committee must
68.5 be composed of parents of children eligible to be enrolled in American Indian education
68.6 programs; secondary students eligible to be served; American Indian language and culture
68.7 education teachers and paraprofessionals; American Indian teachers; counselors; adult
68.8 American Indian people enrolled in educational programs; and representatives from
68.9 community groups. A majority of each committee must be parents of American Indian

68.10 children enrolled or eligible to be enrolled in the programs. ~~The number of parents of~~
68.11 ~~American Indian and non-American Indian children shall reflect approximately the proportion~~
68.12 ~~of children of those groups enrolled in the programs.~~

68.13 Sec. 54. Minnesota Statutes 2020, section 124D.791, subdivision 4, is amended to read:

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

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

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

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

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

68.26 (i) issues facing American Indian students;

68.27 (ii) policies for American Indian education;

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

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

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

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

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

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

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

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

69.14 (v) increase American Indian student placement in postsecondary programs and the
69.15 workforce; and

69.16 (7) ~~keep~~ keeping the American Indian community informed about the work of the
69.17 department by reporting to the Tribal Nations Education Committee at each committee
69.18 meeting.

69.19 Sec. 55. **[124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND**
69.20 **OBJECTS OF CULTURAL SIGNIFICANCE.**

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

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

69.25 Sec. 56. Minnesota Statutes 2020, section 124D.81, is amended to read:

69.26 **124D.81 AMERICAN INDIAN EDUCATION AID.**

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

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

70.9 (a) Identify the measures to be used to meet the requirements of sections 124D.71 to
70.10 124D.82;

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

70.13 (c) Describe how district goals and objectives as well as the objectives of sections
70.14 124D.71 to 124D.82 are to be achieved;

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

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

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

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

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

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

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

71.6 Subd. 3. **Additional requirements.** Each district or cooperative unit receiving aid under
 71.7 this section must each year conduct a count of American Indian children in the schools of
 71.8 the district; test for achievement; identify the extent of other educational needs of the children
 71.9 to be enrolled in the American Indian education program; and classify the American Indian
 71.10 children by grade, level of educational attainment, age and achievement. Participating
 71.11 schools must maintain records concerning the needs and achievements of American Indian
 71.12 children served.

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

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

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

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

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

72.1 Sec. 57. Minnesota Statutes 2020, section 124D.861, subdivision 2, is amended to read:

72.2 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible
 72.3 district must formally develop and implement a long-term plan under this section. The plan
 72.4 must be incorporated into the district's comprehensive strategic plan under section 120B.11.
 72.5 ~~Plan components may include: innovative and integrated prekindergarten through grade 12~~
 72.6 ~~learning environments that offer students school enrollment choices; family engagement~~
 72.7 ~~initiatives that involve families in their students' academic life and success; professional~~
 72.8 ~~development opportunities for teachers and administrators focused on improving the academic~~
 72.9 ~~achievement of all students, including teachers and administrators who are members of~~
 72.10 ~~populations underrepresented among the licensed teachers or administrators in the district~~
 72.11 ~~or school and who reflect the diversity of students under section 120B.35, subdivision 3,~~
 72.12 ~~paragraph (b), clause (2), who are enrolled in the district or school; increased programmatic~~
 72.13 ~~opportunities and effective and more diverse instructors focused on rigor and college and~~
 72.14 ~~career readiness for underserved students, including students enrolled in alternative learning~~
 72.15 ~~centers under section 123A.05, public alternative programs under section 126C.05,~~
 72.16 ~~subdivision 15, and contract alternative programs under section 124D.69, among other~~
 72.17 ~~underserved students; or recruitment and retention of teachers and administrators with~~
 72.18 ~~diverse racial and ethnic backgrounds.~~

72.19 (b) The plan must contain goals for:

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

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

72.25 (c) The plan must include strategies to validate, affirm, embrace, and integrate cultural
 72.26 and community strengths of all students, families, and employees in the district's curriculum
 72.27 as well as learning and work environments, and to address issues of institutional racism as
 72.28 defined in section 120B.11, subdivision 1, in schools that create opportunity and achievement
 72.29 gaps for students, families, and staff who are of color or American Indian. Examples of
 72.30 institutional racism experienced by students who are of color or American Indian include

72.31 policies and practices that intentionally or unintentionally result in disparate discipline
 72.32 referrals and suspension, inequitable access to advanced coursework, overrepresentation in
 72.33 lower-level coursework, inequitable participation in cocurricular activities, inequitable
 72.34 parent involvement, and lack of equitable access to racially and ethnically diverse teachers
 73.1 who reflect the racial or ethnic diversity of students because it has not been a priority to
 73.2 hire or retain such teachers.

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

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

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

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

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

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

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

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

- 74.1 (8) ethnic studies curriculum as defined in section 120B.11, subdivision 1, to provide
 74.2 all students with opportunities to learn about their own and others' cultures and historical
 74.3 experiences; or
- 74.4 (9) examination and revision of district curricula in all subjects to be inclusive of diverse
 74.5 racial and ethnic groups while meeting state academic standards and being culturally
 74.6 sustaining as defined in section 120B.11, subdivision 1, ensuring content being studied
 74.7 about any group is accurate and based in knowledge from that group.
- 74.8 ~~(b)~~ (e) Among other requirements, an eligible district must implement effective,
 74.9 research-based interventions that include ~~formative multiple measures of assessment practices~~
 74.10 and engagement in order to reduce the eliminate academic disparities in student academic
 74.11 performance among the specific categories of students as measured by student progress and
 74.12 growth on state reading and math assessments and for students impacted by racial, gender,
 74.13 linguistic, and economic inequities as aligned with section 120B.11.
- 74.14 ~~(e)~~ (f) Eligible districts must create efficiencies and eliminate duplicative programs and
 74.15 services under this section, which may include forming collaborations or a single,
 74.16 seven-county metropolitan areawide partnership of eligible districts for this purpose.
- 74.17 **EFFECTIVE DATE.** This section is effective for all plans reviewed and updated after
 74.18 the day following final enactment.

33.8 Sec. 29. Minnesota Statutes 2020, section 124E.05, subdivision 5, is amended to read:

33.9 Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's
 33.10 performance every five years in a manner and form determined by the commissioner, subject
 33.11 to paragraphs (b) and (c), and may review an authorizer's performance more frequently at
 33.12 the commissioner's own initiative or at the request of a charter school operator, charter
 33.13 school board member, or other interested party. The commissioner, after completing the
 33.14 review, shall transmit a report with findings to the authorizer.

33.15 (b) Consistent with this subdivision, the commissioner must:

33.16 (1) use criteria appropriate to the authorizer and the schools it charters to review the
 33.17 authorizer's performance; and

33.18 (2) consult with authorizers, charter school operators, and other charter school
 33.19 stakeholders in developing review criteria under this paragraph.

33.20 (c) The commissioner's form must use existing department data on the authorizer to
 33.21 minimize duplicate reporting to the extent practicable. When reviewing an authorizer's
 33.22 performance under this subdivision, the commissioner must not:

33.23 (1) fail to credit;

33.24 (2) withhold points; or

33.25 (3) otherwise penalize an authorizer for failing to charter additional schools or for the
33.26 absence of complaints against the authorizer's current portfolio of charter schools.

33.27 (d) An authorizer that is a school district that submitted a written promise under
33.28 subdivision 4, paragraph (b), may submit a new written promise to comply with the
33.29 requirements to the commissioner as part of the review process.

34.1 Sec. 30. Minnesota Statutes 2020, section 124E.05, subdivision 6, is amended to read:

34.2 Subd. 6. **Corrective action.** (a) If, consistent with this chapter, the commissioner finds
34.3 that an authorizer has not met the requirements of this chapter, the commissioner may subject
34.4 the authorizer to a corrective action plan, which may ~~include terminating the contract with~~
34.5 ~~the charter school board of directors of a school it chartered, last no longer than 130 business~~
34.6 days. The commissioner may prohibit an authorizer on a corrective plan from accepting a
34.7 transfer application from a charter school and an application to establish a charter school.

34.8 (b) The commissioner must notify the authorizer in writing ~~of~~ that the authorizer has
34.9 been placed on a corrective plan. The notice must include any findings that may subject the
34.10 authorizer to corrective action at the conclusion of the corrective plan and the authorizer
34.11 then has 15 business days to request an informal hearing before the commissioner takes
34.12 corrective action. The commissioner must hold an informal hearing within 15 days of the
34.13 request. If the issues identified as the basis for the corrective action are not resolved at the
34.14 informal hearing, the authorizer must make the requested improvements and notify the
34.15 commissioner of the improvements within 45 business days. Within 20 business days, the
34.16 commissioner must review the changes and notify the authorizer of any remaining issues
34.17 to be resolved. An authorizer must address the remaining issues as directed by the
34.18 commissioner within 20 business days. Within 15 business days, the commissioner must
34.19 review the changes and notify the authorizer whether all issues in the corrective plan have
34.20 been resolved.

34.21 (c) If the commissioner terminates a contract between an authorizer and a charter school
34.22 under this paragraph the authorizer's ability to charter a school, the commissioner may must
34.23 assist the affected charter school in acquiring a new authorizer. A charter school board of
34.24 directors may submit to the commissioner a request to transfer to a new authorizer without
34.25 the approval or consent of the current authorizer if that authorizer has been under a corrective
34.26 action plan for more than 130 business days.

34.27 ~~(b)~~ (d) The commissioner may at any time take corrective action against an authorizer,
34.28 including terminating an authorizer's ability to charter a school, terminating a contract with
34.29 a charter school, and other appropriate sanctions for:

34.30 (1) failing to demonstrate the criteria under subdivision 3 under which the commissioner
34.31 approved the authorizer;

34.32 (2) violating a term of the chartering contract between the authorizer and the charter
34.33 school board of directors;

74.19 Sec. 58. Minnesota Statutes 2020, section 125A.094, is amended to read:

74.20 **125A.094 RESTRICTIVE PROCEDURES FOR CHILDREN WITH**
74.21 **DISABILITIES.**

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

74.24 Sec. 59. Minnesota Statutes 2020, section 125A.0942, is amended to read:

74.25 **125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES.**

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

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

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

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

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

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

75.9 (ii) convening an oversight committee to undertake a quarterly review of the use of
75.10 restrictive procedures based on patterns or problems indicated by similarities in the time of
75.11 day, day of the week, duration of the use of a procedure, the individuals involved, or other
75.12 factors associated with the use of restrictive procedures; the number of times a restrictive
75.13 procedure is used schoolwide and for individual children; the number and types of injuries,
75.14 if any, resulting from the use of restrictive procedures; whether restrictive procedures are
75.15 used in nonemergency situations; the need for additional staff training; disproportionality
75.16 or racial disparities in the usage of restrictive procedures; the usage of school resource
75.17 officer's handling of the behaviors; student documentation to determine if the staff followed
75.18 the standards for using restrictive procedures and if there is updated information about

34.34 (3) unsatisfactory performance as an approved authorizer; ~~or~~

35.1 (4) any good cause shown that gives the commissioner a legally sufficient reason to take
35.2 corrective action against an authorizer; or

35.3 (5) failing to meet the terms of a corrective action plan by the specified deadline.

75.19 whether the restrictive procedures are contraindicated for the particular student; and proposed
75.20 actions to minimize the use of restrictive procedures; and

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

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

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

75.26 (2) an expert in positive behavior strategies;

75.27 (3) a special education administrator; and

75.28 (4) a general education administrator.

75.29 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only by a
75.30 licensed special education teacher, school social worker, school psychologist, behavior
75.31 analyst certified by the National Behavior Analyst Certification Board, a person with a
75.32 master's degree in behavior analysis, other licensed education professional, paraprofessional
76.1 under section 120B.363, or mental health professional under section 245.4871, subdivision
76.2 27, who has completed the training program under subdivision 5.

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

76.7 (c) The district must hold a meeting of the individualized education program team, if
76.8 the student is a student with a disability, or a meeting of relevant members of the student's
76.9 team including a parent, if the student is not a student with a disability, conduct or review
76.10 a functional behavioral analysis, review data, consider developing additional or revised
76.11 positive behavioral interventions and supports, consider actions to reduce the use of restrictive
76.12 procedures, and modify the individualized education program or behavior intervention plan
76.13 as appropriate. The district must hold the meeting: within ten calendar days after district
76.14 staff use restrictive procedures on two separate school days within 30 calendar days or a
76.15 pattern of use emerges and the child's individualized education program or behavior
76.16 intervention plan does not provide for using restrictive procedures in an emergency; or at
76.17 the request of a parent or the district after restrictive procedures are used. The district must
76.18 review use of restrictive procedures at a child's annual individualized education program
76.19 meeting when the child's individualized education program provides for using restrictive
76.20 procedures in an emergency.

76.21 (d) If the ~~individualized education program meeting~~ team under paragraph (c) determines
76.22 that existing interventions and supports are ineffective in reducing the use of restrictive
76.23 procedures or the district uses restrictive procedures on a child on ten or more school days
76.24 during the same school year, the team, as appropriate, either must consult with other

76.25 professionals working with the child; consult with experts in behavior analysis, mental
76.26 health, communication, or autism; consult with culturally competent professionals; review
76.27 existing evaluations, resources, and successful strategies; or consider whether to reevaluate
76.28 the child.

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

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

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

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

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

77.13 (3) physical holding or seclusion ends when the threat of harm ends and the staff
77.14 determines the child can safely return to the classroom or activity;

77.15 (4) staff directly observes the child while physical holding or seclusion is being used;

77.16 (5) each time physical holding or seclusion is used, the staff person who implements or
77.17 oversees the physical holding or seclusion documents, as soon as possible after the incident
77.18 concludes, the following information:

77.19 (i) a description of the incident that led to the physical holding or seclusion;

77.20 (ii) why a less restrictive measure failed or was determined by staff to be inappropriate
77.21 or impractical;

77.22 (iii) the time the physical holding or seclusion began and the time the child was released;
77.23 ~~and~~

77.24 (iv) a brief record of the child's behavioral and physical status; and

77.25 (v) a brief description of the post-use debriefing process that occurred following the use
77.26 of the restrictive procedure;

- 77.27 (6) the room used for seclusion must:
- 77.28 (i) be at least six feet by five feet;
- 77.29 (ii) be well lit, well ventilated, adequately heated, and clean;
- 77.30 (iii) have a window that allows staff to directly observe a child in seclusion;
- 78.1 (iv) have tamperproof fixtures, electrical switches located immediately outside the door,
- 78.2 and secure ceilings;
- 78.3 (v) have doors that open out and are unlocked, locked with keyless locks that have
- 78.4 immediate release mechanisms, or locked with locks that have immediate release mechanisms
- 78.5 connected with a fire and emergency system; and
- 78.6 (vi) not contain objects that a child may use to injure the child or others; and
- 78.7 (7) before using a room for seclusion, a school must:
- 78.8 (i) receive written notice from local authorities that the room and the locking mechanisms
- 78.9 comply with applicable building, fire, and safety codes; and
- 78.10 (ii) register the room with the commissioner, who may view that room.
- 78.11 (b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary,
- 78.12 recommend to the commissioner specific and measurable implementation and outcome
- 78.13 goals for reducing the use of restrictive procedures and the commissioner must submit to
- 78.14 the legislature a report on districts' progress in reducing the use of restrictive procedures
- 78.15 that recommends how to further reduce these procedures and eliminate the use of seclusion.
- 78.16 The statewide plan includes the following components: measurable goals; the resources,
- 78.17 training, technical assistance, mental health services, and collaborative efforts needed to
- 78.18 significantly reduce districts' use of seclusion; and recommendations to clarify and improve
- 78.19 the law governing districts' use of restrictive procedures. The commissioner must consult
- 78.20 with interested stakeholders when preparing the report, including representatives of advocacy
- 78.21 organizations, special education directors, teachers, paraprofessionals, intermediate school
- 78.22 districts, school boards, day treatment providers, county social services, state human services
- 78.23 department staff, mental health professionals, and autism experts. Beginning with the
- 78.24 2016-2017 school year, in a form and manner determined by the commissioner, districts
- 78.25 must report data quarterly to the department by January 15, April 15, July 15, and October
- 78.26 15 about individual students who have been secluded. By July 15 each year, districts must
- 78.27 report summary data on their use of restrictive procedures to the department for the prior
- 78.28 school year, July 1 through June 30, in a form and manner determined by the commissioner.
- 78.29 The summary data must include information about the use of restrictive procedures, including
- 78.30 use of reasonable force under section 121A.582.
- 78.31 Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:
- 78.32 (1) engaging in conduct prohibited under section 121A.58;

- 79.1 (2) requiring a child to assume and maintain a specified physical position, activity, or
79.2 posture that induces physical pain;
- 79.3 (3) totally or partially restricting a child's senses as punishment;
- 79.4 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,
79.5 substance, or spray as punishment;
- 79.6 (5) denying or restricting a child's access to equipment and devices such as walkers,
79.7 wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,
79.8 except when temporarily removing the equipment or device is needed to prevent injury to
79.9 the child or others or serious damage to the equipment or device, in which case the equipment
79.10 or device shall be returned to the child as soon as possible;
- 79.11 (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical
79.12 abuse under chapter 260E;
- 79.13 (7) withholding regularly scheduled meals or water;
- 79.14 (8) denying access to bathroom facilities;
- 79.15 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs
79.16 a child's ability to communicate distress, places pressure or weight on a child's head, throat,
79.17 neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's
79.18 torso; ~~and~~
- 79.19 (10) prone restraint; and
- 79.20 (11) utilizing a restrictive procedure on any child under the age of five.
- 79.21 Subd. 5. **Training for staff.** (a) To meet the requirements of subdivision 1, staff who
79.22 use restrictive procedures, including paraprofessionals, shall complete training in the
79.23 following skills and knowledge areas:
- 79.24 (1) positive behavioral interventions;
- 79.25 (2) communicative intent of behaviors;
- 79.26 (3) relationship building;
- 79.27 (4) alternatives to restrictive procedures, including techniques to identify events and
79.28 environmental factors that may escalate behavior;
- 79.29 (5) de-escalation methods;
- 79.30 (6) standards for using restrictive procedures only in an emergency;
- 80.1 (7) obtaining emergency medical assistance;
- 80.2 (8) the physiological and psychological impact of physical holding and seclusion;

80.3 (9) monitoring and responding to a child's physical signs of distress when physical
80.4 holding is being used;

80.5 (10) recognizing the symptoms of and interventions that may cause positional asphyxia
80.6 when physical holding is used;

80.7 (11) district policies and procedures for timely reporting and documenting each incident
80.8 involving use of a restricted procedure; and

80.9 (12) schoolwide programs on positive behavior strategies.

80.10 (b) The commissioner, after consulting with the commissioner of human services, must
80.11 develop and maintain a list of training programs that satisfy the requirements of paragraph
80.12 (a). The commissioner also must develop and maintain a list of experts to help individualized
80.13 education program teams reduce the use of restrictive procedures. The district shall maintain
80.14 records of staff who have been trained and the organization or professional that conducted
80.15 the training. The district may collaborate with children's community mental health providers
80.16 to coordinate trainings.

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

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

35.4 Sec. 31. Minnesota Statutes 2020, section 126C.05, subdivision 8, is amended to read:

35.5 Subd. 8. **Average daily membership.** (a) Membership for pupils in grades kindergarten
35.6 through 12 and for prekindergarten pupils with disabilities shall mean the number of pupils
35.7 on the current roll of the school, counted from the date of entry until withdrawal. The date
35.8 of withdrawal shall mean the day the pupil permanently leaves the school or the date it is
35.9 officially known that the pupil has left or has been legally excused. However, a pupil,
35.10 regardless of age, who has been absent from school for 15 consecutive school days during
35.11 the regular school year or for five consecutive school days during summer school or
35.12 intersession classes of flexible school year programs without receiving instruction in the
35.13 home or hospital shall be dropped from the roll and classified as withdrawn. Nothing in this
35.14 section shall be construed as waiving the compulsory attendance provisions cited in section
35.15 120A.22. Average daily membership equals the sum for all pupils of the number of days
35.16 of the school year each pupil is enrolled in the district's schools divided by the number of
35.17 days the schools are in session, are providing distance learning under section 124D.097, or
35.18 are providing e-learning distance learning days due to inclement weather under section
35.19 120A.414. Days of summer school or intersession classes of flexible school year programs

- 35.20 are only included in the computation of membership for pupils with a disability not
35.21 appropriately served primarily in the regular classroom. A student must not be counted as
35.22 more than 1.2 pupils in average daily membership under this section and section 126C.10,
35.23 subdivision 2a, paragraph (b). When the initial total average daily membership exceeds 1.2
35.24 for a pupil enrolled in more than one school district during the fiscal year, each district's
35.25 average daily membership must be reduced proportionately.
- 35.26 (b) A student must not be counted as more than one pupil in average daily membership
35.27 except for purposes of section 126C.10, subdivision 2a.
- 35.28 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.
- 35.29 Sec. 32. **[127A.20] EVIDENCE-BASED EDUCATION GRANTS.**
- 35.30 **Subdivision 1. Purpose and applicability.** The purpose of this section is to create a
35.31 process to describe, measure, and report on the effectiveness of any prekindergarten through
35.32 grade 12 education program funded in whole or in part through funds appropriated by the
35.33 legislature to the commissioner of education for grants to organizations. The evidence-based
36.1 evaluation required by this section applies to all grants awarded by the commissioner of
36.2 education on or after July 1, 2022.
- 36.3 **Subd. 2. Goals.** Each applicant for a grant awarded by the commissioner of education
36.4 must include in the grant application a statement of the goals of the education program and
36.5 grant funds. To the extent practicable, the goals must be aligned to the state of Minnesota's
36.6 world's best workforce and the federally required Every Student Succeeds Act accountability
36.7 systems.
- 36.8 **Subd. 3. Strategies and data.** Each applicant must include in the grant application a
36.9 description of the strategies that will be used to meet the goals specified in the application.
36.10 The applicant must also include a plan to collect data to measure the effectiveness of the
36.11 strategies outlined in the grant application.
- 36.12 **Subd. 4. Reporting.** Within 180 days of the end of the grant period, each grant recipient
36.13 must compile a report that describes the data that was collected and evaluate the effectiveness
36.14 of the strategies. The evidence-based report may identify or propose alternative strategies
36.15 based on the results of the data. The report must be submitted to the commissioner of
36.16 education and to the chairs and ranking minority members of the legislative committees
36.17 with jurisdiction over prekindergarten through grade 12 education. The report must be filed
36.18 with the Legislative Reference Library according to section 3.195.
- 36.19 **Subd. 5. Grant defined.** For purposes of this section, "grant" means money appropriated
36.20 from the state general fund to the commissioner of education for distribution to the grant
36.21 recipients.
- 36.22 **EFFECTIVE DATE.** This section is effective July 1, 2022.

80.24 Sec. 60. Minnesota Statutes 2020, section 144.4165, is amended to read:

80.25 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

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

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

36.23 Sec. 33. Laws 2017, First Special Session chapter 5, article 2, section 52, is amended to
36.24 read:

36.25 Sec. 52. **EDUCATION INNOVATION RESEARCH ZONES PILOT ZONE**
36.26 **PROGRAM.**

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

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

37.6 (c) An innovation ~~research~~ zone partnership ~~must research and~~ may implement innovative
37.7 education programs and models that ~~are based on proposed hypotheses.~~ ~~An innovation zone~~
37.8 ~~plan may include an emerging practice not yet supported by peer-reviewed research.~~
37.9 ~~Examples of innovation zone research~~ may include, but are not limited to:

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

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

- 37.14 (3) multidisciplinary, real-world, inquiry-based, and student-directed models designed
37.15 to make learning more engaging and relevant, including documenting and validating learning
37.16 that takes place beyond the school day and school walls;
- 37.17 (4) models of instruction designed to close the achievement gap, including new models
37.18 for age three to grade 3 models, English as a second language models, early identification
37.19 and prevention of mental health issues, and others;
- 37.20 (5) new partnerships between secondary schools and postsecondary institutions,
37.21 employers, or career training institutions enabling students to complete industry certifications,
37.22 postsecondary education credits, and other credentials;
- 37.23 (6) new methods of collaborative leadership including the expansion of schools where
37.24 teachers have larger professional roles;
- 37.25 (7) new ways to enhance parental and community involvement in learning;
- 37.26 (8) new models of professional development for educators, including embedded
37.27 professional development; ~~or~~
- 37.28 (9) new models in other areas such as whole child instruction, social-emotional skill
37.29 development, technology-based or blended learning, parent and community involvement,
37.30 professional development and mentoring, and models that increase the return on investment;
- 37.31 (10) new models of evaluation, assessment, and accountability using multiple indicators
37.32 including models that demonstrate alternative ways to validate students' academic attainment
38.1 that have predictive validity to the state tests, but also include other variables such as problem
38.2 solving, creativity, analytical thinking, collaboration, respecting others, global understanding,
38.3 postgraduation student performance, and other information;
- 38.4 (11) improving teacher and principal mentoring and evaluation;
- 38.5 (12) granting a high school diploma to a student who meets the graduation requirements
38.6 under Minnesota Statutes, section 120B.02, subdivision 2, who demonstrates preparation
38.7 for postsecondary education or a career consistent with the world's best workforce goals
38.8 under Minnesota Statutes, section 120B.11, and who meets the following requirements:
- 38.9 (i) completes four years of high school; and
- 38.10 (ii) completes at least one year of postsecondary education at a two- or four-year college
38.11 or university through concurrent enrollment, advanced placement, or international
38.12 baccalaureate courses; or
- 38.13 (iii) completes a career certification up to the apprenticeship program level if one is
38.14 required for that certification;
- 38.15 (13) using the provisions in Minnesota Statutes, sections 124D.085, governing experiential
38.16 and applied learning opportunities; 124D.52, subdivision 9, governing standard adult high

- 38.17 school diploma requirements; and 126C.05, subdivision 15, paragraph (b), item (i), governing
38.18 the use of independent study;
- 38.19 (14) allow a student in grade 10, 11, or 12 to participate in career and technical programs
38.20 after school, on weekends, and during school breaks, including summers, and be included
38.21 in the average daily membership up to one. The classes must generate both high school and
38.22 postsecondary credit and lead to either a career certification, technical college degree, or
38.23 an apprenticeship program;
- 38.24 (15) methods to initiate prevention models to reduce student needs for special education
38.25 and to reduce teacher time devoted to the required special education documentation; or
- 38.26 (16) other innovations as determined by the local boards.
- 38.27 (d) An innovation zone plan submitted to the commissioner must describe:
- 38.28 (1) how the plan will improve student and school outcomes consistent with the world's
38.29 best workforce requirements under Minnesota Statutes, section 120B.11;
- 38.30 (2) the role of each partner in the zone;
- 38.31 ~~(3) the research methodology used for each proposed action in the plan;~~
- 39.1 ~~(4) (3) the exemptions from statutes and rules in subdivision 2 that the research innovation~~
39.2 ~~zone partnership will use;~~
- 39.3 ~~(5) (4) a description of how teachers and other educational staff from the affected school~~
39.4 ~~sites will be included in the planning and implementation process;~~
- 39.5 ~~(6) (5) a detailed description of expected outcomes and graduation standards;~~
- 39.6 ~~(7) (6) a timeline for implementing the plan and assessing the outcomes; and~~
- 39.7 ~~(8) (7) how results of the plan will be disseminated.~~
- 39.8 The governing board for each partner must approve the innovation zone plan.
- 39.9 (e) Upon unanimous approval of the initial innovation zone partners ~~and approval of the~~
39.10 ~~commissioner of education~~, the innovation zone partnership may extend membership to
39.11 other partners. A new partner's membership is effective 30 days after the innovation zone
39.12 partnership notifies the commissioner of the proposed change in membership ~~unless the~~
39.13 ~~commissioner disapproves the new partner's membership and updates their plan.~~
- 39.14 (f) Notwithstanding any other law to the contrary, a school district or charter school
39.15 participating in an innovation zone partnership under this section continues to receive all
39.16 revenue and maintains its taxation authority in the same manner as before its participation
39.17 in the innovation zone partnership. The innovation zone school district and charter school
39.18 partners remain organized and governed by their respective school boards with general
39.19 powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any
39.20 employment agreements under Minnesota Statutes, chapters 122A and 179A. School district

39.21 and charter school employees participating in an innovation zone partnership remain
39.22 employees of their respective school district or charter school.

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

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

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

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

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

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

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

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

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

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

40.21 (b) ~~The panel must be composed of nine members. One member must be appointed by~~
40.22 ~~each of the following organizations: Educators for Excellence, Education Minnesota,~~
40.23 ~~Minnesota Association of Secondary School Principals, Minnesota Elementary School~~
40.24 ~~Principals' Association, Minnesota Association of School Administrators, Minnesota School~~

81.7 Sec. 61. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5,
81.8 as amended by Laws 2020, chapter 116, article 6, section 9, is amended to read:

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

81.11 \$ 2,766,000 2020

81.12 ~~3,106,000~~

81.13 \$ 2,319,000 2021

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

81.15 The 2021 appropriation includes \$274,000 for 2020 and ~~\$2,832,000~~ \$2,045,000 for
81.16 2021.

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

40.25 ~~Boards Association, Minnesota Association of Charter Schools, and the Office of Higher~~
40.26 ~~Education. The commissioner must appoint one member with expertise in evaluation and~~
40.27 ~~research.~~

40.28 Subd. 4. **Commissioner approval; duties.** (a) ~~Upon recommendation of the Innovation~~
40.29 ~~Research Zone Advisory Panel, the commissioner may approve up to three innovation zone~~
40.30 ~~plans in the seven-county metropolitan area and up to three in greater Minnesota.~~ If an
40.31 innovation zone partnership fails to implement its innovation zone plan as described in its
40.32 application and according to the stated timeline, ~~upon recommendation of the Innovation~~
40.33 ~~Research Zone Advisory Panel, the commissioner must~~ may alert the partnership members
41.1 and provide the opportunity to remediate. If implementation continues to fail, the
41.2 commissioner ~~must~~ may suspend or terminate the innovation zone plan.

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

41.6 Subd. 5. **Project evaluation, dissemination, and report to legislature.** Each ~~research~~
41.7 ~~innovation~~ zone partnership must submit project data to the commissioner in the form and
41.8 ~~manner provided for in the approved application specified by the commissioner.~~ At least
41.9 once every two years, the commissioner ~~must~~ may analyze each innovation zone's progress
41.10 in realizing the objectives of the innovation zone partnership's plan. ~~The commissioner must~~
41.11 ~~To the extent practicable, and using existing resources, the commissioner may summarize~~
41.12 ~~and categorize innovation zone plans and submit a report to the legislative committees~~
41.13 ~~having jurisdiction over education by February 1 of each odd-numbered year in accordance~~
41.14 ~~with Minnesota Statutes, section 3.195.~~

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

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

131.26 \$ 2,766,000 2020

131.27 ~~3,106,000~~

131.28 \$ 2,435,000 2021

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

131.30 The 2021 appropriation includes \$274,000 for 2020 and ~~\$2,832,000~~ \$2,161,000 for
131.31 2021.

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

(NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 11, SECTION 9)

81.18 Sec. 62. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision
81.19 27, is amended to read:

81.20 Subd. 27. **Singing-based pilot program to improve student reading.** (a) For a grant
81.21 to pilot a research-supported, computer-based educational program that uses singing to
81.22 improve the reading ability of students in grades 2 through 5:

81.23 ~~230,000~~
81.24 \$ 155,000 2020

81.25 (b) The commissioner of education shall award a grant to the Rock 'n' Read Project to
81.26 implement a research-supported, computer-based educational program that uses singing to
81.27 improve the reading ability of students in grades 2 through 5. The grantee shall be responsible
81.28 for selecting participating school sites; providing any required hardware and software,
81.29 including software licenses, for the duration of the grant period; providing technical support,
81.30 training, and staff to install required project hardware and software; providing on-site
81.31 professional development and instructional monitoring and support for school staff and
81.32 students; administering preintervention and postintervention reading assessments; evaluating
81.33 the impact of the intervention; and other project management services as required. To the
82.1 extent practicable, the grantee must select participating schools in urban, suburban, and
82.2 greater Minnesota, and give priority to schools in which a high proportion of students do
82.3 not read proficiently at grade level and are eligible for free or reduced-price lunch.

82.4 (c) By February 15, 2021, the grantee must submit a report detailing expenditures and
82.5 outcomes of the grant to the commissioner of education and the chairs and ranking minority
82.6 members of the legislative committees with primary jurisdiction over kindergarten through
82.7 grade 12 education policy and finance.

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

82.9 (e) This is a onetime appropriation. \$75,000 of the initial fiscal year 2020 appropriation
82.10 is canceled to the general fund on June 29, 2021.

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

82.12 Sec. 63. **ONETIME AMERICAN INDIAN TRIBAL CONTRACT COMPENSATORY**
82.13 **AID; FISCAL YEAR 2022.**

82.14 Notwithstanding Minnesota Statutes, section 124D.83, for fiscal year 2022 only,
82.15 American Indian Tribal contract aid shall be increased by an amount equal to the greater
82.16 of zero or the product of:

82.17 (1) the number of pupils enrolled at the school on October 1, 2020; and

82.18 (2) the difference between the amount generated for fiscal year 2021 by compensation
82.19 revenue pupil units divided by the pupils enrolled on October 1, 2019, and the amount

- 82.20 generated for fiscal year 2022 by compensation revenue pupil units divided by the pupils
82.21 enrolled on October 1, 2020.
- 82.22 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022.
- 82.23 Sec. 64. **EXTENSION FOR POSTING STUDENT PROGRESS AND OTHER DATA.**
- 82.24 Notwithstanding Minnesota Statutes, section 120B.36, subdivision 2, for the 2020-2021
82.25 school year only, the commissioner must post federal expectations and state student, learning,
82.26 and outcome data to the department's public website no later than October 1, 2021.
- 82.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 82.28 Sec. 65. **INSTRUCTION MODEL WORKING GROUP.**
- 82.29 Subdivision 1. **Working group.** A working group is established to review how school
82.30 districts and charter schools implemented distance and hybrid instruction due to disruptions
83.1 to on-site instruction caused by COVID-19 and make recommendations to increase flexibility
83.2 for school districts and charter schools to implement instruction models that meet students'
83.3 diverse learning needs.
- 83.4 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
83.5 meanings given them.
- 83.6 (b) "Distance instruction" means instruction provided to students remotely, with students
83.7 and teachers interacting through synchronous and other online interactions, and students
83.8 being provided appropriate education materials.
- 83.9 (c) "Hybrid instruction" means a manner of instruction that includes both on-site
83.10 instruction and distance instruction.
- 83.11 (d) "On-site instruction" means instruction delivered in person by a teacher at a school
83.12 facility.
- 83.13 Subd. 3. **Duties.** (a) The working group must study the outcomes, challenges, and
83.14 successes of distance instruction during the 2019-2020 and 2020-2021 school years. In
83.15 particular, the group must consider:
- 83.16 (1) the impact of lower class sizes on student engagement and academic growth;
- 83.17 (2) how modifications to the school calendar would affect learning retention and student
83.18 engagement;
- 83.19 (3) the impact of distance instruction on students requiring special education services
83.20 and supports, students identified as English learners, and students experiencing homelessness
83.21 or who are highly mobile;
- 83.22 (4) the effect of distance instruction on students' social and emotional growth, student
83.23 discipline, and bullying;

- 83.24 (5) how students' educational needs vary by age group; and
- 83.25 (6) students' access to technology.
- 83.26 (b) The working group must report its findings and recommendations to the chairs and
83.27 ranking minority members of the legislative committees with jurisdiction over kindergarten
83.28 through grade 12 education by January 17, 2022. The report must be submitted in accordance
83.29 with Minnesota Statutes, section 3.195.
- 83.30 (c) The commissioner of education must provide technical assistance and public data
83.31 on student academic needs and performance, to the extent it is available, to help the working
83.32 group make evidence-based recommendations.
- 84.1 (d) The working group expires January 18, 2022.
- 84.2 Subd. 4. **Members.** (a) The commissioner of education or the commissioner's designee
84.3 must serve as a member of the working group. In addition, by July 1, 2021, the commissioner
84.4 of education must review applications to be named to the group and appoint the following
84.5 group members:
- 84.6 (1) two superintendents;
- 84.7 (2) two elementary school teachers;
- 84.8 (3) two secondary school teachers;
- 84.9 (4) one special education teacher;
- 84.10 (5) one teacher in a state-approved alternative program;
- 84.11 (6) one school counselor;
- 84.12 (7) two school board members;
- 84.13 (8) two students;
- 84.14 (9) one curriculum director;
- 84.15 (10) one assessment coordinator;
- 84.16 (11) one technology director;
- 84.17 (12) one technology coordinator;
- 84.18 (13) one parent of a student enrolled in a school district or charter school;
- 84.19 (14) one special education director; and
- 84.20 (15) one teacher and one administrator from an online learning provider approved under
84.21 Minnesota Statutes, section 124D.095.

84.22 (b) When appointing members to the working group, the commissioner must consider
84.23 whether the working group represents communities of color, American Indian communities,
84.24 and communities from throughout Minnesota.

84.25 Subd. 5. **Meetings.** (a) The commissioner of education must convene the first meeting
84.26 of the working group no later than August 30, 2021. The working group must select a chair
84.27 or cochairs from among its members at the first meeting. The working group must meet
84.28 periodically.

84.29 (b) The commissioner must provide technical and administrative assistance to the working
84.30 group upon request.

85.1 (c) Working group members are not eligible to receive expenses or per diem payments
85.2 for serving on the working group.

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

85.4 Sec. 66. **DISTANCE AND HYBRID LEARNING.**

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

85.7 (b) "Distance learning" means learning in which a student has access to appropriate
85.8 educational materials and interacts with a licensed teacher.

85.9 (c) "Hybrid learning" means learning that combines distance learning with scheduled
85.10 in-person instruction by a licensed teacher in a supervised physical setting.

85.11 Subd. 2. **Distance and hybrid learning options.** (a) In response to the COVID-19
85.12 pandemic, a school district or charter school may offer distance and hybrid learning options
85.13 to enrolled students. A student may participate in distance or hybrid learning options only
85.14 if the student and family so choose. Districts and charter schools must provide students
85.15 participating in distance or hybrid learning options the option to participate in in-person
85.16 instruction on the same basis as other enrolled students subject to reasonable limits on
85.17 students changing between in-person and distance or hybrid learning options. Districts and
85.18 charter schools must not prevent students from enrolling in courses offered by online learning
85.19 providers approved under Minnesota Statutes, section 124D.095.

85.20 (b) A school district or charter school offering distance or hybrid learning options must:

85.21 (1) ensure that students and families in a distance or hybrid learning options program
85.22 have access to digital devices, in-home broadband that meets or exceeds Federal
85.23 Communications Commission's recommendations of 25 megabytes to download and three
85.24 megabytes to upload, and digital literacy skills support;

85.25 (2) employ or contract with another district or a cooperative unit for licensed teachers
85.26 to provide online instruction to no more than 40 students in an online learning course. The

15.21 Sec. 4. Minnesota Statutes 2020, section 120A.414, is amended to read:

15.22 **120A.414 ~~E-LEARNING~~ DISTANCE LEARNING DAYS.**

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

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

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

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

85.27 contract of a teacher employed by a district must meet the requirements of Minnesota
85.28 Statutes, section 122A.40 or 122A.41, and a charter school must employ or contract with
85.29 a teacher in accordance with Minnesota Statutes, section 124E.12, subdivision 1;

85.30 (3) provide direct supervision and control of the education program by an administrator
85.31 holding an appropriate license;

86.1 (4) provide a curriculum that meets state academic standards under Minnesota Statutes,
86.2 section 120B.021, and locally established learning goals consistent with those provided in
86.3 the in-person school settings;

86.4 (5) provide instruction that meets the school calendar's instructional days and hours
86.5 requirements;

86.6 (6) provide a student with a disability with special instruction and services as defined
86.7 in Minnesota Statutes, section 125A.03, in accordance with Minnesota Statutes, chapter
86.8 125A, Minnesota Rules, chapter 3525, and the Individuals with Disabilities Education Act,
86.9 including special education evaluation and development of individualized education programs
86.10 under Minnesota Statutes, section 125A.08. A district offering distance or hybrid learning
86.11 options must develop systems designed to identify pupils with disabilities under Minnesota
86.12 Rules, part 3525.0750;

86.13 (7) provide students identified as English learners with instruction by a teacher licensed
86.14 to teach bilingual education or English as a second language, and differentiated instruction
86.15 in all courses consistent with state and federal law, and communicate with the families of
86.16 students identified as English learners and encourage their involvement in the students'
86.17 educational program; and

86.18 (8) provide meals for students participating in distance learning, including an option for
86.19 delivery of weekly meals.

86.20 (c) A school district or charter school that offers distance learning does not generate
86.21 revenue as an online learning provider and is not subject to application approval under
86.22 Minnesota Statutes, section 124D.095.

86.23 (d) A school district or charter school offering distance or hybrid learning options must
86.24 not require a teacher to provide simultaneous instruction to students in person and doing
86.25 online learning at the same time.

86.26 (e) A district or charter school must provide an additional 30 minutes of daily preparation
86.27 time to a teacher providing instruction to students in person and to students doing online
86.28 learning at different times in one day. The district or charter school must provide the
86.29 additional preparation time in one or two uninterrupted blocks of time during the regular

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

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

29.24 Sec. 22. **[124D.097] DISTANCE LEARNING OPTION.**

29.25 A school district may offer a full distance learning option to its enrolled resident students.
29.26 A distance learning option may be part of a school's curriculum offerings. A student may
29.27 complete all of the educational expectations and graduation requirements according to
29.28 section 120B.02 through distance learning. A school district that offers distance learning is
29.29 not an online learning provider and is not subject to Department of Education approval
29.30 under section 124D.095. A school district may assign a student who is participating in full
29.31 distance learning to a building for purposes of determining compensatory revenue pupil
29.32 units under section 126C.05, subdivision 3, and free and reduced-price meal eligibility under
29.33 section 126C.05, subdivision 16.

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

86.30 school day. A district or charter school and the exclusive representative of teachers may
86.31 agree to waive, limit, or modify the additional preparation time requirement.

86.32 **EFFECTIVE DATE.** This section is effective for the 2021-2022 school year only.

87.1 Sec. 67. **PROFESSIONAL DEVELOPMENT ON LITERACY INSTRUCTION.**

87.2 Notwithstanding any law to the contrary, a district must use up to 0.5 percent of its staff
87.3 development revenue under Minnesota Statutes, section 122A.61, or its literacy incentive
87.4 aid under Minnesota Statutes, section 124D.98, on rigorous professional development for
87.5 teachers based on the science of reading that includes:

87.6 (1) explicit, systematic, and sequential instruction in foundational reading skills and
87.7 higher-order literacy skills;

87.8 (2) instruction on using structured, phonemic, phonetic multisensory methods to teach
87.9 students to read; and

87.10 (3) instruction on assessing student needs and interpreting student assessment data.

87.11 **EFFECTIVE DATE.** This section is effective for the 2021-2022 and 2022-2023 school
87.12 years only.

87.13 Sec. 68. **ONETIME AMERICAN INDIAN TRIBAL CONTRACT DECLINING**
87.14 **ENROLLMENT AID; FISCAL YEAR 2021.**

87.15 Notwithstanding Minnesota Statutes, section 124D.83, for fiscal year 2021 only,
87.16 American Indian Tribal contract aid shall be increased by an amount equal to the greater
87.17 of zero or the product of:

87.18 (1) 20.5 percent of the formula allowance for fiscal year 2021; and

87.19 (2) the difference between the adjusted pupil units for fiscal year 2020 and the adjusted
87.20 pupil units for fiscal year 2021.

87.21 **EFFECTIVE DATE.** This section is effective the day following final enactment for
87.22 fiscal year 2021.

87.23 Sec. 69. **ACADEMIC STANDARDS.**

87.24 Subdivision 1. **Social studies standards.** (a) The commissioner of education must ensure
87.25 that the revised social studies standards adopted as a result of the review beginning in the
87.26 2020-2021 school year include personal finance standards that improve students' financial
87.27 literacy. The related benchmarks must address creating a household budget, taking out loans
87.28 and accruing debt, how interest works, home mortgages, how to file taxes, the impact of
87.29 student loan debt, and how to read a paycheck and payroll deductions. In developing the
87.30 standards and benchmarks, the commissioner must consider the needs of young adults,
87.31 low-income individuals, immigrants, and American Indian students or students of color.
88.1 The commissioner is encouraged to consult with the Minnesota Council on Economic

41.15 Sec. 34. **ACADEMIC STANDARDS REVIEW SUSPENSION.**

88.2 Education, the University of Minnesota Extension, and community-based organizations
88.3 that promote financial literacy in underserved communities.

88.4 (b) The commissioner of education must ensure that the revised social studies standards
88.5 adopted as a result of the review beginning in the 2020-2021 school year include benchmarks
88.6 in government and citizenship in 11th or 12th grade.

88.7 Subd. 2. **Other standards.** Notwithstanding Minnesota Statutes, section 120B.021, the
88.8 commissioner of education must suspend the review and revision of academic standards
88.9 and related benchmarks in mathematics and the implementation of revised physical education
88.10 and arts academic standards under Minnesota Statutes, section 120B.021, until June 1, 2022.
88.11 This suspension does not prevent the commissioner from supporting schools and districts
88.12 with future implementation, continuing with current rulemaking activities, or developing
88.13 future statewide assessments in science or reading. The commissioner must implement a
88.14 review and revision of the academic standards and related benchmarks in mathematics
88.15 beginning in the 2022-2023 school year.

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

41.16 Notwithstanding Minnesota Statutes, section 120B.021, the commissioner of education
41.17 must suspend any ongoing review or revision of academic standards, or implementation of
41.18 revised academic standards under Minnesota Statutes, section 120B.021, until June 1, 2023.

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

41.20 Sec. 35. **DIGITAL WELL-BEING GRANT.**

41.21 Subdivision 1. **Findings; grant.** (a) The legislature finds that the negative effects of
41.22 screen overuse and misuse impact the healthy development of young people. Research
41.23 supports a growing amount of evidence on the effects of screen overuse and misuse on the
41.24 following dimensions of well-being:

41.25 (1) physically, including sleep disturbances, eye strain, headaches, obesity, back and
41.26 neck pain, and physiological changes in the brain;

41.27 (2) mentally, including depression, anxiety, suicidal ideation, and addictive tendencies;

41.28 (3) socially, including loneliness, social upward mobility comparison, nomophobia,
41.29 sexting, cyberbullying, unfiltered access to pornography, and diminished social and
41.30 interpersonal skills;

42.1 (4) emotionally, including emotional dysregulation, decreased ability to express empathy,
42.2 and lowered self-esteem; and

42.3 (5) cognitive distraction, including diminished academic performance, decreased working
42.4 memory, decrease in cognitive capacity and functioning, and increase in ADHD.

42.5 (b) The effects of screen overuse and misuse impact every generation, gender, race, and
42.6 social class. Technology poses a greater detriment to underserved populations on social
42.7 mobility comparisons, academic achievement, distraction by devices in the learning
42.8 environment, compromised use of technology as a learning tool, reduced social and emotional
42.9 learning skills, and lower levels of learning motivation and self-confidence.

42.10 (c) The negative effects of social media on young people include sleep disruption,
42.11 increased cyberbullying and rumor spreading, increased depression and anxiety, declines
42.12 in life satisfaction, loss of interest in daily activities with peers, increased tendency to send
42.13 sexualized images, suicidal ideation, self-harming, and obesity.

42.14 (d) The commissioner of education must award a grant to LiveMore ScreenLess, a
42.15 Minnesota-based organization that collaborates with communities to promote digital
42.16 well-being. LiveMore ScreenLess must use the grant funds as described in subdivisions 2
42.17 to 5.

42.18 Subd. 2. **Digital well-being resource hub.** The grant to LiveMore ScreenLess must be
42.19 used to support the development of a library of resources for young people, parents, schools,
42.20 after-school programs, and community-based organizations to serve Minnesota as the
42.21 premiere resource for promoting digital well-being.

42.22 Subd. 3. **Network of organizations.** LiveMore ScreenLess must identify key local and
42.23 national organizations focused on particular aspects of healthy screen use and healthy youth
42.24 development, including the issues of cyberbullying, suicide prevention, mental health,
42.25 antipornography, mindfulness, and social and emotional learning, in order to create a robust
42.26 network for addressing digital well-being. LiveMore ScreenLess must collaborate, coordinate,
42.27 and build upon Minnesota organizations and resources to address the effects of screen
42.28 overuse and misuse with other advocates of young people.

42.29 Subd. 4. **Train-the-trainer series.** LiveMore ScreenLess must implement the digital
42.30 well-being train-the-trainer series for all Minnesotans serving and advocating for young
42.31 people in Minnesota, including youth development and leadership organizations, schools,
42.32 community-based organizations, government sectors, and other related agencies.

43.1 Subd. 5. **Peer-to-peer training development.** LiveMore ScreenLess must deliver
43.2 peer-to-peer training to develop young people as mentors and leaders to advocate and
43.3 promote digital well-being among their peers and younger students.

43.4 Sec. 36. **EDUCATION SAVINGS ACCOUNTS FOR STUDENTS ACT.**

43.5 Subdivision 1. **Title.** This act will be known as the "Education Savings Accounts for
43.6 Students Act."

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

43.9 (b) "Commissioner" means the commissioner of education.

43.10 (c) "Department" means the Department of Education.

43.11 (d) "Educational service provider" means an eligible school, tutor, or other person or
43.12 organization that provides education-related services and products to participating students.
43.13 The eligible student's parent shall not be an educational service provider for that student.

43.14 (e) "Eligible school" means a nonpublic school where a student can fulfill compulsory
43.15 education requirements and that is recognized by the commissioner or accredited by an
43.16 accrediting agency recognized by the Minnesota Nonpublic Education Council under
43.17 Minnesota Statutes, section 123B.445, paragraph (a). An eligible school does not include
43.18 a home school under Minnesota Statutes, sections 120A.22, subdivision 4, and 120A.24.

43.19 (f) "Eligible student" means any student who (1) resides in Minnesota, (2) attended a
43.20 public school or a public charter school during the semester preceding participation in the
43.21 program, and (3) is a member of a household that has a total annual income during the year
43.22 prior to initial participation in the program, without consideration of the benefits under this
43.23 program, that does not exceed an amount equal to three times the income standard used to
43.24 qualify for a reduced-price meal under the National School Lunch Program.

43.25 (g) "Parent" means a resident of this state who is a parent, legal guardian, custodian, or
43.26 other person with the authority to act on behalf of the eligible student.

43.27 (h) "Postsecondary institution" means a college or university accredited by a state,
43.28 regional, or national accrediting organization.

43.29 (i) "Program" means a program to implement education savings accounts (ESAs).

43.30 (j) "Tutor" means a person who (1) is certified or licensed by a state, regional, or national
43.31 certification or licensing organization to teach, (2) has earned a valid teacher's license, or
43.32 (3) has experience teaching at a postsecondary institution.

44.1 Subd. 3. **Education savings account (ESA) program.** (a) An eligible student qualifies
44.2 to participate in the program if the student's parent signs an agreement:

44.3 (1) to arrange for the provision of organized, appropriate educational services with
44.4 measurable goals to the participating student in at least the subjects of reading, writing,
44.5 mathematics, social studies, and science; and

44.6 (2) to not enroll the participating student in a public school or a public charter school
44.7 for as long as the student is participating in the program.

44.8 (b) A parent shall use the funds deposited in a participating student's ESA for any of the
44.9 following qualifying expenses to educate the student using any of the methods or combination
44.10 of methods in this paragraph that meet the requirement in paragraph (a), clause (1):

44.11 (1) tuition and fees at an eligible school;

44.12 (2) payment to a tutor;

44.13 (3) payment for purchase of curriculum, including any textbooks and supplemental
44.14 materials required by the curriculum;

44.15 (4) fees for transportation to and from an educational service provider paid to a
44.16 fee-for-service transportation provider;

- 44.17 (5) tuition and fees for online learning programs or courses;
- 44.18 (6) fees for nationally standardized norm-referenced achievement tests, including alternate
44.19 assessments, and fees for advanced placement examinations or similar courses and any
44.20 examinations related to college or university admission;
- 44.21 (7) educational services or therapies from a licensed or certified practitioner or provider,
44.22 including licensed or certified paraprofessionals or educational aides;
- 44.23 (8) services provided by a public school, including individual classes and extracurricular
44.24 programs;
- 44.25 (9) tuition, fees, and textbooks at a postsecondary institution;
- 44.26 (10) no more than \$300 in annual consumable school supplies necessary for the student's
44.27 education; or
- 44.28 (11) computer hardware and software and other technological devices if an eligible
44.29 school, tutor, educational service provider, or licensed medical professional verifies in
44.30 writing that these items are necessary for the student to meet annual, measurable goals.
- 45.1 (c) Neither a participating student nor anyone on the student's behalf may receive cash
45.2 or cash-equivalent items, such as gift cards or store credit, from refunds or rebates from a
45.3 provider of services or products in this program. Refunds or rebates shall be credited directly
45.4 to the participating student's ESA. The funds in an ESA may only be used for
45.5 education-related purposes. Eligible schools, postsecondary institutions, and educational
45.6 service providers that serve participating students shall provide parents with a receipt for
45.7 all qualifying expenses.
- 45.8 (d) Payment for educational services through an ESA shall not preclude parents from
45.9 paying for educational services using non-ESA funds.
- 45.10 (e) For purposes of continuity of educational attainment, students who enroll in the
45.11 program shall remain eligible to receive monthly ESA payments until the participating
45.12 student returns to a public school, graduates from high school, or completes the school year
45.13 in which the student reaches the age of 21, whichever occurs first.
- 45.14 (f) Any funds remaining in a student's ESA upon graduation from high school may be
45.15 used to attend or take courses from a postsecondary institution, with qualifying expenses
45.16 subject to the applicable conditions in paragraph (b).
- 45.17 (g) Upon the participating student's graduation from a postsecondary institution or after
45.18 any period of four consecutive years after graduation from high school that the student is
45.19 not enrolled in a postsecondary institution, the participating student's ESA shall be closed
45.20 and any remaining funds shall be returned to the state general fund.
- 45.21 (h) A participating student shall be allowed to return to the resident school district at
45.22 any time after enrolling in the program, according to rules adopted by the commissioner

- 45.23 providing for the least disruptive process for doing so. Upon a participating student's return
45.24 to the resident school district, the student's ESA shall be closed and any remaining funds
45.25 shall be returned to the state general fund.
- 45.26 (i) The commissioner shall begin accepting applications for the program on July 1, 2022.
- 45.27 **Subd. 4. Funding.** (a) The commissioner shall determine the amount to be deposited in
45.28 each student's ESA on a first-come, first-served basis. The commissioner shall calculate the
45.29 following to determine the ESA amount: the statewide average general education aid per
45.30 adjusted pupil unit.
- 45.31 (b) The information in paragraph (a) must be provided by the school in the form required
45.32 by the commissioner.
- 46.1 (c) The commissioner shall allow program participation of up to one percent of public
46.2 school average daily membership in fiscal year 2023, one and a half percent of public school
46.3 average daily membership in fiscal year 2024, and two percent of public school average
46.4 daily membership in fiscal year 2025 and later.
- 46.5 **Subd. 5. District aid adjustment.** The commissioner shall make a onetime adjustment
46.6 to a serving school district's general education aid in the fiscal year following a participating
46.7 student's withdrawal from the district. The commissioner shall increase the district's general
46.8 education aid for each participating student who withdrew from the district by an amount
46.9 equal to ten percent of the statewide average general education revenue per adjusted pupil
46.10 unit for the previous fiscal year.
- 46.11 **Subd. 6. Administration.** (a) The commissioner shall create a standard form that parents
46.12 of students may submit to establish the student's eligibility for an ESA. The commissioner
46.13 shall ensure that the application is readily available to interested families through various
46.14 sources, including the department's website, and a copy of procedural safeguards annually
46.15 given to parents.
- 46.16 (b) The commissioner shall provide parents of participating students with a written
46.17 explanation of the allowable uses of ESAs, the responsibilities of parents, and the duties of
46.18 the commissioner. The information shall also be made available on the department's website.
- 46.19 (c) The commissioner shall annually notify all students who are eligible to participate
46.20 of the existence of the program and shall ensure that low-income families are made aware
46.21 of their potential eligibility.
- 46.22 (d) The commissioner may deduct up to three percent from appropriations made to fund
46.23 ESAs to cover the costs of overseeing and administering the program.
- 46.24 (e) The commissioner shall make payments to the ESAs of participating students on a
46.25 monthly basis unless there is evidence of misuse of the ESA pursuant to this subdivision.

- 46.26 (f) The commissioner shall make a determination of eligibility and shall approve the
46.27 application within 45 business days of receiving an application for participation in the
46.28 program.
- 46.29 Subd. 7. **ESA establishment.** (a) To ensure that funds are spent appropriately, the
46.30 commissioner shall adopt rules and policies necessary for the administration of the program,
46.31 including the auditing of ESAs, and shall conduct or contract for random audits throughout
46.32 the year.
- 47.1 (b) Beginning with the 2022-2023 school year, the commissioner shall issue ESA cards
47.2 to parents making expenditures under this section on behalf of a participating student. ESA
47.3 cards shall be issued to parents upon enrollment in the program and shall expire when the
47.4 participating student's ESA is closed, except for the periodic expiration and replacement of
47.5 cards in the normal course of business. All unexpended amounts shall remain in the student's
47.6 ESA and be combined with the following year's allocation of ESA funds, subject to
47.7 subdivision 3, paragraphs (f) and (g).
- 47.8 (c) The commissioner, taking into consideration requests from the parents of participating
47.9 students, shall use merchant category classification (MCC) codes, or a similar system as
47.10 practicable and consistent with current technology, to identify categories of providers that
47.11 provide services and products consistent with subdivision 3, paragraph (b). The commissioner
47.12 shall make a list of blocked and unblocked MCC codes publicly available for purposes of
47.13 the program.
- 47.14 (d) The commissioner shall adopt a process for removing educational service providers
47.15 that defraud parents and for referring cases of fraud to law enforcement.
- 47.16 (e) The commissioner shall establish or contract for the establishment of an online,
47.17 anonymous fraud-reporting service and an anonymous telephone hotline for fraud reporting.
- 47.18 (f) The commissioner shall adopt rules implementing policies on misspending of ESA
47.19 funds.
- 47.20 (g) Any amount not spent in the allowable categories pursuant to the agreement will
47.21 cause the ESA card to be temporarily suspended and the parent contacted within five business
47.22 days by United States mail at the parent's home address explaining the suspension, detailing
47.23 the violation, and requesting the parent to:
- 47.24 (1) provide additional documentation within 15 business days justifying the expenditure;
47.25 or
- 47.26 (2) repay the misspent amount within 15 business days.
- 47.27 (h) If the parent does not provide sufficient documentation and refuses to repay the
47.28 amount, the commissioner shall begin the removal process and shall seek to recover the
47.29 misspent funds using administrative measures or other appropriate measures, including
47.30 referral to collections, seeking a civil judgment, or referral to law enforcement.

- 47.31 (i) If the parent repays the amount within the requested time frame, then the offense will
47.32 be recorded and held in the parent's file.
- 48.1 (j) Three offenses within a consecutive three-year period shall disqualify the student
48.2 from participating in the program.
- 48.3 (k) If the commissioner determines that a parent has failed to comply with the terms of
48.4 the agreement as specified in subdivision 3, the commissioner shall suspend the participating
48.5 student's ESA. The commissioner shall notify the parent in writing within five business
48.6 days that the ESA has been suspended and that no further transactions will be allowed or
48.7 disbursements made. The notification shall specify the reason for the suspension and state
48.8 that the parent has 21 business days to respond and take corrective action.
- 48.9 (l) If the parent fails to respond to the commissioner, furnish reasonable and necessary
48.10 information, or make a report that may be required for reinstatement within the 21-day
48.11 period, the commissioner may remove the participating student from the program.
- 48.12 (m) The decision of the commissioner under this section is subject to judicial review
48.13 under Minnesota Statutes, sections 14.63 to 14.69. The decision of the commissioner is
48.14 stayed pending an appeal.
- 48.15 (n) The commissioner shall refer cases of substantial misuse of funds to law enforcement
48.16 agencies for investigation if evidence of fraudulent intent and use of an ESA is obtained.
- 48.17 Subd. 8. **Scope.** An eligible nonpublic school is autonomous and not an agent of the
48.18 state or federal government, and therefore:
- 48.19 (1) the commissioner, department, or any other government agency shall not in any way
48.20 regulate the educational program of a nonpublic school or educational service provider that
48.21 accepts funds from the parent of a participating student;
- 48.22 (2) the creation of the program does not expand the regulatory authority of the state, its
48.23 officers, or any school district to impose any additional regulation of nonpublic schools or
48.24 educational service providers beyond those necessary to enforce the requirements of the
48.25 program; and
- 48.26 (3) eligible schools and educational service providers shall be given the maximum
48.27 freedom to provide for the educational needs of their students without governmental control.
48.28 No eligible school or educational service provider shall be required to alter its creed,
48.29 practices, admission policies, or curriculum in order to accept participating students.
- 48.30 Subd. 9. **Severability.** If any provision of this law or its application is found to be
48.31 unconstitutional and void, the remaining provisions or applications of this law that can be
48.32 given effect without the invalid provision or application are valid.
- 48.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.

88.17 Sec. 70. **APPROPRIATIONS.**

88.18 Subdivision 1. **Department of Education.** The sums indicated in this section are
88.19 appropriated from the general fund to the Department of Education for the fiscal years
88.20 designated.

88.21 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
88.22 Minnesota Statutes, section 124D.862:

88.23 \$ 84,057,000 2022

88.24 \$ 83,431,000 2023

88.25 The 2022 appropriation includes \$7,912,000 for 2021 and \$76,145,000 for 2022.

88.26 The 2023 appropriation includes \$8,460,000 for 2022 and \$74,971,000 for 2023.

88.27 Subd. 3. **American Indian education aid.** For American Indian education aid under
88.28 Minnesota Statutes, section 124D.81, subdivision 2a:

88.29 \$ 11,351,000 2022

88.30 \$ 11,775,000 2023

88.31 The 2022 appropriation includes \$1,087,000 for 2021 and \$10,264,000 for 2022.

89.1 The 2023 appropriation includes \$1,140,000 for 2022 and \$10,635,000 for 2023.

89.2 Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota
89.3 Statutes, section 124E.22:

89.4 \$ 93,547,000 2022

89.5 \$ 99,819,000 2023

89.6 The 2022 appropriation includes \$8,806,000 for 2021 and \$84,741,000 for 2022.

89.7 The 2023 appropriation includes \$9,415,000 for 2022 and \$90,404,000 for 2023.

89.8 Subd. 5. **Civic education grants.** (a) For the Minnesota Civic Education Coalition for
89.9 grants to Youth in Government, the Learning Law and Democracy Foundation, and the
89.10 YMCA Center for Youth Voice to support civic education programs for youth age 18 and
89.11 under to provide teacher professional development, educational resources, and program
89.12 support:

49.1 Sec. 37. **APPROPRIATIONS.**

49.2 Subdivision 1. **Department of Education.** The sums indicated in this section are
49.3 appropriated from the general fund to the Department of Education for the fiscal years
49.4 designated.

49.5 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
49.6 Minnesota Statutes, section 124D.862:

49.7 \$ 83,930,000 2022

49.8 \$ 83,228,000 2023

49.9 The 2022 appropriation includes \$8,868,000 for 2021 and \$75,062,000 for 2022.

49.10 The 2023 appropriation includes \$8,340,000 for 2022 and \$74,888,000 for 2023.

49.28 Subd. 6. **American Indian education aid.** For American Indian education aid under
49.29 Minnesota Statutes, section 124D.81, subdivision 2a:

49.30 \$ 11,358,000 2022

49.31 \$ 11,774,000 2023

50.1 The 2022 appropriation includes \$1,102,000 for 2021 and \$10,256,000 for 2022.

50.2 The 2023 appropriation includes \$1,139,000 for 2022 and \$10,635,000 for 2023.

52.25 Subd. 15. **Charter school building lease aid.** For building lease aid under Minnesota
52.26 Statutes, section 124E.22:

52.27 \$ 93,242,000 2022

52.28 \$ 99,545,000 2023

52.29 The 2022 appropriation includes \$8,617,000 for 2021 and \$84,625,000 for 2022.

52.30 The 2023 appropriation includes \$9,402,000 for 2022 and \$90,143,000 for 2023.

89.13 \$ 75,000 2022

89.14 \$ 75,000 2023

89.15 (b) The programs must instruct students in:

89.16 (1) the constitutional principles and the democratic foundation of our national, state,
89.17 and local institutions; and

89.18 (2) the political processes and structures of government, grounded in the understanding
89.19 of constitutional government and individual rights.

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

89.21 (d) The base for fiscal year 2024 is \$0.

89.22 Subd. 6. **College entrance examination reimbursement.** (a) To reimburse districts for
89.23 the costs of college entrance examination fees of free or reduced-price meal eligible students
89.24 who take the ACT or SAT test under Minnesota Statutes, section 120B.30, subdivision 1,
89.25 paragraph (e):

89.26 \$ 1,011,000 2022

89.27 \$ 1,011,000 2023

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

89.29 Subd. 7. **Concurrent enrollment aid.** (a) For concurrent enrollment aid under Minnesota
89.30 Statutes, section 124D.091:

90.1 \$ 5,000,000 2022

90.2 \$ 5,000,000 2023

90.3 (b) If the appropriation is insufficient, the commissioner must proportionately reduce
90.4 the aid payment to each school district.

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

90.6 Subd. 8. **Early childhood literacy programs.** (a) For early childhood literacy programs
90.7 under Minnesota Statutes, section 119A.50, subdivision 3:

54.29 Subd. 22. **College entrance examination reimbursement.** (a) To reimburse districts
54.30 for students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph
54.31 (e), for payment of their college entrance examination fee:

55.1 \$ 1,011,000 2022

55.2 \$ 1,011,000 2023

55.3 (b) The commissioner must reimburse school districts for the costs for free or
55.4 reduced-price meal eligible students who take the ACT or SAT test under Minnesota Statutes,
55.5 section 120B.30, subdivision 1.

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

54.13 Subd. 20. **Concurrent enrollment aid.** (a) For concurrent enrollment aid under
54.14 Minnesota Statutes, section 124D.091:

54.15 \$ 4,000,000 2022

54.16 \$ 4,000,000 2023

54.17 (b) If the appropriation is insufficient, the commissioner must proportionately reduce
54.18 the aid payment to each school district.

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

50.11 Subd. 8. **Early childhood literacy programs.** (a) For early childhood literacy programs
50.12 under Minnesota Statutes, section 119A.50, subdivision 3:

90.8 \$ 7,950,000 2022

50.13 \$ 7,950,000 2022

90.9 \$ 7,950,000 2023

50.14 \$ 7,950,000 2023

90.10 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support
90.11 AmeriCorps members serving in the Minnesota reading corps program established by
90.12 ServeMinnesota, including costs associated with training and teaching early literacy skills
90.13 to children ages three through grade 3 and evaluating the impact of the program under
90.14 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

50.15 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support
50.16 AmeriCorps members serving in the Minnesota reading corps program established by
50.17 ServeMinnesota, including costs associated with training and teaching early literacy skills
50.18 to children ages three through grade 3 and evaluating the impact of the program under
50.19 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

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

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

90.16 **Subd. 9. Equitable school enhancement grants.** (a) To support schools in their efforts
90.17 to close opportunity and achievement gaps under Minnesota Statutes, section 120B.113:

90.18 \$ 3,000,000 2022

53.5 **Subd. 17. Examination fees; teacher training and support programs.** (a) For students'
53.6 advanced placement and international baccalaureate examination fees under Minnesota
53.7 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and
53.8 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

90.19 \$ 3,000,000 2023

90.20 (b) The department may use up to five percent of this appropriation to administer the
90.21 grant program.

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

90.23 **Subd. 10. Examination fees; teacher training and support programs.** (a) For students'
90.24 advanced placement and international baccalaureate examination fees under Minnesota
90.25 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and
90.26 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

53.9 \$ 4,500,000 2022

90.27 \$ 4,500,000 2022

90.28 \$ 4,500,000 2023

53.10 \$ 4,500,000 2023

90.29 (b) The advanced placement program shall receive 75 percent of the appropriation each
90.30 year and the international baccalaureate program shall receive 25 percent of the appropriation
90.31 each year. The department, in consultation with representatives of the advanced placement
90.32 and international baccalaureate programs selected by the Advanced Placement Advisory
91.1 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts
91.2 of the expenditures each year for examination fees and training and support programs for
91.3 each program.

53.11 (b) The advanced placement program shall receive 75 percent of the appropriation each
53.12 year and the international baccalaureate program shall receive 25 percent of the appropriation
53.13 each year. The department, in consultation with representatives of the advanced placement
53.14 and international baccalaureate programs selected by the Advanced Placement Advisory
53.15 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts
53.16 of the expenditures each year for examination fees and training and support programs for
53.17 each program.

91.4 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000
91.5 each year is for teachers to attend subject matter summer training programs and follow-up
91.6 support workshops approved by the advanced placement or international baccalaureate
91.7 programs. The amount of the subsidy for each teacher attending an advanced placement or

53.18 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000
53.19 each year is for teachers to attend subject matter summer training programs and follow-up
53.20 support workshops approved by the advanced placement or international baccalaureate
53.21 programs. The amount of the subsidy for each teacher attending an advanced placement or

91.8 international baccalaureate summer training program or workshop shall be the same. The
 91.9 commissioner shall determine the payment process and the amount of the subsidy.

91.10 (d) The commissioner shall pay all examination fees for all students of low-income
 91.11 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of
 91.12 available appropriations, shall also pay examination fees for students sitting for an advanced
 91.13 placement examination, international baccalaureate examination, or both.

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

91.15 Subd. 11. **Expand rigorous coursework for Black students, Indigenous students,**
 91.16 **students of color, and students in greater Minnesota.** (a) For grants to expand rigorous
 91.17 coursework primarily for but not limited to disadvantaged and underrepresented students
 91.18 and students in greater Minnesota, such as through advanced placement courses, international
 91.19 baccalaureate programs, career and technical education, and concurrent enrollment courses:

91.20 \$ 3,730,000 2022

91.21 \$ 3,730,000 2023

91.22 (b) Eligible recipients include school districts, charter schools, intermediate school
 91.23 districts, and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision
 91.24 2.

91.25 (c) Of this amount, \$1,300,000 each year is for grants to support professional development
 91.26 and incentives for high school teachers to develop and expand course offerings approved
 91.27 by the state. An eligible recipient must offer the professional development or course through
 91.28 a regional partnership or statewide program. Compensation for teachers to teach courses
 91.29 beyond the contract day or year is an allowable expenditure. Funds may supplement, but
 91.30 not replace, current state and federal program funds. Grants are limited to \$50,000 per
 91.31 recipient.

91.32 (d) Of this amount, \$2,430,000 each year is for matching grants to support rigorous
 91.33 course expansion and statewide career and technical education program quality
 92.1 improvements. The department must provide technical support and guidance. Funds may
 92.2 supplement, but not replace, current state and federal program funds. Grants are limited to
 92.3 \$100,000 per recipient.

92.4 (e) The department must require an applicant for grant funds to submit a plan that
 92.5 describes how the applicant would use grant funds to increase participation by disadvantaged
 92.6 and underrepresented students in rigorous coursework. The department must consider an
 92.7 applicant's goals, strategies, and capacity to increase participation by disadvantaged and
 92.8 underrepresented students when awarding funds.

92.9 (f) At least 50 percent of the funds in this subdivision must be appropriated to grant
 92.10 recipients in greater Minnesota.

53.22 international baccalaureate summer training program or workshop shall be the same. The
 53.23 commissioner shall determine the payment process and the amount of the subsidy.

53.24 (d) The commissioner shall pay all examination fees for all students of low-income
 53.25 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of
 53.26 available appropriations, shall also pay examination fees for students sitting for an advanced
 53.27 placement examination, international baccalaureate examination, or both.

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

92.11 (g) Up to five percent of this appropriation is available for program and grant
92.12 administration.

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

92.14 (i) The base for fiscal year 2024 and later is \$3,530,000.

92.15 Subd. 12. Full-service community schools. (a) For comprehensive program support
92.16 for full-service community schools:

92.17 \$ 5,000,000 2022

92.18 \$ 5,000,000 2023

92.19 (b) Of this amount, priority must be given to programs in the following order:

92.20 (1) current grant recipients issued under Minnesota Statutes, section 124D.231;

92.21 (2) schools identified as low-performing under the federal Every Student Succeeds Act;

92.22 and

92.23 (3) any other applicants.

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

92.25 Subd. 13. Girls in Action grant. (a) For a grant to the Girls in Action program to enable
92.26 Girls in Action to continue to provide and expand Twin Cities metropolitan area school and
92.27 community-based programs that encourage and support low-income girls of color:

92.28 \$ 1,500,000 2022

92.29 \$ 0 2023

93.1 (b) Of the appropriated funds, \$1,000,000 must be used to sustain 16 current Girls in
93.2 Action program sites and expand to reach an additional four sites in inner ring suburban
93.3 communities with growing ethnic diversity among students.

93.4 (c) Of the appropriated funds, \$500,000 must be used to sustain three community-based
93.5 Girls in Action programs for Asian, East African, and Latina girls in Hennepin, Ramsey,
93.6 and Dakota Counties, and to expand an additional two community-based programs in these
93.7 counties to reach Native American and African American girls.

93.8 (d) Girls in Action programs supported by these funds must include programs focused
93.9 on:

93.10 (1) increasing academic performance, high school graduation rates, and enrollment in
93.11 postsecondary education for girls faced with social, demographic, racial, and economic
93.12 barriers and challenges;

93.13 (2) increasing mentoring, literacy, career development, positive community engagement,
93.14 and number of qualified female employees of color in the workforce pipeline, particularly
93.15 in the science, technology, engineering, and mathematics fields;

93.16 (3) providing coaching, mentoring, health and wellness counseling, resources to girls
93.17 whose experience with sexual assault has negatively impacted their academics and behavior,
93.18 and culturally sensitive therapy resources and counseling services to sexual assault victims;
93.19 and

93.20 (4) increasing financial literacy and knowledge of options for financing college or
93.21 postsecondary education.

93.22 (e) This is a onetime appropriation.

93.23 (f) Any balance in the first year does not cancel but is available until June 30, 2024.

93.24 Subd. 14. **Grants to increase science, technology, engineering, and math course**
93.25 **offerings.** (a) For grants to schools to encourage low-income and other underserved students
93.26 to participate in advanced placement and international baccalaureate programs according
93.27 to Minnesota Statutes, section 120B.132:

93.28 \$ 250,000 2022

93.29 \$ 250,000 2023

93.30 (b) The commissioner must consider grant applications from schools located in greater
93.31 Minnesota and from schools located in the seven-county metropolitan area.

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

94.1 Subd. 15. **Indigenous education for all.** (a) For the implementation of indigenous
94.2 education for all legislation based on the standards and benchmarks in place with the
94.3 contributions of Minnesota's Tribal Nations and communities under Minnesota Statutes,
94.4 section 120B.17:

94.5 \$ 887,000 2022

94.6 \$ 437,000 2023

94.7 (b) Of this amount, \$450,000 in 2022 is for onetime competitive grants to provide
94.8 curricular resources to schools.

94.9 (c) Of this amount, \$150,000 annually is for a grant to the Tribal Nations Education
94.10 Committee.

94.11 (d) Of this amount, \$287,000 annually is for department administration and
94.12 implementation of the standards.

53.29 Subd. 18. **Grants to increase science, technology, engineering, and math course**
53.30 **offerings.** (a) For grants to schools to encourage low-income and other underserved students
53.31 to participate in advanced placement and international baccalaureate programs according
53.32 to Minnesota Statutes, section 120B.132:

54.1 \$ 250,000 2022

54.2 \$ 250,000 2023

54.4 (c) The commissioner must consider grant applications from schools located in greater
54.5 Minnesota and from schools located in the seven-county metropolitan area.

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

94.13 Subd. 16. Interdistrict desegregation or integration transportation grants. For
94.14 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
94.15 section 124D.87:

94.16 \$ 12,310,000 2022

94.17 \$ 14,823,000 2023

94.18 Subd. 17. Literacy incentive aid. For literacy incentive aid under Minnesota Statutes,
94.19 section 124D.98:

94.20 \$ 45,075,000 2022

94.21 \$ 45,968,000 2023

94.22 The 2022 appropriation includes \$4,463,000 for 2021 and \$40,612,000 for 2022.

94.23 The 2023 appropriation includes \$4,512,000 for 2022 and \$41,456,000 for 2023.

94.24 Subd. 18. Minnesota Council on Economic Education. (a) For a grant to the Minnesota
94.25 Council on Economic Education:

94.26 \$ 250,000 2022

94.27 \$ 250,000 2023

94.28 (b) The grant must be used to:

94.29 (1) provide professional development to Minnesota's kindergarten through grade 12
94.30 teachers implementing state graduation standards in learning areas related to economic
94.31 education;

95.1 (2) support the direct-to-student ancillary economic and personal finance programs that
95.2 Minnesota teachers supervise and coach; and

95.3 (3) provide support to geographically diverse affiliated higher education-based centers
95.4 for economic education, including those based at Minnesota State University Mankato,
95.5 Minnesota State University Moorhead, St. Cloud State University, St. Catherine University,
95.6 and the University of St. Thomas, as their work relates to activities in clauses (1) and (2).

95.7 (c) By February 15 of each year following the receipt of a grant, the Minnesota Council
95.8 on Economic Education must report to the commissioner of education on the number and
95.9 type of in-person and online teacher professional development opportunities provided by
95.10 the Minnesota Council on Economic Education or its affiliated state centers for economic
95.11 education. The report must include a description of the content, length, and location of the
95.12 programs; the number of preservice and licensed teachers receiving professional development

49.11 Subd. 3. Interdistrict desegregation or integration transportation grants. For
49.12 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
49.13 section 124D.87:

49.14 \$ 12,319,000 2022

49.15 \$ 14,822,000 2023

49.16 Subd. 4. Literacy incentive aid. For literacy incentive aid under Minnesota Statutes,
49.17 section 124D.98:

49.18 \$ 45,103,000 2022

49.19 \$ 45,964,000 2023

49.20 The 2022 appropriation includes \$4,463,000 for 2021 and \$40,640,000 for 2022.

49.21 The 2023 appropriation includes \$4,515,000 for 2022 and \$41,449,000 for 2023.

95.13 through each of these opportunities; and a summary of evaluations of teacher professional
95.14 opportunities.

95.15 (d) On August 15, 2021, the Department of Education must pay the full amount of the
95.16 grant for fiscal year 2022 to the Minnesota Council on Economic Education. On August
95.17 15, 2022, the Department of Education must pay the full amount of the grant for fiscal year
95.18 2023 to the Minnesota Council on Economic Education. The Minnesota Council on Economic
95.19 Education must submit its fiscal reporting in the form and manner specified by the
95.20 commissioner. The commissioner may request additional information as necessary.

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

95.22 (f) The base for fiscal year 2024 is \$0.

95.23 Subd. 19. **Minnesota Independence College and Community.** (a) For transfer to the
95.24 Office of Higher Education for grants to Minnesota Independence College and Community
95.25 for tuition reduction and institutional support:

95.26 \$ 625,000 2022

95.27 \$ 625,000 2023

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

95.29 Subd. 20. **Minnesota math corps program.** (a) For the Minnesota math corps program
95.30 under Minnesota Statutes, section 124D.42, subdivision 9:

95.31 \$ 2,500,000 2022

95.32 \$ 2,500,000 2023

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

96.1 Subd. 21. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota
96.2 College of Education and Human Development for the operation of the Minnesota Principals
96.3 Academy:

96.4 \$ 200,000 2022

96.5 \$ 200,000 2023

96.6 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals
96.7 and school leaders from schools identified for intervention under the state's accountability
96.8 system as implemented to comply with the federal Every Student Succeeds Act. To the
96.9 extent funds are available, the Department of Education is encouraged to use up to \$200,000
96.10 of federal Title II funds to support additional participation in the Principals Academy by
96.11 principals and school leaders from schools identified for intervention under the state's

55.7 Subd. 23. **Minnesota Independence College and Community.** (a) For transfer to the
55.8 Office of Higher Education for grants to Minnesota Independence College and Community
55.9 for tuition reduction and institutional support:

55.10 \$ 625,000 2022

55.11 \$ 625,000 2023

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

50.21 Subd. 9. **Minnesota math corps program.** (a) For the Minnesota math corps program
50.22 under Minnesota Statutes, section 124D.42, subdivision 9:

50.23 \$ 500,000 2022

50.24 \$ 500,000 2023

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

52.7 Subd. 14. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota
52.8 College of Education and Human Development for the operation of the Minnesota Principals
52.9 Academy:

52.10 \$ 200,000 2022

52.11 \$ 200,000 2023

52.12 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals
52.13 and school leaders from schools identified for intervention under the state's accountability
52.14 system as implemented to comply with the federal Every Student Succeeds Act. To the
52.15 extent funds are available, the Department of Education is encouraged to use up to \$200,000
52.16 of federal Title II funds to support additional participation in the Principals Academy by
52.17 principals and school leaders from schools identified for intervention under the state's

96.12 accountability system as implemented to comply with the federal Every Student Succeeds
96.13 Act.

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

96.15 Subd. 22. **Minnesota Youth Council.** (a) For grants to the Minnesota Alliance With
96.16 Youth for the activities of the Minnesota Youth Council:

96.17 \$ 187,000 2022

96.18 \$ 187,000 2023

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

96.20 Subd. 23. **Multitiered systems of support.** (a) For the Minnesota Department of
96.21 Education to support schools in reinforcing systemic approaches to meet the needs of
96.22 individual students and ensure effective implementation of multitiered systems of support
96.23 in the areas of academics, social and emotional learning, and physical health services:

96.24 \$ 5,000,000 2022

96.25 \$ 5,000,000 2023

96.26 (b) Of this amount, \$3,200,000 is for regional centers of excellence under the Minnesota
96.27 service cooperatives to fund staff to support the implementation of multitiered systems of
96.28 support, ensuring research-validated models are supported for prekindergarten through
96.29 grade 12 in school districts and charter schools.

96.30 (c) Of this amount, \$1,800,000 is reserved for grants to school districts and charter
96.31 schools to partner with community-based organizations and programs.

96.32 (d) Grant funds must be used for implementation of evidence-based policies, procedures,
96.33 and practices within the multitiered systems of support prioritizing before and after school
97.1 programming for historically underserved students and access to mental health services for
97.2 students.

97.3 (e) Eligible grantees include school districts, charter schools, intermediate school districts,
97.4 and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2.

97.5 (f) Up to five percent of this appropriation is available for program and grant
97.6 administration.

52.18 accountability system as implemented to comply with the federal Every Student Succeeds
52.19 Act.

52.20 (c) The Principals Academy must provide participating principals and school leaders
52.21 with information on, or instruction in, the language essentials for teachers of reading and
52.22 spelling program and other comprehensive, scientifically based reading instruction as defined
52.23 in Minnesota Statutes, section 122A.06.

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

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

97.8 Subd. 24. **Museums and education centers.** (a) For grants to museums and education
97.9 centers:

97.10 \$ 610,000 2022

97.11 \$ 610,000 2023

97.12 (b) \$269,000 each year is for the Minnesota Children's Museum.

97.13 (c) \$50,000 each year is for the Minnesota Children's Museum, Rochester.

97.14 (d) \$50,000 each year is for the Duluth Children's Museum.

97.15 (e) \$41,000 each year is for the Minnesota Academy of Science.

97.16 (f) \$50,000 each year is for the Headwaters Science Center.

97.17 (g) \$50,000 each year is for the Children's Museum of Southern Minnesota.

97.18 (h) \$50,000 each year is for the Works Museum in Bloomington.

97.19 (i) \$50,000 each year is for the Children's Discovery Museum of Grand Rapids.

97.20 (j) A recipient of a grant under this subdivision must use the funds to encourage and
97.21 increase access for historically underserved communities.

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

97.23 Subd. 25. **P-TECH schools.** (a) For P-TECH support grants under Minnesota Statutes,
97.24 section 124D.093, subdivision 5:

97.25 \$ 791,000 2022

97.26 \$ 791,000 2023

97.27 (b) The amounts in this subdivision are for grants to a public-private partnership that
97.28 includes Independent School District No. 535, Rochester.

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

98.1 Subd. 26. **Recovery program grants.** (a) For recovery program grants under Minnesota
98.2 Statutes, section 124D.695:

51.13 Subd. 11. **Museums and education centers.** (a) For grants to museums and education
51.14 centers:

51.15 \$ 460,000 2022

51.16 \$ 460,000 2023

51.17 (b) \$269,000 each year is for the Minnesota Children's Museum.

51.18 (c) \$50,000 each year is for the Children's Museum of Rochester.

51.19 (d) \$50,000 each year is for the Duluth Children's Museum.

51.20 (e) \$41,000 each year is for the Minnesota Academy of Science.

51.21 (f) \$50,000 each year is for the Headwaters Science Center.

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

51.23 (h) The base for fiscal year 2024 and later is \$510,000. The base for fiscal year 2024
51.24 and later is for the museums and amounts indicated in paragraphs (b) through (f), and
51.25 includes \$50,000 each year for the Children's Museum of Southern Minnesota.

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

54.20 Subd. 21. **P-TECH schools.** (a) For P-TECH support grants under Minnesota Statutes,
54.21 section 124D.093, subdivision 5:

54.22 \$ 791,000 2022

54.23 \$ 791,000 2023

54.24 (b) The amounts in this subdivision are for grants to a public-private partnership that
54.25 includes Independent School District No. 535, Rochester.

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

54.27 (d) The base for fiscal year 2024 and later is \$791,000 for a public-private partnership
54.28 that includes Independent School District No. 535, Rochester.

52.2 Subd. 13. **Recovery program grants.** (a) For recovery program grants under Minnesota
52.3 Statutes, section 124D.695:

98.3 \$ 750,000 2022

98.4 \$ 750,000 2023

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

98.6 Subd. 27. **Rural career and technical education consortium.** (a) For rural career and
98.7 technical education consortium grants:

98.8 \$ 3,000,000 2022

98.9 \$ 3,000,000 2023

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

98.11 Subd. 28. **Sanneh Foundation.** (a) For grants to the Sanneh Foundation for purposes
98.12 of subdivision 3:

98.13 \$ 2,000,000 2022

98.14 \$ 2,000,000 2023

98.15 (b) The grants to the Sanneh Foundation must be directed toward programs for
98.16 low-performing and chronically absent students with a focus on low-income students and
98.17 students of color. The goals of the grants include decreasing absenteeism, encouraging
98.18 school engagement, improving grades, and improving graduation rates. The grants may be
98.19 used to:

98.20 (1) provide all-day, in-school academic and behavioral interventions and social and
98.21 emotional learning throughout the school year;

98.22 (2) provide year-round, out-of-school behavioral, social, and emotional learning
98.23 interventions and enrichment activities;

98.24 (3) enhance career exploration opportunities, including exposure to businesses and
98.25 business activities; and

98.26 (4) develop pathways in cooperation with businesses or higher education partners for
98.27 participants to pursue careers in education and youth development.

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

98.29 (d) The base for fiscal year 2024 is \$1,000,000.

52.4 \$ 750,000 2022

52.5 \$ 750,000 2023

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

54.6 Subd. 19. **Rural career and technical education consortium.** (a) To the Minnesota
54.7 Service Cooperatives for rural career and technical education consortium grants under
54.8 Minnesota Statutes, section 124D.4536:

54.9 \$ 5,000,000 2022

54.10 \$ 5,000,000 2023

54.11 (b) If the appropriation in the first year is insufficient, the 2023 appropriation is available.
54.12 Any balance in the first year does not cancel but is available in the second year.

55.13 Subd. 24. **Sanneh Foundation.** (a) For grants to the Sanneh Foundation for purposes
55.14 of paragraph (b):

55.15 \$ 1,000,000 2022

55.16 \$ 1,000,000 2023

55.17 (b) The grants to the Sanneh Foundation must be directed toward programs for
55.18 low-performing and chronically absent students with a focus on low-income students and
55.19 students of color. The goals of the grants include decreasing absenteeism, encouraging
55.20 school engagement, improving grades, and improving graduation rates. The grants may be
55.21 used to:

55.22 (1) provide all-day, in-school academic and behavioral interventions and social and
55.23 emotional learning throughout the school year;

55.24 (2) provide year-round, out-of-school behavioral, social, and emotional learning
55.25 interventions and enrichment activities;

55.26 (3) enhance career exploration opportunities, including exposure to businesses and
55.27 business activities; and

55.28 (4) develop pathways in cooperation with business higher education partners for
55.29 participants to pursue careers in education and youth development.

55.30 (c) Any balance in the first year does not cancel but is available in the second year. The
55.31 base for fiscal year 2024 and later is \$0.

98.30 Subd. 29. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under
 98.31 Minnesota Statutes, sections 124D.37 to 124D.45:

99.1 \$ 900,000 2022

99.2 \$ 900,000 2023

99.3 (b) A grantee organization may provide health and child care coverage to the dependents
 99.4 of each participant enrolled in a full-time ServeMinnesota program to the extent such
 99.5 coverage is not otherwise available.

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

99.7 Subd. 30. **Singing-based pilot program to improve student reading.** (a) For a grant
 99.8 to pilot a research-supported, computer-based educational program that uses singing to
 99.9 improve the reading ability of students in grades 2 through 5:

99.10 \$ 75,000 2022

99.11 (b) The commissioner of education shall award a grant to the Rock 'n' Read Project to
 99.12 implement a research-supported, computer-based educational program that uses singing to
 99.13 improve the reading ability of students in grades 2 through 5. The grantee shall be responsible
 99.14 for selecting participating school sites; providing any required hardware and software,
 99.15 including software licenses, for the duration of the grant period; providing technical support,
 99.16 training, and staff to install required project hardware and software; providing on-site
 99.17 professional development and instructional monitoring and support for school staff and
 99.18 students; administering preintervention and postintervention reading assessments; evaluating
 99.19 the impact of the intervention; and other project management services as required. To the
 99.20 extent practicable, the grantee must select participating schools in urban, suburban, and
 99.21 greater Minnesota, and give priority to schools in which a high proportion of students do
 99.22 not read proficiently at grade level and are eligible for free or reduced-price lunch.

99.23 (c) By February 15, 2023, the grantee must submit a report detailing expenditures and
 99.24 outcomes of the grant to the commissioner of education and the chairs and ranking minority
 99.25 members of the legislative committees with jurisdiction over kindergarten through grade
 99.26 12 education policy and finance.

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

99.28 (e) This is a onetime appropriation.

99.29 Subd. 31. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,
 99.30 technology, engineering, and math (STEM) program providing students in grades 4 through
 99.31 6 with a multisensory learning experience and a hands-on curriculum in an aerospace
 99.32 environment using state-of-the-art technology:

50.3 Subd. 7. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under
 50.4 Minnesota Statutes, sections 124D.37 to 124D.45:

50.5 \$ 900,000 2022

50.6 \$ 900,000 2023

50.7 (b) A grantee organization may provide health and child care coverage to the dependents
 50.8 of each participant enrolled in a full-time ServeMinnesota program to the extent such
 50.9 coverage is not otherwise available. Any balance in the first year does not cancel but is
 50.10 available in the second year.

51.26 Subd. 12. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,
 51.27 technology, engineering, and math (STEM) program providing students in grades 4 through
 51.28 6 with a multisensory learning experience and a hands-on curriculum in an aerospace
 51.29 environment using state-of-the-art technology:

100.1 \$ 500,000 2022
100.2 \$ 500,000 2023
100.3 (b) Any balance in the first year does not cancel but is available in the second year.
100.4 Subd. 32. **Statewide testing and reporting system.** (a) For the statewide testing and
100.5 reporting system under Minnesota Statutes, section 120B.30:
100.6 \$ 9,692,000 2022
100.7 \$ 9,692,000 2023
100.8 (b) Any balance in the first year does not cancel but is available in the second year.
100.9 (c) The base in 2024 and 2025 is \$10,892,000 per year.
100.10 Subd. 33. **Student organizations.** (a) For student organizations:
100.11 \$ 768,000 2022
100.12 \$ 768,000 2023
100.13 (b) \$46,000 each year is for student organizations serving health occupations (HOSA).
100.14 (c) \$100,000 each year is for student organizations serving trade and industry occupations
100.15 (Skills USA, secondary and postsecondary).
100.16 (d) \$95,000 each year is for student organizations serving business occupations (BPA,
100.17 secondary and postsecondary).
100.18 (e) \$193,000 each year is for student organizations serving agriculture occupations (FFA,
100.19 PAS).
100.20 (f) \$185,000 each year is for student organizations serving family and consumer science
100.21 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and
100.22 31, the student organizations serving FCCLA shall continue to serve students younger than
100.23 grade 9.
100.24 (g) \$109,000 each year is for student organizations serving marketing occupations (DECA
100.25 and DECA collegiate).
100.26 (h) \$40,000 each year is for the Minnesota Foundation for Student Organizations.
100.27 (i) Any balance in the first year does not cancel but is available in the second year.
100.28 Subd. 34. **Tribal contract school aid.** For Tribal contract school aid under Minnesota
100.29 Statutes, section 124D.83, and Tribal contract onetime compensatory aid:

51.30 \$ 500,000 2022
51.31 \$ 500,000 2023
52.1 (b) Any balance in the first year does not cancel but is available in the second year.
52.31 Subd. 16. **Statewide testing and reporting system.** (a) For the statewide testing and
52.32 reporting system under Minnesota Statutes, section 120B.30:
53.1 \$ 9,692,000 2022
53.2 \$ 9,692,000 2023
53.3 (b) Any balance in the first year does not cancel but is available in the second year.
53.4 (c) The base for fiscal year 2024 and later is \$10,892,000.
50.26 Subd. 10. **Student organizations.** (a) For student organizations:
50.27 \$ 768,000 2022
50.28 \$ 768,000 2023
50.29 (b) \$46,000 each year is for student organizations serving health occupations (HOSA).
50.30 (c) \$100,000 each year is for student organizations serving trade and industry occupations
50.31 (Skills USA, secondary and postsecondary).
51.1 (d) \$95,000 each year is for student organizations serving business occupations (BPA,
51.2 secondary and postsecondary).
51.3 (e) \$193,000 each year is for student organizations serving agriculture occupations (FFA,
51.4 PAS).
51.5 (f) \$185,000 each year is for student organizations serving family and consumer science
51.6 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and
51.7 31, the student organizations serving FCCLA shall continue to serve students younger than
51.8 grade 9.
51.9 (g) \$109,000 each year is for student organizations serving marketing occupations (DECA
51.10 and DECA collegiate).
51.11 (h) \$40,000 each year is for the Minnesota Foundation for Student Organizations.
51.12 (i) Any balance in the first year does not cancel but is available in the second year.
49.22 Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota
49.23 Statutes, section 124D.83:

100.30 \$ 2,775,000 2022

100.31 \$ 3,138,000 2023

101.1 The 2022 appropriation includes \$227,000 for 2021 and \$2,548,000 for 2022.

101.2 The 2023 appropriation includes \$283,000 for 2022 and \$2,855,000 for 2023.

49.24 \$ 2,634,000 2022

49.25 \$ 2,936,000 2023

49.26 The 2022 appropriation includes \$240,000 for 2021 and \$2,394,000 for 2022.

49.27 The 2023 appropriation includes \$266,000 for 2022 and \$2,670,000 for 2023.

56.1 Subd. 25. **Digital well-being.** (a) For a grant to LiveMore ScreenLess to promote digital
56.2 well-being:

56.3 \$ 1,500,000 2022

56.4 \$ 0 2023

56.5 (b) Prior to receiving funds under this subdivision, LiveMore ScreenLess must submit
56.6 a proposed budget and timeline for expenditure of grant funds to the commissioner. LiveMore
56.7 ScreenLess must submit regular progress reports in a form and manner determined by the
56.8 commissioner in each year of the grant, which may include financial reconciliation of
56.9 expenditures made by LiveMore ScreenLess.

56.10 (c) By January 15 of each year, LiveMore ScreenLess must submit a report detailing
56.11 expenditures, activities, and outcomes to the commissioner and the chairs and ranking
56.12 minority members of the legislative committees with primary jurisdiction over kindergarten
56.13 through grade 12 education policy and finance.

56.14 (d) Any balance in the first year does not cancel but is available in the second year. The
56.15 base for fiscal year 2024 and later is \$0.

56.16 Subd. 26. **Education savings accounts.** (a) For education savings accounts development
56.17 and funding:

56.18 \$ 2,245,000 2022

56.19 \$ 74,186,000 2023

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

56.21 Subd. 27. **Online access to music education.** (a) For a grant to the MacPhail Center for
56.22 Music to broaden access to music education in Minnesota:

56.23 \$ 150,000 2022

56.24 \$ 150,000 2023

56.25 (b) The MacPhail Center must use the grants received under paragraph (a) to broaden
56.26 access to music education in Minnesota. The program must supplement and enhance an

101.3 Sec. 71. **REVISOR INSTRUCTION.**

101.4 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column
 101.5 A with the number listed in column B. The revisor shall also make necessary cross-reference
 101.6 changes consistent with the renumbering. The revisor shall also make any technical language
 101.7 and other changes necessitated by the renumbering and cross-reference changes in this act.

101.8	<u>Column A</u>	<u>Column B</u>
101.9	<u>General Requirements Statewide Assessments</u>	
101.10	<u>120B.30, subdivision 1a, paragraph (h)</u>	<u>120B.30, subdivision 1</u>
101.11	<u>120B.30, subdivision 1, paragraph (q)</u>	<u>120B.30, subdivision 2</u>
101.12	<u>120B.30, subdivision 1a, paragraph (g)</u>	<u>120B.30, subdivision 3</u>
101.13	<u>120B.30, subdivision 1b</u>	<u>120B.30, subdivision 4</u>
101.14	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.30, subdivision 5, paragraph (a)</u>
101.15	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.30, subdivision 5, paragraph (b)</u>
101.16	<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>

56.27 existing program and may provide individual instruction, sectional ensembles, and other
 56.28 group activities, workshops, and early childhood music activities. The MacPhail Center
 56.29 must design its program in consultation with the Department of Education arts education
 56.30 specialist under Minnesota Statutes, section 127A.155. The grants may be used by the
 56.31 MacPhail Center for employee costs and for any related travel costs.

56.32 (c) Upon request from a school's music educator, the MacPhail Center may enter into
 56.33 an agreement with the school to provide a program according to paragraph (b). In an early
 57.1 childhood setting, the MacPhail Center may provide a program upon a request initiated by
 57.2 an early childhood educator.

57.3 (d) By January 15 of each year, the MacPhail Center shall prepare and submit a report
 57.4 to the legislative committees with jurisdiction over education finance describing the online
 57.5 programs offered, program outcomes, the students served, an estimate of the unmet need
 57.6 for music education, and a detailed list of expenditures for the previous year.

57.7 (e) The base for fiscal year 2024 and later is \$0.

57.8 Sec. 38. **REVISOR INSTRUCTION.**

57.9 (a) The revisor of statutes shall codify section 33 as Minnesota Statutes, section 124D.901.

57.10 (b) The revisor of statutes shall renumber each section of Minnesota Statutes listed in
 57.11 column A with the number listed in column B. The revisor shall also make necessary
 57.12 cross-reference changes consistent with the renumbering. The revisor shall also make any
 57.13 technical language and other changes necessitated by the renumbering and cross-reference
 57.14 changes in this act.

57.15	<u>Column A</u>	<u>Column B</u>
57.16	<u>General Requirements Statewide Assessments</u>	
57.17	<u>120B.30, subdivision 1a, paragraph (h)</u>	<u>120B.30, subdivision 1</u>
57.18	<u>120B.30, subdivision 1, paragraph (q)</u>	<u>120B.30, subdivision 2</u>
57.19	<u>120B.30, subdivision 1a, paragraph (g)</u>	<u>120B.30, subdivision 3</u>
57.20	<u>120B.30, subdivision 1b</u>	<u>120B.30, subdivision 4</u>
57.21	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.30, subdivision 5, paragraph (a)</u>
57.22	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.30, subdivision 5, paragraph (b)</u>
57.23	<u>120B.30, subdivision 1a, paragraph (e)</u>	<u>120B.30, subdivision 6, paragraph (a)</u>

101.17	<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>	57.24	<u>120B.30, subdivision 2, paragraph (a)</u>	<u>120B.30, subdivision 6, paragraph (b)</u>
101.18	<u>120B.30, subdivision 2, paragraph (b),</u>	<u>120B.30, subdivision 6, paragraph (c)</u>	57.25	<u>120B.30, subdivision 2, paragraph (b),</u>	<u>120B.30, subdivision 6, paragraph (c)</u>
101.19	<u>clauses (1) and (2)</u>		57.26	<u>clauses (1) and (2)</u>	
101.20	<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>	57.27	<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
101.21	<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>	57.28	<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
101.22	<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>	57.29	<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
101.23	<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>	57.30	<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
101.24	<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>	57.31	<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>
101.25	<u>General Requirements Test Design</u>		57.32	<u>General Requirements Test Design</u>	
101.26	<u>120B.30, subdivision 1a, paragraph (a),</u>	<u>120B.301, subdivision 1</u>	57.33	<u>120B.30, subdivision 1a, paragraph (a),</u>	<u>120B.301, subdivision 1</u>
101.27	<u>clauses (1) to (5)</u>		57.34	<u>clauses (1) to (5)</u>	
101.28	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>	57.35	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>
101.29	<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>	58.1	<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>
101.30	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>	58.2	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>
101.31	<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>	58.3	<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>
101.32	<u>120B.30, subdivision 1a, paragraph (c),</u>	<u>120B.301, subdivision 3, paragraph (d)</u>	58.4	<u>120B.30, subdivision 1a, paragraph (c),</u>	<u>120B.301, subdivision 3, paragraph (d)</u>
101.33	<u>clauses (1) and (2)</u>		58.5	<u>clauses (1) and (2)</u>	
101.34	<u>Assessment Graduation Requirements</u>		58.6	<u>Assessment Graduation Requirements</u>	
101.35	<u>120B.30, subdivision 1, paragraph (c),</u>	<u>120B.304, subdivision 1</u>	58.7	<u>120B.30, subdivision 1, paragraph (c),</u>	<u>120B.304, subdivision 1</u>
101.36	<u>clauses (1) and (2)</u>		58.8	<u>clauses (1) and (2)</u>	
101.37	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.304, subdivision 2</u>	58.9	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.304, subdivision 2</u>
102.1	<u>120B.30, subdivision 1, paragraph (i)</u>	<u>120B.304, subdivision 3</u>	58.10	<u>120B.30, subdivision 1, paragraph (i)</u>	<u>120B.304, subdivision 3</u>
102.2	<u>Assessment Reporting Requirements</u>		58.11	<u>Assessment Reporting Requirements</u>	
102.3	<u>120B.30, subdivision 1a, paragraph (f),</u>	<u>120B.305, subdivision 1</u>	58.12	<u>120B.30, subdivision 1a, paragraph (f),</u>	<u>120B.305, subdivision 1</u>
102.4	<u>clauses (1) to (3)</u>		58.13	<u>clauses (1) to (3)</u>	

102.5	<u>120B.30, subdivision 1a, paragraph (d),</u>	<u>120B.305, subdivision 2, paragraph (a)</u>	58.14	<u>120B.30, subdivision 1a, paragraph (d),</u>	<u>120B.305, subdivision 2, paragraph (a)</u>
102.6	<u>clauses (1) to (4)</u>		58.15	<u>clauses (1) to (4)</u>	
102.7	<u>120B.30, subdivision 1, paragraph (m)</u>	<u>120B.305, subdivision 2, paragraph (b)</u>	58.16	<u>120B.30, subdivision 1, paragraph (m)</u>	<u>120B.305, subdivision 2, paragraph (b)</u>
102.8	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.305, subdivision 2, paragraph (c)</u>	58.17	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.305, subdivision 2, paragraph (c)</u>
102.9	<u>120B.30, subdivision 1, paragraph (o),</u>	<u>120B.305, subdivision 3, paragraph (a)</u>	58.18	<u>120B.30, subdivision 1, paragraph (o),</u>	<u>120B.305, subdivision 3, paragraph (a)</u>
102.10	<u>clauses (1) to (4)</u>		58.19	<u>clauses (1) to (4)</u>	
102.11	<u>120B.30, subdivision 3</u>	<u>120B.305, subdivision 3, paragraph (b)</u>	58.20	<u>120B.30, subdivision 3</u>	<u>120B.305, subdivision 3, paragraph (b)</u>
102.12	<u>District Assessment Requirements</u>		58.21	<u>District Assessment Requirements</u>	
102.13	<u>120B.301, paragraphs (a) to (c)</u>	<u>120B.306, subdivision 1</u>	58.22	<u>120B.301, paragraphs (a) to (c)</u>	<u>120B.306, subdivision 1</u>
102.14	<u>120B.304, paragraphs (a) and (b)</u>	<u>120B.306, subdivision 2</u>	58.23	<u>120B.304, paragraphs (a) and (b)</u>	<u>120B.306, subdivision 2</u>
102.15	<u>College and Career Readiness</u>		58.24	<u>College and Career Readiness</u>	
102.16	<u>120B.30, subdivision 1, paragraph (p)</u>	<u>120B.307, subdivision 1</u>	58.25	<u>120B.30, subdivision 1, paragraph (p)</u>	<u>120B.307, subdivision 1</u>
102.17	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.307, subdivision 2</u>	58.26	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.307, subdivision 2</u>
102.18	<u>120B.30, subdivision 1, paragraph (f)</u>	<u>120B.307, subdivision 3</u>	58.27	<u>120B.30, subdivision 1, paragraph (f)</u>	<u>120B.307, subdivision 3</u>
102.19	<u>120B.30, subdivision 1, paragraph (g)</u>	<u>120B.307, subdivision 4, paragraph (a)</u>	58.28	<u>120B.30, subdivision 1, paragraph (g)</u>	<u>120B.307, subdivision 4, paragraph (a)</u>
102.20	<u>120B.30, subdivision 1, paragraph (h)</u>	<u>120B.307, subdivision 4, paragraph (b)</u>	58.29	<u>120B.30, subdivision 1, paragraph (h)</u>	<u>120B.307, subdivision 4, paragraph (b)</u>
102.21	<u>120B.30, subdivision 1, paragraph (j)</u>	<u>120B.307, subdivision 4, paragraph (c)</u>	58.30	<u>120B.30, subdivision 1, paragraph (j)</u>	<u>120B.307, subdivision 4, paragraph (c)</u>
102.22	<u>120B.30, subdivision 1, paragraph (k)</u>	<u>120B.307, subdivision 4, paragraph (d)</u>	58.31	<u>120B.30, subdivision 1, paragraph (k)</u>	<u>120B.307, subdivision 4, paragraph (d)</u>
102.23	<u>120B.30, subdivision 1, paragraph (l)</u>	<u>120B.307, subdivision 4, paragraph (e)</u>	58.32	<u>120B.30, subdivision 1, paragraph (l)</u>	<u>120B.307, subdivision 4, paragraph (e)</u>
102.24	Sec. 72. REPEALER.				
102.25	<u>Minnesota Statutes 2020, section 120B.35, subdivision 5, is repealed.</u>				
			58.33	Sec. 39. REPEALER.	
			58.34	<u>Minnesota Rules, part 3500.1000, is repealed.</u>	

102.26	ARTICLE 3	59.1	ARTICLE 3
102.27	TEACHERS	59.2	TEACHERS
102.28	Section 1. <u>[120B.117] INCREASING PERCENTAGE OF TEACHERS OF COLOR</u>		
102.29	<u>AND AMERICAN INDIAN TEACHERS IN MINNESOTA.</u>		
102.30	Subdivision 1. <u>Purpose.</u> This section sets short-term and long-term state goals for		
102.31	<u>increasing the percentage of teachers of color and American Indian teachers in Minnesota</u>		
102.32	<u>and for ensuring all students have equitable access to effective and racially and ethnically</u>		
102.33	<u>diverse teachers who reflect the diversity of students. The goals and report required under</u>		
102.34	<u>this section are also important for meeting state goals for the world's best workforce under</u>		
102.35	<u>section 120B.11, achievement and integration under section 124D.861, and higher education</u>		
103.1	<u>attainment under section 135A.012, all of which have been established to close persistent</u>		
103.2	<u>opportunity and achievement gaps that limit students' success in school and life and impede</u>		
103.3	<u>the state's economic growth.</u>		
103.4	Subd. 2. <u>Equitable access to racially and ethnically diverse teachers.</u> The percentage		
103.5	<u>of teachers who are of color or American Indian in Minnesota should increase at least two</u>		
103.6	<u>percentage points per year to have a teaching workforce that more closely reflects the state's</u>		
103.7	<u>increasingly diverse student population and to ensure all students have equitable access to</u>		
103.8	<u>effective and diverse teachers by 2040.</u>		
103.9	Subd. 3. <u>Rights not created.</u> The attainment goal in this section is not to the exclusion		
103.10	<u>of any other goals and does not confer a right or create a claim for any person.</u>		
103.11	Subd. 4. <u>Reporting.</u> Beginning in 2022 and every even-numbered year thereafter, the		
103.12	<u>Professional Educator Licensing and Standards Board must collaborate with the Department</u>		
103.13	<u>of Education and the Office of Higher Education to publish a summary report of each of</u>		
103.14	<u>the programs they administer and any other programs receiving state appropriations that</u>		
103.15	<u>have or include an explicit purpose of increasing the racial and ethnic diversity of the state's</u>		
103.16	<u>teacher workforce to more closely reflect the diversity of students. The report must include</u>		
103.17	<u>programs under sections 122A.094, 122A.63, 122A.635, 122A.70, 124D.09, 124D.861,</u>		
103.18	<u>136A.1275, and 136A.1791, along with any other programs or initiatives that receive state</u>		
103.19	<u>appropriations to address the shortage of teachers of color and American Indian teachers.</u>		
103.20	<u>The board must, in coordination with the Office of Higher Education and Department of</u>		
103.21	<u>Education, provide policy and funding recommendations related to state-funded programs</u>		
103.22	<u>to increase the recruitment, preparation, licensing, hiring, and retention of racially and</u>		
103.23	<u>ethnically diverse teachers and the state's progress toward meeting or exceeding the goals</u>		
103.24	<u>of this section. The report must also include recommendations for state policy and funding</u>		
103.25	<u>needed to achieve the goals of this section, as well as plans for sharing the report and</u>		
103.26	<u>activities of grant recipients, and opportunities among grant recipients of various programs</u>		
103.27	<u>to share effective practices with each other. The 2022 report must include a recommendation</u>		
103.28	<u>of whether a state advisory council should be established to address the shortage of racially</u>		
103.29	<u>and ethnically diverse teachers and what the composition and charge of such an advisory</u>		
103.30	<u>council would be if established. The board must consult with the Indian Affairs Council</u>		

103.31 and other ethnic councils along with other community partners, including students of color
 103.32 and American Indian students, in developing the report. By November 1 of each
 103.33 even-numbered year, the board must submit the report to the chairs and ranking minority
 103.34 members of the legislative committees with jurisdiction over education and higher education
 103.35 policy and finance. The report must be available to the public on the board's website.

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

104.2 Sec. 2. **[120B.25] CURRICULUM POLICY.**

104.3 A school board must adopt a written policy that prohibits discrimination or discipline
 104.4 for a teacher or principal on the basis of incorporating into curriculum contributions by
 104.5 persons in a federally protected class or protected class under section 363A.13, consistent
 104.6 with local collective bargaining agreements.

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

59.4 Subd. 2. **Report.** (a) The school board must include state student identification numbers
 59.5 of affected pupils on all dismissal and other disciplinary reports required by the department.
 59.6 The department must report annually to the commissioner summary data on the number of
 59.7 dismissals and physical assaults of district employees by a student by age, grade, gender,
 59.8 race, and special education status of the affected pupils. All dismissal and other disciplinary
 59.9 reports must be submitted through the department electronic reporting system.

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

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

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

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

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

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

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

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

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

- 59.25 (f) provisions relating to the responsibility for and custody of a student removed from
59.26 a class;
- 59.27 (g) the procedures for return of a student to the specified class from which the student
59.28 has been removed;
- 59.29 (h) the procedures for notifying a student and the student's parents or guardian of
59.30 violations of the rules of conduct and of resulting disciplinary actions;
- 60.1 (i) any procedures determined appropriate for encouraging early involvement of parents
60.2 or guardians in attempts to improve a student's behavior;
- 60.3 (j) any procedures determined appropriate for encouraging early detection of behavioral
60.4 problems;
- 60.5 (k) any procedures determined appropriate for referring a student in need of special
60.6 education services to those services;
- 60.7 (l) the procedures for consideration of whether there is a need for a further assessment
60.8 or of whether there is a need for a review of the adequacy of a current individualized
60.9 education program of a student with a disability who is removed from class;
- 60.10 (m) procedures for detecting and addressing chemical abuse problems of a student while
60.11 on the school premises;
- 60.12 (n) the minimum consequences for violations of the code of conduct;
- 60.13 (o) procedures for immediate and appropriate interventions tied to violations of the code;
- 60.14 (p) a provision that states that a teacher, school employee, school bus driver, or other
60.15 agent of a district may use reasonable force in compliance with section 121A.582 and other
60.16 laws;
- 60.17 (q) an agreement regarding procedures to coordinate crisis services to the extent funds
60.18 are available with the county board responsible for implementing sections 245.487 to
60.19 245.4889 for students with a serious emotional disturbance or other students who have an
60.20 individualized education program whose behavior may be addressed by crisis intervention;
60.21 and
- 60.22 (r) a provision that states a student must be removed from class immediately if the student
60.23 engages in assault or violent behavior. For purposes of this paragraph, "assault" has the
60.24 meaning given it in section 609.02, subdivision 10. The removal shall be for a period of
60.25 time deemed appropriate by the principal, in consultation with the teacher. The principal
60.26 must remove the student from class for at least three school days following the day of the
60.27 incident. A student may only return to the class from which they were removed after the
60.28 student has been given assistance to prevent the inappropriate behavior from recurring.

104.7 Sec. 3. **122A.04 LICENSE REQUIRED.**

104.8 Pursuant to section 120A.22, subdivision 10, a teacher must hold a license or a permission
104.9 aligned to the content area and scope of the teacher's assignment to provide instruction in
104.10 a public school or a charter school.

104.11 Sec. 4. Minnesota Statutes 2020, section 122A.06, subdivision 2, is amended to read:

104.12 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional
104.13 employee required by law to hold a license or permission from the Professional Educator
104.14 Licensing and Standards Board.

104.15 Sec. 5. Minnesota Statutes 2020, section 122A.06, subdivision 5, is amended to read:

104.16 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in
104.17 which a teacher may become licensed to teach.

104.18 Sec. 6. Minnesota Statutes 2020, section 122A.06, subdivision 6, is amended to read:

104.19 Subd. 6. **Shortage area.** "Shortage area" means:

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

61.2 **121A.64 NOTIFICATION; TEACHERS' AND PARAPROFESSIONALS'**
61.3 **LEGITIMATE EDUCATIONAL INTEREST.**

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

61.8 (b) A paraprofessional assigned to work alone or on a regular basis with a student with
61.9 a disability has a legitimate educational interest in knowing whether the student has a history
61.10 of violent behavior, including any documented physical assault of a district employee by
61.11 the student, and must be notified before being assigned to work with the student.

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

- 104.20 (1) licensure fields and economic development regions reported by the ~~commissioner~~
 104.21 ~~of education~~ Office of Higher Education or the Professional Educator Licensing and
 104.22 Standards Board as experiencing a teacher shortage; and
- 104.23 (2) economic development regions where ~~there is a shortage of licensed teachers who~~
 104.24 ~~reflect the racial or ethnic diversity of students in the region;~~ the aggregate percentage of
 104.25 Indigenous teachers and teachers of color in the region is lower than the aggregate percentage
 104.26 of kindergarten through grade 12 Indigenous students and students of color in that region.
 104.27 Only individuals who close the gap between these percentages qualify as filling a shortage
 104.28 by this definition.
- 105.1 Sec. 7. Minnesota Statutes 2020, section 122A.06, subdivision 7, is amended to read:
- 105.2 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a
 105.3 program approved by the Professional Educator Licensing and Standards Board for the
 105.4 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~
 105.5 ~~preparation programs include traditional programs delivered by postsecondary institutions,~~
 105.6 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~
- 105.7 Sec. 8. Minnesota Statutes 2020, section 122A.06, subdivision 8, is amended to read:
- 105.8 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program
 105.9 provider" or "unit" means an entity that has primary responsibility for overseeing and
 105.10 delivering a teacher preparation program. Teacher preparation program providers include
 105.11 postsecondary institutions and alternative teacher preparation providers aligned to section
 105.12 122A.094.
- 105.13 Sec. 9. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision to
 105.14 read:
- 105.15 Subd. 9. **District.** "District" means a public school district or charter school.

- 61.22 Sec. 4. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision to
 61.23 read:
- 61.24 Subd. 9. **Professional license.** A "professional license" means a Tier 1, Tier 2, Tier 3,
 61.25 or Tier 4 teacher license issued by the Professional Educator Licensing and Standards Board
 61.26 in accordance with sections 122A.18 to 122A.184.
- 61.27 Sec. 5. Minnesota Statutes 2020, section 122A.092, is amended by adding a subdivision
 61.28 to read:
- 61.29 Subd. 9. **Agreements with out-of-state program providers.** The Professional Educator
 61.30 Licensing and Standards Board must encourage Minnesota teacher preparation providers
 61.31 to develop teacher preparation programs in licensure areas where no teacher preparation
 61.32 program exists in Minnesota. The board must encourage these programs to have at least 80

105.16 Sec. 10. **[122A.094] TEACHER PREPARATION PROVIDERS.**

105.17 Subdivision 1. **Purpose.** Teacher preparation providers must be approved by the
 105.18 Professional Educator Licensing and Standards Board to prepare candidates for teacher
 105.19 licensure in Minnesota. To provide alternative pathways toward Minnesota teacher licensure
 105.20 outside of the traditional means, improve ethnic and cultural diversity in the classroom, and
 105.21 to close the achievement gap, the Professional Educator Licensing and Standards Board
 105.22 must approve qualified teacher preparation providers and programs under this section that
 105.23 are a means to acquire a Tier 2 license under section 122A.182 and prepare for acquiring a
 105.24 Tier 3 license under section 122A.183.

105.25 Subd. 2. **Eligibility.** The following organizations are eligible to seek approval to be a
 105.26 teacher preparation provider:

105.27 (1) Minnesota institutions of higher education;

105.28 (2) school districts;

105.29 (3) charter schools; and

105.30 (4) nonprofit corporations organized under chapter 317A for an education-related purpose.

106.1 Subd. 3. **Requirements for provider approval.** An eligible entity must be approved
 106.2 as a provider before being approved to provide programs toward licensure. The Professional
 106.3 Educator Licensing and Standards Board must approve an eligible entity under subdivision
 106.4 3 that meets the following requirements:

106.5 (1) has evidence and history of fiscal solvency, capacity, and operation;

106.6 (2) possesses necessary infrastructure to provide accurate, timely, and secure data for
 106.7 the purposes of admission, candidate monitoring, testing, and program completion
 106.8 requirements;

106.9 (3) has policies and procedures in place ensuring the security of candidate records under
 106.10 the federal Family Educational Rights and Privacy Act;

106.11 (4) has developed a research-based, results-oriented curriculum that focuses on the skills
 106.12 teachers need to be effective;

106.13 (5) provides a clinical experience that meets criteria set in rule for initial and additional
 106.14 licensure programs;

62.1 percent of the required coursework available online. If an in-state approved teacher
 62.2 preparation program is not established for a teacher licensure area, the board must identify
 62.3 one or more out-of-state programs with national accreditation. The board is encouraged to
 62.4 identify out-of-state programs that have a majority of required coursework online and post
 62.5 program information on the board's website of approved licensure programs.

106.15 (6) includes a common core of teaching knowledge and skills. The Professional Educator
106.16 Licensing and Standards Board must adopt and revise rules to maintain a common core of
106.17 teaching knowledge and skills;

106.18 (7) includes instruction on the knowledge and skills needed to provide appropriate
106.19 instruction to English learners to support and accelerate their academic literacy, including
106.20 oral academic language and achievement in content areas in a regular classroom setting;
106.21 and

106.22 (8) includes culturally competent training on instructional strategies consistent with
106.23 section 120B.30, subdivision 1, paragraph (q), and Minnesota Rules, part 8710.0310, subpart
106.24 1, item D.

106.25 Subd. 4. **Program approval.** The board must adopt and revise rules outlining the criteria
106.26 by which programs offered by approved providers may be approved. If the board determines
106.27 that a teacher preparation provider or licensure program fails to meet or is deficient in any
106.28 of the requirements in rule, it may suspend or revoke the approval of the provider or program
106.29 after it notifies the provider of the deficiencies and gives the provider an opportunity to
106.30 remedy the deficiencies.

106.31 Subd. 5. **Specialized credentials.** The board may adopt and revise rules creating flexible,
106.32 specialized teaching licenses, credentials, and other endorsement forms.

107.1 Subd. 6. **Teacher educators.** (a) The board must adopt and revise rules requiring teacher
107.2 educators to work directly with elementary or secondary school teachers in elementary or
107.3 secondary schools to obtain periodic exposure to the elementary and secondary teaching
107.4 environments.

107.5 (b) The board must adopt and revise rules for the qualifications for teacher educators.
107.6 The board may use nontraditional criteria to determine qualifications of teacher educators,
107.7 including permitting instructors to hold a baccalaureate degree only. Nontraditional criteria
107.8 may include previous work experiences, teaching experiences, educator evaluations,
107.9 industry-recognized certifications, and other equivalent demonstrations of qualifications.

107.10 Subd. 7. **Reading strategies.** (a) A teacher preparation provider approved by the
107.11 Professional Educator Licensing and Standards Board to prepare persons for classroom
107.12 teacher licensure must include in its teacher preparation programs research-based best
107.13 practices in reading, consistent with section 122A.06, subdivision 4, that enable the licensure
107.14 candidate to teach reading in the candidate's content areas. Teacher candidates must be
107.15 instructed in using students' native languages as a resource in creating effective differentiated
107.16 instructional strategies for English learners developing literacy skills. A teacher preparation
107.17 provider must also prepare early childhood and elementary teacher candidates for Tier 3
107.18 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the
107.19 portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering
107.20 assessment of reading instruction.

- 107.21 (b) Board-approved teacher preparation programs for teachers of elementary education
107.22 must require instruction in applying comprehensive, scientifically based or evidence-based,
107.23 and structured reading instruction programs that:
- 107.24 (1) teach students to read using foundational knowledge, practices, and strategies
107.25 consistent with section 122A.06, subdivision 4, so that all students achieve continuous
107.26 progress in reading; and
- 107.27 (2) teach specialized instruction in reading strategies, interventions, and remediations
107.28 that enable students of all ages and proficiency levels to become proficient readers.
- 107.29 (c) Board-approved teacher preparation programs for teachers of elementary education,
107.30 early childhood education, special education, and reading intervention must include
107.31 instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation
107.32 programs may consult with the Department of Education, including the dyslexia specialist
107.33 under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia
108.1 must be modeled on practice standards of the International Dyslexia Association and must
108.2 address:
- 108.3 (1) the nature and symptoms of dyslexia;
- 108.4 (2) resources available for students who show characteristics of dyslexia;
- 108.5 (3) evidence-based instructional strategies for students who show characteristics of
108.6 dyslexia, including the structured literacy approach; and
- 108.7 (4) outcomes of intervention and lack of intervention for students who show
108.8 characteristics of dyslexia.
- 108.9 (d) Nothing in this section limits the authority of a school district to select a school's
108.10 reading program or curriculum.
- 108.11 Subd. 8. **Technology strategies.** All preparation providers approved by the Professional
108.12 Educator Licensing and Standards Board to prepare persons for classroom teacher licensure
108.13 must include in their teacher preparation programs the knowledge and skills teacher
108.14 candidates need to engage students with technology and deliver digital and blended learning
108.15 and curriculum.
- 108.16 Subd. 9. **Reports.** (a) The Professional Educator Licensing and Standards Board must
108.17 report annually to the education committees of the legislature on the performance of teacher
108.18 candidates aligned to section 122A.091, subdivision 1.
- 108.19 (b) The board must also submit a biennial report on the alternative teacher preparation
108.20 providers to legislative committees with jurisdiction over kindergarten through grade 12
108.21 education policy and finance by January 15 of each odd-numbered year.

108.22 Sec. 11. Minnesota Statutes 2020, section 122A.15, subdivision 1, is amended to read:

108.23 Subdivision 1. **Teachers.** The term "teachers" for the purpose of licensure, means all
 108.24 persons employed in a public school or education district or by a service cooperative as
 108.25 members of the instructional, supervisory, and support staff including superintendents,
 108.26 principals, supervisors, secondary vocational and other classroom teachers, librarians, school
 108.27 counselors, school psychologists, school nurses, school social workers, audio-visual directors
 108.28 and coordinators, recreation personnel, media generalists, media supervisors, and ~~speech~~
 108.29 ~~therapists~~ school speech-language pathologists. This definition does not apply to sections
 108.30 122A.05 to 122A.093.

109.1 Sec. 12. Minnesota Statutes 2020, section 122A.16, is amended to read:

109.2 **122A.16 QUALIFIED TEACHER DEFINED.**

109.3 A qualified teacher is one holding a valid license; or permission under this chapter; to
 109.4 perform the particular service for which the teacher is employed in a public school.

109.5 Sec. 13. Minnesota Statutes 2020, section 122A.18, subdivision 7a, is amended to read:

109.6 Subd. 7a. ~~Permission~~ **License to substitute teach.** (a) The Professional Educator
 109.7 Licensing and Standards Board must issue licenses to substitute teach to applicants who
 109.8 meet the qualifications prescribed in this subdivision and in Minnesota Rules.

109.9 ~~(a)~~ (b) The Professional Educator Licensing and Standards Board may allow a person
 109.10 issue a short-call substitute teaching license to an applicant who otherwise qualifies for a
 109.11 Tier 1 license in accordance with section 122A.181, subdivision 2, or is enrolled in and
 109.12 making satisfactory progress in a board-approved state-approved teacher program and who
 109.13 has successfully completed student teaching to be employed as a short-call substitute teacher.

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

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

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

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

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

109.29 (i) a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184,
 109.30 respectively, and must again complete ~~continuing education clock hours~~ renewal requirements
 109.31 pursuant to section 122A.187 one school year after receiving the Tier 3 or Tier 4 teaching
 109.32 license; or

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

110.5 Sec. 14. Minnesota Statutes 2020, section 122A.18, subdivision 8, is amended to read:

110.6 Subd. 8. **Background ~~checks~~ studies.** (a) The Professional Educator Licensing and
 110.7 Standards Board and the Board of School Administrators must ~~obtain~~ initiate a criminal
 110.8 history background ~~check~~ study on all first-time ~~teaching~~ educator applicants for educator licenses
 110.9 under their jurisdiction. Applicants must include with their licensure applications:

110.10 (1) an executed criminal history consent form, including fingerprints; and

110.11 (2) payment to conduct the background check. The Professional Educator Licensing and
 110.12 Standards Board must deposit payments received under this subdivision in an account in
 110.13 the special revenue fund. Amounts in the account are annually appropriated to the
 110.14 Professional Educator Licensing and Standards Board to pay for the costs of background
 110.15 checks on applicants for licensure.

110.16 (b) The background check for all first-time teaching applicants for licenses must include
 110.17 a review of information from the Bureau of Criminal Apprehension, including criminal
 110.18 history data as defined in section 13.87, and must also include a review of the national
 110.19 criminal records repository. The superintendent of the Bureau of Criminal Apprehension
 110.20 is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes
 110.21 of the criminal history check. The superintendent shall recover the cost to the bureau of a
 110.22 background check through the fee charged to the applicant under paragraph (a).

110.23 (c) The Professional Educator Licensing and Standards Board ~~must contract with and~~
 110.24 ~~the Board of School Administrators may initiate criminal background studies through the~~
 110.25 ~~commissioner of human services to conduct background checks and~~ obtain background
 110.26 check data required under this chapter.

110.27 Sec. 15. Minnesota Statutes 2020, section 122A.18, subdivision 10, is amended to read:

110.28 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
 110.29 Board must adopt and revise rules establishing a process for an eligible candidate applicant
 110.30 to obtain ~~any teacher~~ an initial Tier 3 license ~~under subdivision 1,~~ or to add a licensure field;

110.31 to a Tier 3 or Tier 4 license via portfolio. The portfolio licensure application process must
110.32 be consistent with the requirements in this subdivision.

111.1 (b) ~~A candidate~~ An applicant for a an initial Tier 3 license via portfolio must submit to
111.2 the board one portfolio demonstrating pedagogical competence and one portfolio
111.3 demonstrating content competence.

111.4 (c) ~~A candidate~~ An applicant seeking to add a licensure field via portfolio must submit
111.5 to the board one portfolio demonstrating content competence for each licensure field the
111.6 candidate seeks to add.

111.7 (d) The board must notify ~~a candidate~~ an applicant who submits a portfolio under
111.8 paragraph (b) or (c) within ~~90~~ 120 calendar days after the portfolio is received whether or
111.9 not the portfolio is approved. If the portfolio is not approved, the board must immediately
111.10 inform the ~~candidate~~ applicant how to revise the portfolio to successfully demonstrate the
111.11 requisite competence. The ~~candidate~~ applicant may resubmit a revised portfolio at any time
111.12 within two years and the board must approve or disapprove the revised portfolio within ~~60~~
111.13 90 calendar days of receiving it.

111.14 (e) ~~A candidate~~ An applicant must pay a fee for a portfolio in accordance with section
111.15 122A.21, subdivision 4.

111.16 Sec. 16. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

111.17 Subdivision 1. **Application requirements.** The Professional Educator Licensing and
111.18 Standards Board must approve ~~a request from a district or charter school to issue a Tier 1~~
111.19 ~~license in a specified content area to a candidate~~ an application for a Tier 1 license in a
111.20 specified content area if:

111.21 (1) the application has been submitted jointly by the applicant and the district;

111.22 (2) the application has been paid for by the district or the applicant;

111.23 (3) the ~~candidate~~ applicant meets the professional requirement in subdivision 2;

111.24 ~~(2)~~ (4) the district or charter school affirms that the ~~candidate~~ applicant has the necessary
111.25 skills and knowledge to teach in the specified content area; and

111.26 ~~(3)~~ (5) the district or charter school demonstrates that ~~(i)~~ a criminal background check
111.27 under section 122A.18, subdivision 8, has been completed on the ~~candidate~~ applicant; and

111.28 ~~(ii)~~ (6) the district or charter school has posted the teacher position but was unable to
111.29 hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

62.6 Sec. 6. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

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

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

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

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

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

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

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

112.1 Sec. 17. Minnesota Statutes 2020, section 122A.181, subdivision 2, is amended to read:

112.2 Subd. 2. **Professional requirements.** ~~(a) A candidate~~ An applicant for a Tier 1 license
112.3 must have a bachelor's degree to teach a class or course ~~outside a career and technical~~
112.4 ~~education or career pathways course of study, unless specifically exempt by state statute or~~
112.5 rule.

112.6 ~~(b) A candidate for a Tier 1 license must have one of the following credentials in a~~
112.7 ~~relevant content area to teach a class in a career and technical education or career pathways~~
112.8 ~~course of study:~~

112.9 ~~(1) an associate's degree;~~

112.10 ~~(2) a professional certification; or~~

112.11 ~~(3) five years of relevant work experience.~~

112.12 Sec. 18. Minnesota Statutes 2020, section 122A.181, is amended by adding a subdivision
112.13 to read:

112.14 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
112.15 Tier 1 license are exempt from the requirement to hold a bachelor's degree in subdivision
112.16 2:

112.17 (1) an applicant for a Tier 1 license to teach career and technical education or career
112.18 pathways courses of study if the applicant has:

112.19 (i) an associate's degree;

112.20 (ii) a professional certification; or

112.21 (iii) five years of relevant work experience;

112.22 (2) an applicant for a Tier 1 license to teach world languages and culture pursuant to
112.23 Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language;

112.24 (3) an applicant for a Tier 1 license in the performing or visual arts pursuant to Minnesota
112.25 Rules, parts 8710.4300 (dance and theater), 8710.4310 (dance), 8710.4320 (theater),
112.26 8710.4650 (vocal music and instrumental music), and 8710.4900 (visual arts), if the applicant
112.27 has at least five years of relevant work experience; and

112.28 (4) an applicant for a Tier 1 license who is enrolled in a state-approved teacher preparation
112.29 program classified as a residency model aligned to the scope and field of the assignment.
112.30 The residency program must lead to a bachelor's degree unless the program is aligned to
112.31 one of the licensure areas outlined in this subdivision.

113.1 (b) The Professional Educator Licensing and Standards Board must adopt and revise
113.2 rules regarding the qualifications and determinations for applicants exempt from paragraph
113.3 (a).

113.4 Sec. 19. Minnesota Statutes 2020, section 122A.181, subdivision 3, is amended to read:

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

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

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

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

113.18 ~~(2) (2)~~ the teacher holding the Tier 1 license participated in cultural competency training
113.19 consistent with section 120B.30, subdivision 1, paragraph (q), ~~within one year of the board~~
113.20 ~~approving the request for the initial Tier 1 license; and~~

113.21 ~~(4) (3)~~ the teacher holding the Tier 1 license met the mental illness training renewal
113.22 requirement under section 122A.187, subdivision 6; and

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

113.25 (4) the district demonstrates professional development opportunities and other supports
113.26 provided to move the teacher from a Tier 1 license to a higher tier.

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

114.1 Sec. 20. Minnesota Statutes 2020, section 122A.181, subdivision 4, is amended to read:

114.2 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
114.3 accept and review applications for a Tier 1 teaching license beginning July 1 of the school
114.4 year for which the license is requested and must issue or deny the Tier 1 teaching license
114.5 within 30 days of receiving the completed application, unless permitted by the board to
114.6 accept and review applications earlier.

62.19 Sec. 7. Minnesota Statutes 2020, section 122A.181, subdivision 3, is amended to read:

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

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

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

62.29 ~~(2) (1)~~ the teacher holding the Tier 1 license took a content examination in accordance
62.30 with section 122A.185 and submitted the examination results to the teacher's employing
63.1 district or charter school within one year of the board approving the request for the initial
63.2 Tier 1 license;

63.3 ~~(2) (2)~~ the teacher holding the Tier 1 license participated in cultural competency training
63.4 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board
63.5 approving the request for the initial Tier 1 license; and

63.6 ~~(4) (3)~~ the teacher holding the Tier 1 license met the mental illness training renewal
63.7 requirement under section 122A.187, subdivision 6.

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

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

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

114.7 Sec. 21. Minnesota Statutes 2020, section 122A.181, subdivision 5, is amended to read:

114.8 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter
114.9 indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and
114.10 limited to the district or charter school that requested the initial Tier 1 license.

114.11 (b) A Tier 1 license does not bring an individual within the definition of a teacher for
114.12 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

114.13 ~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under~~
114.14 ~~section 179A.03, subdivision 18.~~

114.15 Sec. 22. Minnesota Statutes 2020, section 122A.181, subdivision 6, is amended to read:

114.16 Subd. 6. **Mentorship and evaluation.** (a) ~~A teacher holding a Tier 1 license must~~
114.17 ~~participate in the employing district or charter school's mentorship program and professional~~
114.18 ~~development. A district that hires a Tier 1 teacher must provide mentorship aligned to~~
114.19 ~~board-adopted criteria and professional development opportunities to that teacher.~~

114.20 (b) A teacher holding a Tier 1 license must participate in an evaluation aligned, to the
114.21 extent practicable, with the evaluation under section 122A.40, subdivision 8, or 122A.41,
114.22 subdivision 5.

114.23 Sec. 23. Minnesota Statutes 2020, section 122A.182, subdivision 1, is amended to read:

114.24 Subdivision 1. **Requirements.** ~~(a)~~ The Professional Educator Licensing and Standards
114.25 Board must approve ~~a request from a district or charter school to issue~~ an application for a
114.26 Tier 2 license in a specified content area ~~to a candidate~~ if:

114.27 ~~(1) the candidate meets the educational or professional requirements in paragraph (b)~~
114.28 ~~or (c) the application has been submitted jointly by the applicant and the district;~~

114.29 ~~(2) the candidate:~~

114.30 ~~(i) has completed the coursework required under subdivision 2;~~

115.1 ~~(ii) is enrolled in a Minnesota-approved teacher preparation program; or~~

115.2 ~~(iii) has a master's degree in the specified content area; and~~

115.3 ~~(3) the district or charter school demonstrates that a criminal background check under~~
115.4 ~~section 122A.18, subdivision 8, has been completed on the candidate.~~

115.5 ~~(b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside~~
115.6 ~~a career and technical education or career pathways course of study.~~

115.7 ~~(c) A candidate for a Tier 2 license must have one of the following credentials in a~~
115.8 ~~relevant content area to teach a class or course in a career and technical education or career~~
115.9 ~~pathways course of study.~~

- 115.10 ~~(1) an associate's degree;~~
- 115.11 ~~(2) a professional certification; or~~
- 115.12 ~~(3) five years of relevant work experience.~~
- 115.13 (2) the application has been paid for by the district or the applicant;
- 115.14 (3) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;
- 115.15 (4) the district demonstrates that a criminal background check under section 122A.18,
- 115.16 subdivision 8, has been completed for the applicant; and
- 115.17 (5) the applicant:
- 115.18 (i) has a master's degree in the specified content area;
- 115.19 (ii) is enrolled in a state-approved teacher preparation program; or
- 115.20 (iii) for a license to teach career and technical education and career pathways, has
- 115.21 completed two years of field-specific teaching experience on a Tier 1 license and completed
- 115.22 training in classroom management, cultural competency, and teacher ethics.
- 115.23 Sec. 24. Minnesota Statutes 2020, section 122A.182, subdivision 2, is amended to read:
- 115.24 Subd. 2. ~~Coursework Exemptions from a bachelor's degree. (a) A candidate for a~~
- 115.25 ~~Tier 2 license must meet the coursework requirement by demonstrating completion of two~~
- 115.26 ~~of the following:~~
- 115.27 ~~(1) at least eight upper division or graduate-level credits in the relevant content area;~~
- 115.28 ~~(2) field-specific methods of training, including coursework;~~
- 116.1 ~~(3) at least two years of teaching experience in a similar content area in any state, as~~
- 116.2 ~~determined by the board;~~
- 116.3 ~~(4) a passing score on the pedagogy and content exams under section 122A.185; or~~
- 116.4 ~~(5) completion of a state-approved teacher preparation program.~~
- 116.5 ~~(b) For purposes of paragraph (a), "upper division" means classes normally taken at the~~
- 116.6 ~~junior or senior level of college which require substantial knowledge and skill in the field.~~
- 116.7 ~~Candidates must identify the upper division credits that fulfill the requirement in paragraph~~
- 116.8 ~~(a), clause (1).~~
- 116.9 (a) The following applicants for a Tier 2 license are exempt from the requirement to
- 116.10 hold a bachelor's degree in subdivision 1:
- 116.11 (1) an applicant for a Tier 2 license to teach career and technical education or career
- 116.12 pathways courses of study when the applicant has:

- 116.13 (i) an associate's degree;
- 116.14 (ii) a professional certification; or
- 116.15 (iii) five years of relevant work experience;
- 116.16 (2) an applicant for a Tier 2 license to teach world languages and culture pursuant to
 116.17 Minnesota Rules, part 8710.4950, when the applicant is a native speaker of the language.
- 116.18 (3) an applicant for a Tier 2 license in the performing or visual arts pursuant to Minnesota
 116.19 Rules, parts 8710.4300 (dance and theater), 8710.4310 (dance), 8710.4320 (theater),
 116.20 8710.4650 (vocal music and instrumental music), and 8710.4900 (visual arts), when the
 116.21 applicant has at least five years of relevant work experience.
- 116.22 (b) The Professional Educator Licensing and Standards Board must adopt and revise
 116.23 rules regarding the qualifications and determinations for applicants exempt from the
 116.24 requirement to hold a bachelor's degree in subdivision 1.
- 116.25 Sec. 25. Minnesota Statutes 2020, section 122A.182, subdivision 3, is amended to read:
- 116.26 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and
 116.27 Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license
 116.28 may be renewed ~~three~~ two times. The board must adopt rules establishing good cause
 116.29 justifications for additional renewals after the initial license has been renewed two times.
- 116.30 (b) A teacher holding a Tier 2 license in career and technical education or career pathways
 116.31 course of study may receive unlimited renewals.
- 117.1 (c) Before a Tier 2 license is renewed ~~for the first time~~, a teacher holding a Tier 2 license
 117.2 must participate in cultural competency training consistent with section 120B.30, subdivision
 117.3 1, paragraph (q), ~~and~~ mental illness training under section 122A.187, subdivision 6. ~~The~~
 117.4 ~~board must issue rules setting forth the conditions for additional renewals after the initial~~
 117.5 ~~license has been renewed three times; and the district demonstrates professional development~~
 117.6 ~~opportunities and other supports provided to move the teacher to a higher tier.~~
- 117.7 Sec. 26. Minnesota Statutes 2020, section 122A.182, subdivision 4, is amended to read:
- 117.8 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
 117.9 accept and review applications for a Tier 2 teaching license beginning July 1 of the school
 117.10 year for which the license is requested ~~and must issue or deny the Tier 2 teaching license~~
 117.11 ~~within 30 days of receiving the completed application,~~ unless permitted by the board to
 117.12 accept and review applications earlier.
- 117.13 Sec. 27. Minnesota Statutes 2020, section 122A.182, subdivision 7, is amended to read:
- 117.14 Subd. 7. **Mentorship and evaluation.** (a) ~~A teacher holding a Tier 2 license must~~
 117.15 ~~participate in the employing district or charter school's mentorship and evaluation program,~~
 117.16 ~~including an individual growth and development plan that includes cultural competency~~
 117.17 ~~under section 120B.30, subdivision 1, paragraph (q).~~ A district that hires a teacher holding

- 117.18 a Tier 2 license must provide mentorship aligned to board-adopted criteria to that teacher
117.19 and professional development opportunities.
- 117.20 (b) A teacher holding a Tier 2 license must participate in an evaluation aligned, to the
117.21 extent practicable, with the evaluation under section 122A.40, subdivision 8, or section
117.22 122A.41, subdivision 5.
- 117.23 Sec. 28. Minnesota Statutes 2020, section 122A.183, subdivision 1, is amended to read:
- 117.24 Subdivision 1. **Requirements.** ~~(a)~~ The Professional Educator Licensing and Standards
117.25 Board must issue a Tier 3 license to ~~a candidate~~ an applicant who provides information
117.26 sufficient to demonstrate all of the following:
- 117.27 ~~(1) the candidate meets the educational or professional requirements in paragraphs (b)~~
117.28 ~~and (c);~~
- 117.29 ~~(2) the candidate has obtained a passing score on the required licensure exams under~~
117.30 ~~section 122A.185; and~~
- 118.1 (1) the applicant for a Tier 3 license must have a bachelor's degree to teach a class or
118.2 course, unless specifically exempt by state statute or rule; and
- 118.3 ~~(2) the candidate applicant~~ has completed the coursework required under subdivision
118.4 2.
- 118.5 ~~(b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or~~
118.6 ~~course outside a career and technical education or career pathways course of study.~~
- 118.7 ~~(c) A candidate for a Tier 3 license must have one of the following credentials in a~~
118.8 ~~relevant content area to teach a class or course in a career and technical education or career~~
118.9 ~~pathways course of study:~~
- 118.10 ~~(1) an associate's degree;~~
- 118.11 ~~(2) a professional certification; or~~
- 118.12 ~~(3) five years of relevant work experience.~~
- 118.13 ~~In consultation with the governor's Workforce Development Board established under section~~
118.14 ~~116L.665, the board must establish a list of qualifying certifications, and may add additional~~
118.15 ~~professional certifications in consultation with school administrators, teachers, and other~~
118.16 ~~stakeholders.~~
- 118.17 Sec. 29. Minnesota Statutes 2020, section 122A.183, subdivision 2, is amended to read:
- 118.18 Subd. 2. **Coursework.** ~~A candidate~~ An applicant for a Tier 3 license must meet the
118.19 coursework requirement by demonstrating one of the following:
- 118.20 (1) completion of a Minnesota-approved teacher preparation program;

118.21 (2) completion of a ~~state-approved~~ teacher preparation program approved by another
 118.22 state, territory, or country, including culturally specific Minority Serving Institutions in the
 118.23 United States, such as Historically Black Colleges and Universities, Tribal Colleges, or
 118.24 Hispanic-Serving Institutions including those in Puerto Rico, that includes field-specific
 118.25 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
 118.26 preparation programs. The field-specific student teaching requirement does not apply to a
 118.27 candidate or applicant that has two years of field-specific teaching experience;

118.28 (3) submission of a content-specific licensure portfolio;

118.29 (4) a professional teaching license from another state, evidence that the ~~candidate's~~
 118.30 applicant's license is in good standing, and two years of field-specific teaching experience;
 118.31 or

119.1 (5) the applicant fills a shortage area under section 122A.06, subdivision 6, clause (2),
 119.2 and has three years of teaching experience under a Tier 2 license and evidence of summative
 119.3 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
 119.4 improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,
 119.5 subdivision 5.

119.6 Sec. 30. Minnesota Statutes 2020, section 122A.183, is amended by adding a subdivision
 119.7 to read:

119.8 Subd. 2a. **Exemptions from a bachelor's degree.** (a) The following applicants for a
 119.9 Tier 3 license are exempt from the requirement to hold a bachelor's degree in subdivision
 119.10 1:

119.11 (1) an applicant for a Tier 3 license to teach career and technical education or career
 119.12 pathways courses of study when the applicant has:

119.13 (i) an associate's degree;

119.14 (ii) a professional certification; or

119.15 (iii) five years of relevant work experience;

119.16 (2) an applicant for a Tier 3 license to teach world languages and culture pursuant to
 119.17 Minnesota Rules, part 8710.4950, if the applicant is a native speaker of the language; and

119.18 (3) an applicant for a Tier 3 license in the performing or visual arts pursuant to Minnesota
 119.19 Rules, parts 8710.4300 (dance and theater), 8710.4310 (dance), 8710.4320 (theater),
 119.20 8710.4650 (vocal music and instrumental music), and 8710.4900 (visual arts), if the applicant
 119.21 has at least five years of relevant work experience.

119.22 (b) The Professional Educator Licensing and Standards Board must adopt and revise
 119.23 rules regarding the qualifications and determinations for applicants exempt from subdivision
 119.24 1.

119.25 Sec. 31. Minnesota Statutes 2020, section 122A.183, subdivision 3, is amended to read:

119.26 Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and
119.27 Standards Board must issue an initial Tier 3 license for a term of three years. Before a Tier
119.28 3 license is renewed for the first time, the applicant must meet initial teacher renewal
119.29 requirements in section 122A.187. A Tier 3 license may be renewed every three years
119.30 without limitation.

120.1 Sec. 32. Minnesota Statutes 2020, section 122A.184, subdivision 1, is amended to read:

120.2 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
120.3 Board must issue a Tier 4 license to ~~a candidate~~ an applicant who provides information
120.4 sufficient to demonstrate all of the following:

120.5 (1) the ~~candidate~~ applicant meets all requirements for a Tier 3 license under section
120.6 122A.183, and has completed a teacher preparation program under section 122A.183,
120.7 subdivision 2, clause (1) or (2);

120.8 (2) the ~~candidate~~ applicant has at least three years of field-specific teaching experience
120.9 ~~in Minnesota~~ as a teacher of record;

120.10 (3) the ~~candidate~~ applicant has obtained a passing score on all required licensure exams
120.11 under section 122A.185; and

120.12 (4) ~~the candidate's most recent summative teacher evaluation did not result in placing~~
120.13 ~~or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,~~
120.14 ~~subdivision 8, or 122A.41, subdivision 5~~ if the applicant previously held a Tier 3 license
120.15 under section 122A.183, the applicant has completed the initial teacher renewal requirements
120.16 in section 122A.187.

120.17 Sec. 33. Minnesota Statutes 2020, section 122A.184, subdivision 2, is amended to read:

120.18 Subd. 2. **Term of license and renewal.** The Professional Educator Licensing and
120.19 Standards Board must issue an initial Tier 4 license for a term of five years. A Tier 4 license
120.20 may be renewed every five years without limitation if the applicant meets the continuing
120.21 teacher renewal requirements in section 122A.187.

120.22 Sec. 34. Minnesota Statutes 2020, section 122A.185, subdivision 1, is amended to read:

120.23 Subdivision 1. **Tests.** ~~(a) The Professional Educator Licensing and Standards Board~~
120.24 ~~must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted~~
120.25 ~~examination of skills in reading, writing, and mathematics before being granted a Tier 4~~
120.26 ~~teaching license under section 122A.184 to provide direct instruction to pupils in elementary,~~
120.27 ~~secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier~~
120.28 ~~3 license to provide direct instruction to pupils in elementary, secondary, or special education~~
120.29 ~~programs if candidates meet the other requirements in section 122A.181, 122A.182, or~~
120.30 ~~122A.183, respectively.~~

120.31 ~~(b)~~ (a) The board must adopt and revise rules requiring ~~candidates~~ applicants for Tier 3
 120.32 ~~and~~ Tier 4 licenses to pass an examination or performance assessment of general pedagogical
 121.1 knowledge and examinations of licensure field specific content, including an examination
 121.2 taken in another state, if the applicant has not completed a board-approved preparation
 121.3 program assuring candidates from the program recommended for licensure meet content
 121.4 and pedagogy licensure standards in Minnesota. The content examination requirement does
 121.5 not apply if no relevant content exam exists. Applicants who have satisfactorily completed
 121.6 a preparation program in another state and passed licensure examinations in that state are
 121.7 not additionally required to pass similar examinations required in Minnesota.

121.8 ~~(c) Candidates~~ (b) Applicants for initial Tier 3 ~~and~~ Tier 4 licenses to teach elementary
 121.9 students must pass test items assessing the ~~candidates'~~ applicants' knowledge, skill, and
 121.10 ability in comprehensive, scientifically based reading instruction under section 122A.06,
 121.11 subdivision 4, knowledge and understanding of the foundations of reading development,
 121.12 development of reading comprehension and reading assessment and instruction, and the
 121.13 ability to integrate that knowledge and understanding into instruction strategies under section
 121.14 122A.06, subdivision 4.

121.15 ~~(d) The requirement to pass a board-adopted reading, writing, and mathematics skills~~
 121.16 ~~examination does not apply to nonnative English speakers, as verified by qualified Minnesota~~
 121.17 ~~school district personnel or Minnesota higher education faculty, who, after meeting the~~
 121.18 ~~content and pedagogy requirements under this subdivision, apply for a teaching license to~~
 121.19 ~~provide direct instruction in their native language or world language instruction under section~~
 121.20 ~~120B.022, subdivision 1.~~

121.21 (c) All testing centers in the state must provide regular opportunities for extended time
 121.22 content and pedagogy examinations. These opportunities must be advertised on the test
 121.23 registration website. The board must require the exam vendor to provide other equitable
 121.24 opportunities to pass exams, including providing financial assistance for test takers who
 121.25 qualify for federal grants; providing free, multiple, full-length practice tests for each exam
 121.26 and free, comprehensive study guides on the test registration website; making content and
 121.27 pedagogy exams available in languages other than English for teachers seeking licensure
 121.28 to teach in language immersion programs; and providing a free, detailed exam results analysis
 121.29 by test objective to assist candidates who do not pass an exam in identifying areas for
 121.30 improvement. Any candidate who has not passed a required exam after two attempts must
 121.31 be allowed to retake the exam, including new versions of the exam, without being charged
 121.32 an additional fee.

122.1 Sec. 35. Minnesota Statutes 2020, section 122A.185, subdivision 4, is amended to read:

122.2 Subd. 4. **Remedial assistance.** (a) A board-approved teacher preparation program must
 122.3 make available upon request remedial assistance that includes a formal diagnostic component
 122.4 to persons enrolled in their ~~institution~~ teacher preparation program who did not achieve a
 122.5 qualifying score on a board-adopted ~~skills~~ examination, including those for whom English
 122.6 is a second language. The teacher preparation programs must make available assistance in
 122.7 the specific academic areas of candidates' deficiency. Teacher preparation providers must

122.8 report annually on supports provided, number of candidates supported, and demographic
 122.9 data of those candidates.

122.10 (b) School districts may make available upon request similar, appropriate, and timely
 122.11 remedial assistance that includes a formal diagnostic component to those persons employed
 122.12 by the district who completed their teacher education program, who did not achieve a
 122.13 qualifying score on a board-adopted ~~skills~~ examination, and who received a Tier 1, Tier 2,
 122.14 or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in
 122.15 Minnesota.

122.16 Sec. 36. Minnesota Statutes 2020, section 122A.187, is amended to read:

122.17 **122A.187 EXPIRATION AND RENEWAL.**

122.18 Subdivision 1. **License form requirements.** Each license issued under this chapter must
 122.19 bear the date of issue and the name of the state-approved teacher training provider or
 122.20 alternative teaching program, as applicable. Licenses must expire and be renewed according
 122.21 to rules adopted by the Professional Educator Licensing and Standards Board or the Board
 122.22 of School Administrators. ~~The rules adopted by the Professional Educator Licensing and~~
 122.23 ~~Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and~~
 122.24 ~~122A.184, respectively, must include showing satisfactory evidence of successful teaching~~
 122.25 ~~or administrative experience for at least one school year during the period covered by the~~
 122.26 ~~license in grades or subjects for which the license is valid or completing such additional~~
 122.27 ~~preparation as required under this section, or as the Professional Educator Licensing and~~
 122.28 ~~Standards Board prescribes.~~ The Board of School Administrators shall establish requirements
 122.29 for renewing the licenses of supervisory personnel except athletic coaches. The Professional
 122.30 Educator Licensing and Standards Board shall establish requirements for renewing the
 122.31 licenses of athletic coaches.

122.32 Subd. 2. **Local committees.** The Professional Educator Licensing and Standards Board
 122.33 must receive recommendations from local committees as established by the board for the
 122.34 renewal of teaching licenses.

123.1 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
 123.2 license under sections 122A.183 and 122A.184, respectively, who have been employed as
 123.3 a teacher during the renewal period of the expiring license, as a condition of license renewal,
 123.4 must present to their local continuing education and relicensure committee or other local
 123.5 relicensure committee evidence of work that demonstrates professional reflection and growth
 123.6 in best teaching practices, ~~including among other things, cultural competence in accordance~~
 123.7 ~~with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied~~
 123.8 ~~needs of English learners, from young children to adults under section 124D.59, subdivisions~~
 123.9 ~~2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's~~
 123.10 ~~most recent summative evaluation or improvement plan under section 122A.40, subdivision~~
 123.11 ~~8, or 122A.41, subdivision 5.~~

123.12 (b) The Professional Educator Licensing and Standards Board must ensure that its teacher
123.13 relicensing requirements include paragraph (a).

123.14 (c) The board may adopt and revise rule setting criteria for initial Tier 3 license renewal
123.15 requirements that must be completed before a teacher may move to a Tier 4 license.

123.16 Subd. 4. **Behavior interventions.** The Professional Educator Licensing and Standards
123.17 Board must adopt and revise rules that require all licensed teachers who are renewing a Tier
123.18 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include
123.19 in the renewal requirements further preparation in the areas of using positive behavior
123.20 interventions and in accommodating, modifying, and adapting curricula, materials, and
123.21 strategies to appropriately meet the needs of individual students and ensure adequate progress
123.22 toward the state's graduation rule.

123.23 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards
123.24 Board must adopt and revise rules that require all licensed teachers who are renewing a Tier
123.25 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include
123.26 in the renewal requirements further reading preparation, consistent with section 122A.06,
123.27 subdivision 4. ~~The rules do not take effect until they are approved by law.~~ Teachers who
123.28 do not provide direct instruction including, at least, counselors, school psychologists, school
123.29 nurses, school social workers, audiovisual directors and coordinators, and recreation
123.30 personnel are exempt from this section.

123.31 Subd. 6. **Mental ~~illness~~ health.** The Professional Educator Licensing and Standards
123.32 Board must adopt and revise rules that require all licensed teachers renewing a teaching
123.33 license under sections 122A.181 to 122A.184 to include in the renewal requirements at least
123.34 one hour of suicide prevention best practices training in each licensure renewal period based
124.1 on nationally recognized evidence-based programs and practices, among the continuing
124.2 education credits required to renew a license under this subdivision. Initial training must
124.3 include understanding the key warning signs of early-onset mental illness in children and
124.4 adolescents, and during subsequent licensure renewal periods, training must include a more
124.5 in-depth understanding of students' mental illness trauma, accommodations for students'
124.6 mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol Spectrum
124.7 Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures,
124.8 and de-escalation methods, among other similar topics.

124.9 Subd. 7. **Cultural competency.** The Professional Educator Licensing and Standards
124.10 Board must adopt and revise rules that require all licensed teachers renewing a Tier 3 or
124.11 Tier 4 license under sections 122A.183 and 122A.184, respectively, to include cultural
124.12 competency training.

124.13 Subd. 8. **Meeting needs of multilingual learners.** The Professional Educator Licensing
124.14 and Standards Board must adopt and revise rules requiring all licensed teachers renewing
124.15 a Tier 3 or Tier 4 license under sections 122A.183 and 122A.184, respectively, to include

124.16 a training on meeting the varied needs of multilingual learners from young children to adults
124.17 under section 124D.59, subdivisions 2 and 2a.

124.18 Subd. 9. **Mandatory renewal requirements.** The board must adopt and revise rules
124.19 setting forth standards that meet all mandatory renewal requirements. All trainings meeting
124.20 the renewal requirements for subdivisions 4 to 8 must align to board-adopted criteria. Any
124.21 training provided outside of a district, charter school, cooperative unit, or state agency must
124.22 be approved by the board to be accepted to meet this renewal requirement.

124.23 Sec. 37. Minnesota Statutes 2020, section 122A.19, subdivision 4, is amended to read:

124.24 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual
124.25 and English as a second language teachers, the board may approve teacher preparation
124.26 programs at colleges or universities designed for their training.

124.27 (b) Programs that prepare English as a second language teachers must provide instruction
124.28 in implementing research-based practices designed specifically for English learners. The
124.29 programs must focus on developing English learners' academic language proficiency in
124.30 English, including oral academic language, giving English learners meaningful access to
124.31 the full school curriculum, developing culturally relevant teaching practices appropriate for
124.32 immigrant students, and providing more intensive instruction and resources to English
124.33 learners with lower levels of academic English proficiency and varied needs, consistent
124.34 with section 124D.59, subdivisions 2 and 2a.

125.1 Sec. 38. Minnesota Statutes 2020, section 122A.26, subdivision 2, is amended to read:

125.2 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program
125.3 ~~which~~ that qualifies for aid pursuant to section 124D.52 shall continue to meet licensure
125.4 requirements as a teacher. A person who teaches in an early childhood and family education
125.5 program ~~which~~ that is offered through a community education program and ~~which~~ that
125.6 qualifies for community education aid pursuant to section 124D.20 or early childhood and
125.7 family education aid pursuant to section 124D.135 shall continue to meet licensure
125.8 requirements as a teacher. A person who teaches in a community education course ~~which~~
125.9 that is offered for credit for graduation to persons under 18 years of age shall continue to
125.10 meet licensure requirements as a teacher.

125.11 (b) A person who teaches a driver training course ~~which~~ that is offered through a
125.12 community education program to persons under 18 years of age shall be licensed by the
125.13 Professional Educator Licensing and Standards Board or be subject to section 171.35. A
125.14 license which is required for an instructor in a community education program pursuant to
125.15 ~~this subdivision paragraph~~ shall not be construed to bring an individual within the definition
125.16 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,
125.17 ~~clause paragraph~~ (a).

125.18 Sec. 39. Minnesota Statutes 2020, section 122A.40, subdivision 5, is amended to read:

125.19 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first
 125.20 teaching experience in Minnesota in a single district is deemed to be a probationary period
 125.21 of employment, and, the probationary period in each district in which the teacher is thereafter
 125.22 employed shall be one year. The school board must adopt a plan for written evaluation of
 125.23 teachers during the probationary period that is consistent with subdivision 8. Evaluation
 125.24 must occur at least three times periodically throughout each school year for a teacher
 125.25 performing services during that school year; the first evaluation must occur within the first
 125.26 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops,
 125.27 and other staff development opportunities and days on which a teacher is absent from school
 125.28 must not be included in determining the number of school days on which a teacher performs
 125.29 services. Except as otherwise provided in paragraph (b), during the probationary period any
 125.30 annual contract with any teacher may or may not be renewed as the school board shall see
 125.31 fit. However, the board must give any such teacher whose contract it declines to renew for
 125.32 the following school year written notice to that effect before July 1. If the teacher requests
 125.33 reasons for any nonrenewal of a teaching contract, the board must give the teacher its reason
 125.34 in writing, including a statement that appropriate supervision was furnished describing the
 126.1 nature and the extent of such supervision furnished the teacher during the employment by
 126.2 the board, within ten days after receiving such request. The school board may, after a hearing

63.16 Sec. 8. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

63.17 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly
 63.18 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,
 63.19 constitute a quorum, no contract employing a teacher shall be made or authorized except
 63.20 upon the unanimous vote of the full board. A teacher related by blood or marriage, within
 63.21 the fourth degree, computed by the civil law, to a board member shall not be employed
 63.22 except by a unanimous vote of the full board. The initial employment of the teacher in the
 63.23 district must be by written contract, signed by the teacher and by the chair and clerk. All
 63.24 subsequent employment of the teacher in the district must be by written contract, signed by
 63.25 the teacher and by the chair and clerk, except where there is a master agreement covering
 63.26 the employment of the teacher. Contracts for teaching or supervision of teaching can be
 63.27 made only with qualified teachers. A teacher shall not be required to reside within the
 63.28 employing district as a condition to teaching employment or continued teaching employment.

63.29 (b) A school district must not give preference in the hiring or dismissal of a teacher
 63.30 based on the teacher's seniority.

63.31 (c) A school district must report all new teacher hires and terminations, including layoffs,
 63.32 by race and ethnicity annually to the Professional Educator Licensing and Standards Board.
 63.33 The report must not include data that would personally identify individuals.

64.1 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements
 64.2 entered into on or after July 1, 2021.

126.3 held upon due notice, discharge a teacher during the probationary period for cause, effective
126.4 immediately, under section 122A.44.

126.5 (b) A board must discharge a probationary teacher, effective immediately, upon receipt
126.6 of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has
126.7 been revoked due to a conviction for child abuse or sexual abuse.

126.8 (c) A probationary teacher whose first three years of consecutive employment are
126.9 interrupted for active military service and who promptly resumes teaching consistent with
126.10 federal reemployment timelines for uniformed service personnel under United States Code,
126.11 title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes
126.12 of paragraph (a).

126.13 (d) A probationary teacher whose first three years of consecutive employment are
126.14 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
126.15 months of when the leave began is considered to have a consecutive teaching experience
126.16 for purposes of paragraph (a) if the probationary teacher completes a combined total of
126.17 three years of teaching service immediately before and after the leave.

126.18 (e) A probationary teacher must complete at least 120 days of teaching service each year
126.19 during the probationary period. Days devoted to parent-teacher conferences, teachers'
126.20 workshops, and other staff development opportunities and days on which a teacher is absent
126.21 from school do not count as days of teaching service under this paragraph.

126.22 (f) Notwithstanding any law to the contrary, a teacher who has taught for three
126.23 consecutive years in a single school district or charter school in Minnesota or another state
126.24 must serve a one-year probationary period in a Minnesota school district.

126.25 (g) A board may renew a probationary teacher while placing teachers with continuing
126.26 contract on unrequested leave of absence pursuant to a plan adopted under subdivisions 10
126.27 and 10a.

126.28 **EFFECTIVE DATE.** Paragraph (f) is effective for collective bargaining agreements
126.29 effective July 1, 2021, and thereafter. Paragraph (g) is effective the day following final
126.30 enactment.

126.31 Sec. 40. Minnesota Statutes 2020, section 122A.40, subdivision 8, is amended to read:

126.32 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
126.33 **teachers.** (a) To improve student learning and success, a school board and an exclusive
127.1 representative of the teachers in the district, consistent with paragraph (b), may develop a
127.2 teacher evaluation and peer review process for probationary and continuing contract teachers
127.3 through joint agreement. If a school board and the exclusive representative of the teachers
127.4 do not agree to an annual teacher evaluation and peer review process, then the school board
127.5 and the exclusive representative of the teachers must implement the state teacher evaluation
127.6 plan under paragraph (c). The process must include having trained observers serve as peer

- 127.7 coaches or having teachers participate in professional learning communities, consistent with
127.8 paragraph (b).
- 127.9 (b) To develop, improve, and support qualified teachers and effective teaching practices,
127.10 improve student learning and success, and provide all enrolled students in a district or school
127.11 with improved and equitable access to more effective and diverse teachers, the annual
127.12 evaluation process for teachers:
- 127.13 (1) must, for probationary teachers, provide for all evaluations required under subdivision
127.14 5;
- 127.15 (2) must establish a three-year professional review cycle for each teacher that includes
127.16 an individual growth and development plan, a peer review process, and at least one
127.17 summative evaluation performed by a qualified and trained evaluator such as a school
127.18 administrator. For the years when a tenured teacher is not evaluated by a qualified and
127.19 trained evaluator, the teacher must be evaluated by a peer review;
- 127.20 (3) must ~~be based on professional teaching standards established in rule~~ create, adopt,
127.21 or revise a rubric of performance standards for teacher practice that (i) is based on
127.22 professional teaching standards established in rule, (ii) includes culturally responsive
127.23 methodologies, and (iii) provides common descriptions of effectiveness using at least three
127.24 levels of performance;
- 127.25 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
127.26 with this evaluation process and teachers' evaluation outcomes;
- 127.27 (5) may provide time during the school day and school year for peer coaching and teacher
127.28 collaboration;
- 127.29 (6) may include job-embedded learning opportunities such as professional learning
127.30 communities;
- 127.31 (7) may include mentoring and induction programs for teachers, including teachers who
127.32 are members of populations underrepresented among the licensed teachers in the district or
128.1 school and who reflect the diversity of students under section 120B.35, subdivision 3,
128.2 paragraph (b), clause (2), who are enrolled in the district or school;
- 128.3 (8) must include an option for teachers to develop and present a portfolio demonstrating
128.4 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
128.5 3, and include teachers' own performance assessment based on student work samples and
128.6 examples of teachers' work, which may include video among other activities for the
128.7 summative evaluation;
- 128.8 (9) must use data from valid and reliable assessments aligned to state and local academic
128.9 standards and must use state and local measures of student growth and literacy that may
128.10 include value-added models or student learning goals to determine 35 percent of teacher
128.11 evaluation results;

128.12 (10) must use longitudinal data on student engagement and connection, and other student
128.13 outcome measures explicitly aligned with the elements of curriculum for which teachers
128.14 are responsible, including academic literacy, oral academic language, and achievement of
128.15 content areas of English learners;

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

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

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

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

128.29 (c) The department, in consultation with parents who may represent parent organizations
128.30 and teacher and administrator representatives appointed by their respective organizations,
128.31 representing the Professional Educator Licensing and Standards Board, the Minnesota
128.32 Association of School Administrators, the Minnesota School Boards Association, the
128.33 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
129.1 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
129.2 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
129.3 research expertise in teacher evaluation, must create and publish a teacher evaluation process
129.4 that complies with the requirements in paragraph (b) and applies to all teachers under this
129.5 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
129.6 teacher evaluation and peer review process. The teacher evaluation process created under
129.7 this subdivision does not create additional due process rights for probationary teachers under
129.8 subdivision 5.

129.9 (d) Consistent with the measures of teacher effectiveness under this subdivision:

129.10 (1) for students in kindergarten through grade 4, a school administrator must not place
129.11 or approve the placement of a student in the classroom of a teacher who is in the improvement
129.12 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
129.13 in the prior year, that student was in the classroom of a teacher who received discipline
129.14 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
129.15 grade; and

129.16 (2) for students in grades 5 through 12, a school administrator must not place or approve
129.17 the placement of a student in the classroom of a teacher who is in the improvement process

129.18 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
 129.19 prior year, that student was in the classroom of a teacher who received discipline pursuant
 129.20 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
 129.21 and grade.

129.22 All data created and used under this paragraph retains its classification under chapter 13.

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

129.24 Sec. 41. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

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

129.30 (b) A plan may include a process to exempt up to five percent of the teachers in the
 129.31 district from unrequested leave of absence or nonrenewal regardless of a teacher's
 129.32 probationary status or seniority if the plan meets the requirements of subdivision 10a, and
 130.1 if the board and the exclusive representative of the teachers agree in writing to the process
 130.2 by October 1 of each school year.

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

130.4 Sec. 42. Minnesota Statutes 2020, section 122A.40, is amended by adding a subdivision
 130.5 to read:

130.6 Subd. 10a. **Unrequested leave of absence exemption process.** (a) A plan to exempt
 130.7 up to five percent of the teachers in the district from unrequested leave of absence or
 130.8 nonrenewal must establish a committee to select teachers to receive the exemption. The
 130.9 committee must have an equal number of representatives selected by the superintendent
 130.10 and the exclusive representative, and must have at least three representatives appointed by
 130.11 the superintendent and three representatives appointed by the exclusive representative.
 130.12 School districts and exclusive representatives are strongly encouraged to include members
 130.13 of underrepresented communities as their committee representatives. The committee must
 130.14 complete comprehensive anti-racism training by a training provider approved by the
 130.15 Professional Educator Licensing and Standards Board before beginning the selection process.

130.16 (b) A teacher selected for exemption from unrequested leave of absence or nonrenewal
 130.17 must have demonstrated excellent teaching or professional performance, as determined by
 130.18 colleagues, mentors, and administrators. In addition, the teacher must be a member of a
 130.19 protected class that:

64.3 Sec. 9. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

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

64.9 (b) The plan for unrequested leave of absence must not require the school board to place
 64.10 a teacher on unrequested leave of absence first based on their tier of licensure.

64.11 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements
 64.12 entered into on or after July 1, 2021.

- 130.20 (1) is underrepresented among either (i) teachers in the district relative to the percentage
130.21 of students in the protected class enrolled in the district, or (ii) licensed teachers in Minnesota;
130.22 and
- 130.23 (2) has experienced systemic barriers to entering and remaining in the teaching profession,
130.24 as determined by the committee.
- 130.25 (c) The district and exclusive representative may negotiate additional criteria for the
130.26 committee to consider, including licensure tier. The committee may annually determine by
130.27 majority vote the percentage of teachers eligible for the exemption, not to exceed five percent
130.28 of teachers in the district.
- 130.29 (d) The committee must make final decisions and notify affected teachers no later than
130.30 February 1 of each school year. The exemption is valid for the school year in which the
130.31 exemption is granted unless the committee renews the exemption in a subsequent year. The
130.32 committee may, by majority vote, grant a teacher a two-year exemption from nonrenewal.
- 131.1 (e) If the committee is unable to reach a consensus regarding its selections, the committee
131.2 must vote on each candidate for the exemption. The candidates receiving the most votes
131.3 must be granted the exemption until the number of teachers receiving the exemption reaches
131.4 the lower of five percent of the teachers in the district or the percentage determined by
131.5 majority vote of the committee.
- 131.6 (f) Data on individual teachers collected, created, received, maintained, or disseminated
131.7 by the committee are private personnel data pursuant to section 13.43.
- 131.8 (g) A dispute over violations of procedures under this section is subject to the grievance
131.9 procedure in the applicable collective bargaining agreement.
- 131.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 131.11 Sec. 43. Minnesota Statutes 2020, section 122A.41, subdivision 2, is amended to read:
- 131.12 **Subd. 2. Probationary period; discharge or demotion.** (a) All teachers in the public
131.13 schools in cities of the first class during the first three years of consecutive employment
131.14 shall be deemed to be in a probationary period of employment during which period any
131.15 annual contract with any teacher may, or may not, be renewed as the school board, after
131.16 consulting with the peer review committee charged with evaluating the probationary teachers
131.17 under subdivision 3, shall see fit. The school site management team or the school board if
131.18 there is no school site management team, shall adopt a plan for a written evaluation of
131.19 teachers during the probationary period according to subdivisions 3 and 5. Evaluation by
131.20 the peer review committee charged with evaluating probationary teachers under subdivision
131.21 3 shall occur at least three times periodically throughout each school year for a teacher
131.22 performing services during that school year; the first evaluation must occur within the first
131.23 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops,
131.24 and other staff development opportunities and days on which a teacher is absent from school
131.25 shall not be included in determining the number of school days on which a teacher performs

131.26 services. The school board may, during such probationary period, discharge or demote a
131.27 teacher for any of the causes as specified in this code. A written statement of the cause of
131.28 such discharge or demotion shall be given to the teacher by the school board at least 30
131.29 days before such removal or demotion shall become effective, and the teacher so notified
131.30 shall have no right of appeal therefrom.

131.31 (b) A probationary teacher whose first three years of consecutive employment are
131.32 interrupted for active military service and who promptly resumes teaching consistent with
131.33 federal reemployment timelines for uniformed service personnel under United States Code,
132.1 title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes
132.2 of paragraph (a).

132.3 (c) A probationary teacher whose first three years of consecutive employment are
132.4 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
132.5 months of when the leave began is considered to have a consecutive teaching experience
132.6 for purposes of paragraph (a) if the probationary teacher completes a combined total of
132.7 three years of teaching service immediately before and after the leave.

132.8 (d) A probationary teacher must complete at least 120 days of teaching service each year
132.9 during the probationary period. Days devoted to parent-teacher conferences, teachers'
132.10 workshops, and other staff development opportunities and days on which a teacher is absent
132.11 from school do not count as days of teaching service under this paragraph.

132.12 (e) Notwithstanding any law to the contrary, a teacher who has taught for three
132.13 consecutive years in a single school district or charter school in Minnesota or another state
132.14 must serve a one-year probationary period in a Minnesota school district.

132.15 (f) A board may renew a probationary teacher while placing teachers with continuing
132.16 contract on unrequested leave of absence pursuant to a plan adopted under subdivisions 14a
132.17 and 14b.

132.18 **EFFECTIVE DATE.** Paragraph (e) is effective for collective bargaining agreements
132.19 effective July 1, 2021, and thereafter. Paragraph (f) is effective the day following final
132.20 enactment.

132.21 Sec. 44. Minnesota Statutes 2020, section 122A.41, subdivision 5, is amended to read:

132.22 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
132.23 **teachers.** (a) To improve student learning and success, a school board and an exclusive
132.24 representative of the teachers in the district, consistent with paragraph (b), may develop an
132.25 annual teacher evaluation and peer review process for probationary and nonprobationary
132.26 teachers through joint agreement. If a school board and the exclusive representative of the
132.27 teachers in the district do not agree to an annual teacher evaluation and peer review process,
132.28 then the school board and the exclusive representative of the teachers must implement the
132.29 state teacher evaluation plan developed under paragraph (c). The process must include
132.30 having trained observers serve as peer coaches or having teachers participate in professional
132.31 learning communities, consistent with paragraph (b).

- 132.32 (b) To develop, improve, and support qualified teachers and effective teaching practices
132.33 and improve student learning and success, and provide all enrolled students in a district or
133.1 school with improved and equitable access to more effective and diverse teachers, the annual
133.2 evaluation process for teachers:
- 133.3 (1) must, for probationary teachers, provide for all evaluations required under subdivision
133.4 2;
- 133.5 (2) must establish a three-year professional review cycle for each teacher that includes
133.6 an individual growth and development plan, a peer review process, and at least one
133.7 summative evaluation performed by a qualified and trained evaluator such as a school
133.8 administrator;
- 133.9 (3) ~~must be based on professional teaching standards established in rule~~ create, adopt,
133.10 or revise a rubric of performance standards for teacher practice that (i) is based on
133.11 professional teaching standards established in rule, (ii) includes culturally responsive
133.12 methodologies, and (iii) provides common descriptions of effectiveness using at least three
133.13 levels of performance;
- 133.14 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
133.15 with this evaluation process and teachers' evaluation outcomes;
- 133.16 (5) may provide time during the school day and school year for peer coaching and teacher
133.17 collaboration;
- 133.18 (6) may include job-embedded learning opportunities such as professional learning
133.19 communities;
- 133.20 (7) may include mentoring and induction programs for teachers, including teachers who
133.21 are members of populations underrepresented among the licensed teachers in the district or
133.22 school and who reflect the diversity of students under section 120B.35, subdivision 3,
133.23 paragraph (b), clause (2), who are enrolled in the district or school;
- 133.24 (8) must include an option for teachers to develop and present a portfolio demonstrating
133.25 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
133.26 3, and include teachers' own performance assessment based on student work samples and
133.27 examples of teachers' work, which may include video among other activities for the
133.28 summative evaluation;
- 133.29 (9) must use data from valid and reliable assessments aligned to state and local academic
133.30 standards and must use state and local measures of student growth and literacy that may
133.31 include value-added models or student learning goals to determine 35 percent of teacher
133.32 evaluation results;
- 134.1 (10) must use longitudinal data on student engagement and connection and other student
134.2 outcome measures explicitly aligned with the elements of curriculum for which teachers
134.3 are responsible, including academic literacy, oral academic language, and achievement of
134.4 English learners;

- 134.5 (11) must require qualified and trained evaluators such as school administrators to
134.6 perform summative evaluations and ensure school districts and charter schools provide for
134.7 effective evaluator training specific to teacher development and evaluation;
- 134.8 (12) must give teachers not meeting professional teaching standards under clauses (3)
134.9 through (11) support to improve through a teacher improvement process that includes
134.10 established goals and timelines; and
- 134.11 (13) must discipline a teacher for not making adequate progress in the teacher
134.12 improvement process under clause (12) that may include a last chance warning, termination,
134.13 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
134.14 a school administrator determines is appropriate.
- 134.15 Data on individual teachers generated under this subdivision are personnel data under
134.16 section 13.43. The observation and interview notes of peer coaches may only be disclosed
134.17 to other school officials with the consent of the teacher being coached.
- 134.18 (c) The department, in consultation with parents who may represent parent organizations
134.19 and teacher and administrator representatives appointed by their respective organizations,
134.20 representing the Professional Educator Licensing and Standards Board, the Minnesota
134.21 Association of School Administrators, the Minnesota School Boards Association, the
134.22 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
134.23 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
134.24 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
134.25 research expertise in teacher evaluation, must create and publish a teacher evaluation process
134.26 that complies with the requirements in paragraph (b) and applies to all teachers under this
134.27 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual
134.28 teacher evaluation and peer review process. The teacher evaluation process created under
134.29 this subdivision does not create additional due process rights for probationary teachers under
134.30 subdivision 2.
- 134.31 (d) Consistent with the measures of teacher effectiveness under this subdivision:
- 134.32 (1) for students in kindergarten through grade 4, a school administrator must not place
134.33 or approve the placement of a student in the classroom of a teacher who is in the improvement
134.34 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
135.1 in the prior year, that student was in the classroom of a teacher who received discipline
135.2 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
135.3 grade; and
- 135.4 (2) for students in grades 5 through 12, a school administrator must not place or approve
135.5 the placement of a student in the classroom of a teacher who is in the improvement process
135.6 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
135.7 prior year, that student was in the classroom of a teacher who received discipline pursuant
135.8 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
135.9 and grade.

135.10 All data created and used under this paragraph retains its classification under chapter 13.

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

135.12 Sec. 45. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

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

135.18 (b) A plan may include a process to exempt up to five percent of the teachers in the
135.19 district from unrequested leave of absence or nonrenewal regardless of a teacher's
135.20 probationary status or seniority if the plan meets the requirements of subdivision 10a, and
135.21 if the board and the exclusive representative of the teachers agree in writing to the process
135.22 by October 1 of each school year.

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

135.24 Sec. 46. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision
135.25 to read:

135.26 Subd. 14b. **Unrequested leave of absence exemption process.** (a) A plan to exempt
135.27 up to five percent of the teachers in the district from unrequested leave of absence or
135.28 nonrenewal must establish a committee to select teachers to receive the exemption. The
135.29 committee must have an equal number of representatives selected by the superintendent
135.30 and the exclusive representative, and must have at least three representatives appointed by
135.31 the superintendent and three representatives appointed by the exclusive representative.
135.32 School districts and exclusive representatives are strongly encouraged to include members
136.1 of underrepresented communities as their committee representatives. The committee must
136.2 complete comprehensive anti-racism training by a training provider approved by the
136.3 Professional Educator Licensing and Standards Board before beginning the selection process.

136.4 (b) A teacher selected for exemption from unrequested leave of absence or nonrenewal
136.5 must have demonstrated excellent teaching or professional performance, as determined by
136.6 colleagues, mentors, and administrators. In addition, the teacher must be a member of a
136.7 protected class that:

136.8 (1) is underrepresented among either (i) teachers in the district relative to the percentage
136.9 of students in the protected class enrolled in the district, or (ii) licensed teachers in Minnesota;
136.10 and

136.11 (2) has experienced systemic barriers to entering and remaining in the teaching profession,
136.12 as determined by the committee.

64.13 Sec. 10. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

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

64.19 (b) The plan for unrequested leave of absence must not require the school board to place
64.20 a teacher on unrequested leave of absence first based on their tier of licensure.

64.21 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements
64.22 entered into on or after July 1, 2021.

136.13 (c) The district and exclusive representative may negotiate additional criteria for the
 136.14 committee to consider, including licensure tier. The committee may annually determine by
 136.15 majority vote the percentage of teachers eligible for the exemption, not to exceed five percent
 136.16 of teachers in the district.

136.17 (d) The committee must make final decisions and notify affected teachers no later than
 136.18 February 1 of each school year. The exemption is valid for the school year in which the
 136.19 exemption is granted unless the committee renews the exemption in a subsequent year. The
 136.20 committee may, by majority vote, grant a teacher a two-year exemption from nonrenewal.

136.21 (e) If the committee is unable to reach a consensus regarding its selections, the committee
 136.22 must vote on each candidate for the exemption. The candidates receiving the most votes
 136.23 must be granted the exemption until the number of teachers receiving the exemption reaches
 136.24 the lower of five percent of the teachers in the district or the percentage determined by
 136.25 majority vote of the committee.

136.26 (f) Data on individual teachers collected, created, received, maintained, or disseminated
 136.27 by the committee are private personnel data pursuant to section 13.43.

136.28 (g) A dispute over violations of procedures under this section is subject to the grievance
 136.29 procedure in the applicable collective bargaining agreement.

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

137.1 Sec. 47. **[122A.59] COME TEACH IN MINNESOTA HIRING BONUSES.**

137.2 Subdivision 1. Purpose. This section establishes a program to support districts and
 137.3 schools recruiting and offering hiring bonuses for licensed teachers who are American
 137.4 Indian or a person of color from another state or country in order to meet staffing needs in
 137.5 shortage areas in economic development regions in Minnesota.

137.6 Subd. 2. Eligibility. A district or school must verify that the hiring bonus is given to
 137.7 teachers licensed in another state who:

64.23 Sec. 11. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision
 64.24 to read:

64.25 Subd. 16. Hiring and dismissal. (a) A school district must not give preference in the
 64.26 hiring or dismissal of a teacher based on the teacher's seniority.

64.27 (b) A school district must report all new teacher hires and terminations, including layoffs,
 64.28 by race and ethnicity annually to the Professional Educator Licensing and Standards Board.
 64.29 The report must not include data that would personally identify individuals.

64.30 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements
 64.31 entered into on or after July 1, 2021.

65.1 Sec. 12. **[122A.59] COME TEACH IN MINNESOTA HIRING BONUSES.**

65.2 Subdivision 1. Purpose. This section establishes a program to support districts and
 65.3 schools recruiting and offering hiring bonuses for licensed teachers who are American
 65.4 Indian or a person of color from another state or country in order to meet staffing needs in
 65.5 shortage areas in economic development regions in Minnesota.

65.6 Subd. 2. Eligibility. A district or school must verify that the hiring bonus is given to
 65.7 teachers licensed in another state who:

137.8 (1) qualify for a Tier 3 or Tier 4 Minnesota license;

137.9 (2) have moved to the economic development region in Minnesota where they were

137.10 hired; and

137.11 (3) belong to a racial or ethnic group that is underrepresented among teachers compared

137.12 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),

137.13 clause (2).

137.14 Subd. 3. **Bonus amount.** A district or school may offer a signing and retention bonus

137.15 of a minimum of \$2,500 and a maximum of \$5,000 to a teacher who meets the eligibility

137.16 requirements. A teacher who meets the eligibility requirements and meets a licensure shortage

137.17 area in the economic development region of the state where the school is located may be

137.18 offered a signing bonus of a minimum of \$4,000 and a maximum of \$8,000. A teacher must

137.19 be paid half of the bonus when starting employment and half after completing four years

137.20 of service in the hiring district or school if the teacher has demonstrated teaching effectiveness

137.21 and is not on a professional improvement plan under section 122A.40, subdivision 8,

137.22 paragraph (b), clause (12) or (13), or section 122A.41, subdivision 5, paragraph (b), clause

137.23 (12) or (13), or is not being considered for termination under section 122A.40, subdivision

137.24 9. A teacher who does not complete their first school year upon receiving a hiring bonus

137.25 must repay the hiring bonus.

137.26 Subd. 4. **Administration.** The commissioner must establish a process for districts or

137.27 schools to seek reimbursement for hiring bonuses given to teachers in shortage areas moving

137.28 to and working in Minnesota schools experiencing specific shortages. The commissioner

137.29 must provide guidance for districts to seek repayment of a hiring bonus from a teacher who

137.30 does not complete the first year of employment. The department may conduct a pilot program

137.31 with a small number of teachers during the 2022-2023 biennium to establish feasibility.

137.32 The department must submit a report by December 1, 2022, to the chairs and ranking minority

137.33 members of the legislative committees with jurisdiction over kindergarten through grade

138.1 12 education detailing the effectiveness of the program and recommendations for

138.2 improvement in future years.

138.3 Subd. 5. **Account established.** A Come Teach in Minnesota Hiring Bonus program

138.4 account is created in the special revenue fund for depositing money appropriated to or

138.5 received by the department for this program. Money deposited in the account is appropriated

138.6 to the commissioner, does not cancel, and is continuously available for reimbursements to

138.7 districts under this section.

138.8 **EFFECTIVE DATE.** This section applies to teacher contracts entered into on or after

138.9 July 1, 2021.

65.8 (1) qualify for a Tier 3 or Tier 4 Minnesota license;

65.9 (2) have moved to the economic development region in Minnesota where they were

65.10 hired; and

65.11 (3) belong to a racial or ethnic group that is underrepresented among teachers compared

65.12 to students in the district or school under section 120B.35, subdivision 3, paragraph (b),

65.13 clause (2).

65.14 Subd. 3. **Bonus amount.** A district or school may offer a signing and retention bonus

65.15 of a minimum of \$2,500 and a maximum of \$5,000 to a teacher who meets the eligibility

65.16 requirements. A teacher who meets eligibility requirements and meets a licensure shortage

65.17 area in the economic development region of the state where the school is located may be

65.18 offered a signing bonus of a minimum of \$4,000 and a maximum of \$8,000. A teacher must

65.19 be paid half of the bonus when starting employment and half after completing four years

65.20 of service in the hiring district or school if they have demonstrated teaching effectiveness

65.21 and are not on a professional improvement plan under section 122A.40, subdivision 8,

65.22 paragraph (b), clause (12) or (13), or are being considered for termination under section

65.23 122A.40, subdivision 9. A teacher who does not complete their first school year upon

65.24 receiving a hiring bonus must repay the hiring bonus. The maximum bonus amounts listed

65.25 in this section are only for purposes of reimbursement under subdivision 4. A district may

65.26 include a signing and retention bonus in its achievement and integration plan under section

65.27 124D.861, subdivision 2.

65.28 Subd. 4. **Administration.** The commissioner must establish a process for districts or

65.29 schools to seek reimbursement for hiring bonuses given to teachers in shortage areas moving

65.30 to and working in Minnesota schools experiencing specific shortages. The commissioner

65.31 must provide guidance for districts to seek repayment of a hiring bonus from a teacher who

65.32 does not complete their first year of employment. The department may conduct a pilot

65.33 program with a small number of teachers during the 2022-2023 biennium to establish

65.34 feasibility. The department must submit a report by December 1, 2022, to the chairs and

66.1 ranking minority members of the legislative committees having jurisdiction over K-12

66.2 education detailing the effectiveness of the program and recommendations for improvement

66.3 in future years.

66.4 **EFFECTIVE DATE.** This section applies to teacher contracts entered into on or after

66.5 July 1, 2021.

138.10 Sec. 48. Minnesota Statutes 2020, section 122A.61, subdivision 1, is amended to read:

138.11 Subdivision 1. **Staff development revenue.** (a) A district is required to reserve an amount
138.12 equal to at least two percent of the basic revenue under section 126C.10, subdivision 2, for:

138.13 (1) teacher development and evaluation under section 122A.40, subdivision 8, or 122A.41,
138.14 subdivision 5;

138.15 (2) principal development and evaluation under section 123B.147, subdivision 3;

138.16 (3) professional development under section 122A.60; ~~and~~

138.17 (4) in-service education for programs under section 120B.22, subdivision 2; and

138.18 (5) teacher mentorship under section 122A.70, subdivision 1.

138.19 (b) To the extent extra funds remain, staff development revenue may be used for staff
138.20 development plans, including plans for challenging instructional activities and experiences
138.21 under section 122A.60, and for curriculum development and programs, other in-service
138.22 education, ~~teachers' mentoring under section 122A.70 and evaluation,~~ teachers' workshops,
138.23 teacher conferences, the cost of substitute teachers for staff development purposes, preservice
138.24 and in-service education for special education professionals and paraprofessionals, and
138.25 other related costs for staff development efforts.

138.26 (c) A district may annually waive the requirement to reserve their basic revenue under
138.27 this section if a majority vote of the licensed teachers in the district and a majority vote of
138.28 the school board agree to a resolution to waive the requirement. A district in statutory
138.29 operating debt is exempt from reserving basic revenue according to this section. Districts
138.30 may expend an additional amount of unreserved revenue for staff development based on
138.31 their needs.

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

139.1 Sec. 49. Minnesota Statutes 2020, section 122A.63, subdivision 6, is amended to read:

139.2 Subd. 6. ~~Eligibility for scholarships~~ **Eligible students.** (a) ~~The following American~~
139.3 ~~Indian people are eligible for scholarships~~ An eligible student is a person who:

139.4 (1) ~~a student having~~ has origins in any of the original peoples of North America and
139.5 ~~maintaining~~ maintains cultural identification through tribal affiliation or community
139.6 recognition; and

139.7 (2) is:

139.8 (i) a student, including a teacher aide employed by a district receiving a joint grant or
139.9 their contracted partner school, who intends to become a teacher or ~~who~~ is interested in the
139.10 field of education, and ~~who~~ is enrolled in a postsecondary institution ~~or their contracted~~
139.11 ~~partner institutions receiving a joint grant;~~

66.6 Sec. 13. Minnesota Statutes 2020, section 122A.61, subdivision 1, is amended to read:

66.7 Subdivision 1. **Staff development revenue.** (a) A district is required to reserve an amount
66.8 equal to at least two percent of the basic revenue under section 126C.10, subdivision 2, for:

66.9 (1) teacher development and evaluation under section 122A.40, subdivision 8, or 122A.41,
66.10 subdivision 5;

66.11 (2) principal development and evaluation under section 123B.147, subdivision 3;

66.12 (3) professional development under section 122A.60; ~~and~~

66.13 (4) in-service education for programs under section 120B.22, subdivision 2; and

66.14 (5) teacher mentorship under section 122A.70, subdivision 1.

66.15 (b) To the extent extra funds remain, staff development revenue may be used for staff
66.16 development plans, including plans for challenging instructional activities and experiences
66.17 under section 122A.60, and for curriculum development and programs, other in-service
66.18 education, ~~teachers' mentoring under section 122A.70 and evaluation,~~ teachers' workshops,
66.19 teacher conferences, the cost of substitute teachers for staff development purposes, preservice
66.20 and in-service education for special education professionals and paraprofessionals, and
66.21 other related costs for staff development efforts.

66.22 (c) A district may annually waive the requirement to reserve their basic revenue under
66.23 this section if a majority vote of the licensed teachers in the district and a majority vote of
66.24 the school board agree to a resolution to waive the requirement. A district in statutory
66.25 operating debt is exempt from reserving basic revenue according to this section. Districts
66.26 may expend an additional amount of unreserved revenue for staff development based on
66.27 their needs.

139.12 ~~(i)~~ (ii) a licensed employee of a district receiving a joint grant or a contracted partner
 139.13 institution, who is enrolled in a master of education program; ~~and~~ or

139.14 ~~(ii)~~ (iii) a student who, after applying for federal and state financial aid and an American
 139.15 Indian scholarship according to section 136A.126, has financial needs that remain unmet.
 139.16 Financial need must be determined according to the congressional methodology for needs
 139.17 determination or as otherwise set in federal law.

139.18 (b) Priority must be given first to a student eligible students who ~~is~~ are tribally enrolled
 139.19 in a federally or state recognized Tribe and then to first- and second-generation descendants.

139.20 Sec. 50. Minnesota Statutes 2020, section 122A.63, subdivision 9, is amended to read:

139.21 Subd. 9. **Eligible programming.** (a) The grantee institutions ~~and their contracted partner~~
 139.22 ~~institutions~~ may provide scholarships to eligible students progressing toward educational
 139.23 goals in any area of teacher licensure, including an associate's, bachelor's, master's, or
 139.24 doctoral degree in the following:

139.25 (1) any educational certification necessary for employment;

139.26 (2) early childhood family education or prekindergarten licensure;

139.27 (3) elementary and secondary education;

139.28 (4) school administration; or

139.29 (5) any educational program that provides services to American Indian students in
 139.30 prekindergarten through grade 12.

140.1 (b) Scholarships may be used to cover an eligible student's cost of attendance under
 140.2 section 136A.126, subdivision 3.

140.3 ~~(b)~~ (c) For purposes of recruitment, the grantees or their contracted partner institutions
 140.4 must agree to work with their respective organizations to hire an American Indian work-study
 140.5 student or other American Indian staff to conduct initial information queries and to contact
 140.6 persons working in schools to provide programming regarding education professions to
 140.7 high school students who may be interested in education as a profession.

140.8 ~~(c)~~ (d) At least 80 percent of the grants awarded under this section must be used for
 140.9 student scholarships. No more than 20 percent of the grants awarded under this section may
 140.10 be used for recruitment or administration of the student scholarships.

66.28 Sec. 14. Minnesota Statutes 2020, section 122A.635, subdivision 1, is amended to read:

66.29 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards
 66.30 Board must award competitive grants to increase the number of teacher candidates of color
 66.31 or who are American Indian, and meet the requirements for a Tier 1, 2, or 3 license under
 67.1 section 122A.181, 122A.182, or 122A.183. Eligibility for a grant under this section is limited

67.2 to ~~public or private higher education institutions that offer a teacher preparation program~~
 67.3 ~~approved by the Professional Educator Licensing and Standards Board~~ programs, including
 67.4 alternative teacher preparation programs, located in Minnesota.

67.5 Sec. 15. Minnesota Statutes 2020, section 122A.635, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

140.11 Sec. 51. Minnesota Statutes 2020, section 122A.635, subdivision 3, is amended to read:

140.12 Subd. 3. **Grant program administration.** The Professional Educator Licensing and
 140.13 Standards Board may enter into an interagency agreement with the Office of Higher
 140.14 Education. The agreement may include a transfer of funds to the Office of Higher Education
 140.15 to help establish and administer the competitive grant process. The board must award grants
 140.16 to institutions located in various economic development regions throughout the state, but
 140.17 must not predetermine the number of institutions to be awarded grants under this section
 140.18 or set a limit for the amount that any one institution may receive as part of the competitive
 140.19 grant application process. All grants must be awarded by August 15 of the fiscal year in

140.20 which the grants are to be used ~~except that, for initial competitive grants awarded for fiscal~~
 140.21 ~~year 2020, grants must be awarded by September 15.~~ Grants awarded after fiscal year 2021
 140.22 ~~must be awarded for a two-year grant period.~~ An institution that receives a grant under this
 140.23 section may use the grant funds over a two- to four-year period to support teacher candidates.

140.24 Sec. 52. Minnesota Statutes 2020, section 122A.635, subdivision 4, is amended to read:

140.25 Subd. 4. **Report.** (a) ~~By January 15~~ June 30 of each year, an institution awarded a grant
 140.26 under this section must prepare for the legislature and the board a detailed report regarding
 140.27 the expenditure of grant funds, including the amounts used to recruit, retain, and induct
 140.28 teacher candidates of color or who are American Indian. The report must include the total
 140.29 number of teacher candidates of color, disaggregated by race or ethnic group, who are
 140.30 recruited to the institution, are newly admitted to the licensure program, are enrolled in the
 140.31 licensure program, have completed student teaching, have graduated, are licensed, and are
 140.32 newly employed as Minnesota teachers in their licensure field. A grant recipient must report
 140.33 the total number of teacher candidates of color or who are American Indian at each stage
 141.1 from recruitment to licensed teaching as a percentage of total candidates seeking the same
 141.2 licensure at the institution.

141.3 (b) ~~By September 1 of each year,~~ the board must post a report on its website summarizing
 141.4 the activities and outcomes of grant recipients and results that promote sharing of effective
 141.5 practices among grant recipients.

141.6 Sec. 53. Minnesota Statutes 2020, section 122A.70, is amended to read:

141.7 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**
 141.8 **TEACHERS.**

141.9 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School
 141.10 districts ~~are encouraged to~~ must develop teacher mentoring programs for teachers new to
 141.11 the profession or district, including teaching residents, teachers of color, teachers who are
 141.12 American Indian, teachers in license shortage areas, teachers with special needs, or
 141.13 experienced teachers in need of peer coaching.

141.14 (b) Teacher mentoring programs must be included in or aligned with districts' teacher
 141.15 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,
 141.16 subdivision 5. A district may use staff development revenue under section 122A.61, special
 141.17 grant programs established by the legislature, or another funding source to pay a stipend to
 141.18 a mentor who may be a current or former teacher who has taught at least three years and is
 141.19 not on an improvement plan. Other initiatives using such funds or funds available under
 141.20 sections 124D.861 and 124D.862 may include:

141.21 (1) additional stipends as incentives to mentors of color or who are American Indian;

141.22 (2) financial supports for professional learning community affinity groups across schools
 141.23 within and between districts for teachers from underrepresented racial and ethnic groups to
 141.24 come together throughout the school year. For purposes of this section, "affinity groups"

68.1 Sec. 16. Minnesota Statutes 2020, section 122A.70, is amended to read:

68.2 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**
 68.3 **TEACHERS.**

68.4 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School
 68.5 districts ~~are encouraged to~~ must develop teacher mentoring programs for teachers new to
 68.6 the profession or district, including teaching residents, teachers of color, teachers who are
 68.7 American Indian, teachers in license shortage areas, teachers with special needs, or
 68.8 experienced teachers in need of peer coaching.

68.9 (b) Teacher mentoring programs must be included in or aligned with districts' teacher
 68.10 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,
 68.11 subdivision 5. A district may use staff development revenue under section 122A.61, special
 68.12 grant programs established by the legislature, or another funding source to pay a stipend to
 68.13 a mentor who may be a current or former teacher who has taught at least three years and is
 68.14 not on an improvement plan. Other initiatives using such funds or funds available under
 68.15 sections 124D.861 and 124D.862 may include:

68.16 (1) additional stipends as incentives to mentors of color or who are American Indian;

68.17 (2) financial supports for professional learning community affinity groups across schools
 68.18 within and between districts for teachers from underrepresented racial and ethnic groups to
 68.19 come together throughout the school year. For purposes of this section, "affinity groups"

141.25 are groups of educators who share a common racial or ethnic identity in society as persons
141.26 of color or who are American Indian;

141.27 (3) programs for induction aligned with the district or school mentorship program during
141.28 the first three years of teaching, especially for teachers from underrepresented racial and
141.29 ethnic groups; or

141.30 (4) grants supporting licensed and nonlicensed educator participation in professional
141.31 development, such as workshops and graduate courses, related to increasing student
141.32 achievement for students of color and American Indian students in order to close opportunity
141.33 and achievement gaps.

142.1 (c) A school or district that receives a grant must negotiate additional retention strategies
142.2 or protection from unrequested leave of absences in the beginning years of employment for
142.3 teachers of color and teachers who are American Indian. Retention strategies may include
142.4 providing financial incentives for teachers of color and teachers who are American Indian
142.5 to work in the school or district for at least five years and placing American Indian educators
142.6 at sites with other American Indian educators and educators of color at sites with other
142.7 educators of color to reduce isolation and increase opportunity for collegial support.

142.8 Subd. 2. **Applications Board grants.** The Professional Educator Licensing and Standards
142.9 Board must make grant application forms available to sites interested in developing or
142.10 expanding a mentorship program. A school district; a group of school districts; a coalition
142.11 of districts, teachers, and teacher education institutions; or a coalition of schools, teachers,
142.12 or nonlicensed educators may apply for a program grant. The Professional Educator Licensing
142.13 and Standards Board, in consultation with the teacher mentoring task force, must approve
142.14 or disapprove the applications. To the extent possible, the approved applications must reflect
142.15 effective mentoring, professional development, and retention components, and be
142.16 geographically distributed throughout the state. The Professional Educator Licensing and
142.17 Standards Board must encourage the selected sites to consider the use of its assessment
142.18 procedures.

142.19 Subd. 3. **Criteria for selection.** At a minimum, applicants for grants under subdivision
142.20 2 must express commitment to:

- 142.21 (1) allow staff participation;
- 142.22 (2) assess skills of both beginning and mentor teachers;
- 142.23 (3) provide appropriate in-service to needs identified in the assessment;
- 142.24 (4) provide leadership to the effort;
- 142.25 (5) cooperate with higher education institutions;
- 142.26 (6) provide facilities and other resources;
- 142.27 (7) share findings, materials, and techniques with other school districts; and

68.20 are groups of educators who share a common racial or ethnic identity in society as persons
68.21 of color or who are American Indian;

68.22 (3) programs for induction aligned with the district or school mentorship program during
68.23 the first three years of teaching, especially for teachers from underrepresented racial and
68.24 ethnic groups; or

68.25 (4) grants supporting licensed and nonlicensed educator participation in professional
68.26 development, such as workshops and graduate courses, related to increasing student
68.27 achievement for students of color and American Indian students in order to close opportunity
68.28 and achievement gaps.

68.29 (c) A school or district that receives a grant must negotiate additional retention strategies
68.30 or protection from unrequested leave of absences in the beginning years of employment for
68.31 teachers of color and teachers who are American Indian. Retention strategies may include
68.32 providing financial incentives for teachers of color and teachers who are American Indian
68.33 to work in the school or district for at least five years and placing American Indian educators
69.1 at sites with other American Indian educators and educators of color at sites with other
69.2 educators of color to reduce isolation and increase opportunity for collegial support.

69.3 Subd. 2. **Applications Board grants.** The Professional Educator Licensing and Standards
69.4 Board must make grant application forms available to sites interested in developing or
69.5 expanding a mentorship program. A school district; a group of school districts; a coalition
69.6 of districts, teachers, and teacher education institutions; or a coalition of schools, teachers,
69.7 or nonlicensed educators may apply for a program grant. The Professional Educator Licensing
69.8 and Standards Board, in consultation with the teacher mentoring task force, must approve
69.9 or disapprove the applications. To the extent possible, the approved applications must reflect
69.10 effective mentoring, professional development, and retention components, and be
69.11 geographically distributed throughout the state. The Professional Educator Licensing and
69.12 Standards Board must encourage the selected sites to consider the use of its assessment
69.13 procedures.

69.14 Subd. 3. **Criteria for selection.** At a minimum, applicants for grants under subdivision
69.15 2 must express commitment to:

- 69.16 (1) allow staff participation;
- 69.17 (2) assess skills of both beginning and mentor teachers;
- 69.18 (3) provide appropriate in-service to needs identified in the assessment;
- 69.19 (4) provide leadership to the effort;
- 69.20 (5) cooperate with higher education institutions;
- 69.21 (6) provide facilities and other resources;
- 69.22 (7) share findings, materials, and techniques with other school districts; and

142.28 (8) retain teachers of color and teachers who are American Indian.

142.29 Subd. 4. **Additional funding.** Grant applicants ~~are required to~~ must seek additional
142.30 funding and assistance from sources such as school districts, postsecondary institutions,
142.31 foundations, and the private sector.

143.1 Subd. 5. **Program implementation.** New and expanding mentorship sites that ~~are funded~~
143.2 receive a board grant under subdivision 2 to design, develop, implement, and evaluate their
143.3 program must participate in activities that support program development and implementation.
143.4 ~~The Professional Educator Licensing and Standards Board must provide resources and~~
143.5 ~~assistance to support new sites in their program efforts. These activities and services may~~
143.6 ~~include, but are not limited to: planning, planning guides, media, training, conferences,~~
143.7 ~~institutes, and regional and statewide networking meetings. Nonfunded schools or districts~~
143.8 ~~interested in getting started may participate. Fees may be charged for meals, materials, and~~
143.9 ~~the like.~~

143.10 Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit
143.11 a report to the Professional Educator Licensing and Standards Board on program efforts
143.12 that describes mentoring and induction activities and assesses the impact of these programs
143.13 on teacher effectiveness and retention.

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

143.15 Sec. 54. Minnesota Statutes 2020, section 122A.76, is amended to read:

143.16 **122A.76 STATEWIDE CONCURRENT ENROLLMENT TEACHER TRAINING**
143.17 **PROGRAM PARTNERSHIP.**

143.18 Subdivision 1. **Definition.** (a) For purposes of this section, the following terms have the
143.19 meanings given them.

143.20 (b) "~~Northwest Regional Partnership~~" "Concurrent Enrollment Teacher Partnership"
143.21 means a voluntary association of the Lakes Country Service Cooperative, the Northwest
143.22 Service Cooperative, ~~and the Metropolitan Education Cooperative Service Unit, Minnesota~~
143.23 State University-Moorhead, and other interested Minnesota State Colleges and Universities
143.24 ~~that works work~~ together to provide coordinated higher learning opportunities for teachers.

143.25 (c) "~~State Partnership~~" means a voluntary association of the ~~Northwest Regional~~
143.26 ~~Partnership and the Metropolitan Educational Cooperative Service Unit.~~

143.27 (⊕) "Eligible postsecondary institution" means a public or private postsecondary institution
143.28 that awards graduate credits.

143.29 (⊖) (d) "Eligible teacher" means a licensed teacher of ~~secondary school~~ courses for
143.30 postsecondary credit.

69.23 (8) retain teachers of color and teachers who are American Indian.

69.24 Subd. 4. **Additional funding.** Grant applicants ~~are required to~~ must seek additional
69.25 funding and assistance from sources such as school districts, postsecondary institutions,
69.26 foundations, and the private sector.

69.27 Subd. 5. **Program implementation.** New and expanding mentorship sites that ~~are funded~~
69.28 receive a board grant under subdivision 2 to design, develop, implement, and evaluate their
69.29 program must participate in activities that support program development and implementation.
69.30 ~~The Professional Educator Licensing and Standards Board must provide resources and~~
69.31 ~~assistance to support new sites in their program efforts. These activities and services may~~
69.32 ~~include, but are not limited to: planning, planning guides, media, training, conferences,~~
70.1 ~~institutes, and regional and statewide networking meetings. Nonfunded schools or districts~~
70.2 ~~interested in getting started may participate. Fees may be charged for meals, materials, and~~
70.3 ~~the like.~~

70.4 Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit
70.5 a report to the Professional Educator Licensing and Standards Board on program efforts
70.6 that describes mentoring and induction activities and assesses the impact of these programs
70.7 on teacher effectiveness and retention.

70.8 Sec. 17. Minnesota Statutes 2020, section 122A.76, is amended to read:

70.9 **122A.76 STATEWIDE CONCURRENT ENROLLMENT TEACHER TRAINING**
70.10 **PROGRAM PARTNERSHIP.**

70.11 Subdivision 1. **Definition.** (a) For purposes of this section, the following terms have the
70.12 meanings given them.

70.13 (b) "~~Northwest Regional Partnership~~" "Concurrent Enrollment Teacher Partnership"
70.14 means a voluntary association of the Lakes Country Service Cooperative, the Northwest
70.15 Service Cooperative, ~~and the Metropolitan Education Cooperative Service Unit, Minnesota~~
70.16 State University-Moorhead, and other interested Minnesota state colleges and universities
70.17 ~~that works work~~ together to provide coordinated higher learning opportunities for teachers.

70.18 (c) "~~State Partnership~~" means a voluntary association of the ~~Northwest Regional~~
70.19 ~~Partnership and the Metropolitan Educational Cooperative Service Unit.~~

70.20 (⊕) "Eligible postsecondary institution" means a public or private postsecondary institution
70.21 that awards graduate credits.

70.22 (⊖) (d) "Eligible teacher" means a licensed teacher of ~~secondary school~~ courses for
70.23 postsecondary credit.

143.31 Subd. 1a. **Fiscal host.** Lakes Country Service Cooperative is the fiscal host for the
 143.32 Concurrent Enrollment Teacher Partnership.

144.1 Subd. 2. **Establishment.** (a) ~~Lakes Country Service Cooperative, in consultation with~~
 144.2 ~~the Northwest Service Cooperative,~~ The Concurrent Enrollment Teacher Partnership may
 144.3 develop a continuing education program to allow eligible teachers to attain the requisite
 144.4 graduate credits necessary to be qualified to teach secondary school courses for postsecondary
 144.5 credit.

144.6 (b) ~~If established, the State Partnership~~ The Concurrent Enrollment Teacher Partnership
 144.7 must contract with one or more eligible postsecondary institutions to establish a ~~continuing~~
 144.8 ~~education-credit~~ program to allow eligible teachers to attain sufficient graduate credits to
 144.9 qualify to teach ~~secondary school~~ courses for postsecondary credit. Members of the ~~State~~
 144.10 Concurrent Enrollment Teacher Partnership must work to eliminate duplication of service
 144.11 and develop the ~~continuing education-credit~~ program efficiently and cost-effectively.

144.12 Subd. 3. **Curriculum development.** The ~~continuing education~~ program must use flexible
 144.13 delivery models, such as an online education curriculum, that allow eligible secondary
 144.14 school teachers to attain graduate credit at a reduced credit rate. Information about the
 144.15 curriculum, including course length and course requirements, must be posted on the website
 144.16 of the eligible institution offering the course at least two weeks before eligible teachers are
 144.17 required to register for courses ~~in the continuing education program.~~

144.18 Subd. 4. **Funding for course participation; course development; scholarships;**
 144.19 **stipends participation incentives.** (a) Lakes Country Service Cooperative, in consultation
 144.20 with the other members of the ~~Northwest Regional~~ Concurrent Enrollment Teacher
 144.21 Partnership, shall: must

144.22 ~~(1) provide funding for course development eligible teachers to participate in the program~~
 144.23 ~~for up to 18 credits in applicable postsecondary subject areas;~~

144.24 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~
 144.25 ~~program; and~~

144.26 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~
 144.27 ~~participation in the continuing education program.~~

144.28 (b) ~~If established, the State Partnership must:~~

144.29 ~~(1) provide funding for course development for up to 18 credits in applicable~~
 144.30 ~~postsecondary subject areas;~~

144.31 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~
 144.32 ~~program; and~~

145.1 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~
 145.2 ~~participation in the continuing education program.~~

70.24 Subd. 1a. **Fiscal host.** Lakes Country Service Cooperative is the fiscal host for the
 70.25 Concurrent Enrollment Teacher Partnership.

70.26 Subd. 2. **Establishment.** (a) ~~Lakes Country Service Cooperative, in consultation with~~
 70.27 ~~the Northwest Service Cooperative,~~ The Concurrent Enrollment Teacher Partnership may
 70.28 develop a continuing education program to allow eligible teachers to attain the requisite
 70.29 graduate credits necessary to be qualified to teach ~~secondary school~~ courses for postsecondary
 70.30 credit.

70.31 (b) ~~If established, the State Partnership~~ The Concurrent Enrollment Teacher Partnership
 70.32 must contract with one or more eligible postsecondary institutions to establish a ~~continuing~~
 71.1 ~~education-credit~~ program to allow eligible teachers to attain sufficient graduate credits to
 71.2 qualify to teach ~~secondary school~~ courses for postsecondary credit. Members of the ~~State~~
 71.3 Concurrent Enrollment Teacher Partnership must work to eliminate duplication of service
 71.4 and develop the ~~continuing education-credit~~ program efficiently and cost-effectively.

71.5 Subd. 3. **Curriculum development.** The ~~continuing education~~ program must use flexible
 71.6 delivery models, such as an online education curriculum, that allow eligible secondary
 71.7 school teachers to attain graduate credit at a reduced credit rate. Information about the
 71.8 curriculum, including course length and course requirements, must be posted on the website
 71.9 of the eligible institution offering the course at least two weeks before eligible teachers are
 71.10 required to register for courses ~~in the continuing education program.~~

71.11 Subd. 4. **Funding for course participation; course development; scholarships;**
 71.12 **stipends participation incentives.** (a) Lakes Country Service Cooperative, in consultation
 71.13 with the other members of the ~~Northwest Regional~~ Concurrent Enrollment Teacher
 71.14 Partnership, shall: must

71.15 ~~(1) provide funding for course development eligible teachers to participate in the program~~
 71.16 ~~for up to 18 credits in applicable postsecondary subject areas;~~

71.17 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~
 71.18 ~~program; and~~

71.19 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~
 71.20 ~~participation in the continuing education program.~~

71.21 (b) ~~If established, the State Partnership must:~~

71.22 ~~(1) provide funding for course development for up to 18 credits in applicable~~
 71.23 ~~postsecondary subject areas;~~

71.24 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~
 71.25 ~~program; and~~

71.26 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~
 71.27 ~~participation in the continuing education program.~~

- 145.3 (b) The Concurrent Enrollment Teacher Partnership may:
- 145.4 (1) provide funding for course development in applicable postsecondary subject areas;
- 145.5 (2) work with school districts to develop incentives for teachers to participate in the
- 145.6 program; and
- 145.7 (3) enroll college faculty, as space permits, and provide financial assistance if state aid
- 145.8 remains available.
- 145.9 Subd. 5. **Private funding.** The partnerships may receive private resources to supplement
- 145.10 the available public money. ~~All money received in fiscal year 2017 shall be administered~~
- 145.11 ~~by the Lakes Country Service Cooperative. All money received in fiscal year 2018 and later~~
- 145.12 ~~shall be administered by the State Partnership.~~
- 145.13 Subd. 6. **Report required.** (a) ~~The Northwest Regional Partnership must submit a report~~
- 145.14 ~~by January 15, 2018, on the progress of its activities to the legislature, commissioner of~~
- 145.15 ~~education, and Board of Trustees of the Minnesota State Colleges and Universities. The~~
- 145.16 ~~report shall contain a financial report for the preceding year.~~
- 145.17 (b) ~~If established, the State~~ The Concurrent Enrollment Teacher Partnership must submit
- 145.18 an annual joint report to the legislature and the Office of Higher Education by January 15
- 145.19 of each year on the progress of its activities. The report must include the number of teachers
- 145.20 participating in the program, the geographic location of the teachers, the number of credits
- 145.21 earned, and the subject areas of the courses in which participants earned credit. The report
- 145.22 must include a financial report for the preceding year.
- 145.23 **EFFECTIVE DATE.** This section is effective July 1, 2021.

- 71.28 (b) The Concurrent Enrollment Teacher Partnership may:
- 71.29 (1) provide funding for course development in applicable postsecondary subject areas;
- 71.30 (2) work with school districts to develop incentives for teachers to participate in the
- 71.31 program; and
- 72.1 (3) enroll college faculty, as space permits, and provide financial assistance if state aid
- 72.2 remains available.
- 72.3 Subd. 5. **Private funding.** The partnerships may receive private resources to supplement
- 72.4 the available public money. ~~All money received in fiscal year 2017 shall be administered~~
- 72.5 ~~by the Lakes Country Service Cooperative. All money received in fiscal year 2018 and later~~
- 72.6 ~~shall be administered by the State Partnership.~~
- 72.7 Subd. 6. **Report required.** (a) ~~The Northwest Regional Partnership must submit a report~~
- 72.8 ~~by January 15, 2018, on the progress of its activities to the legislature, commissioner of~~
- 72.9 ~~education, and Board of Trustees of the Minnesota State Colleges and Universities. The~~
- 72.10 ~~report shall contain a financial report for the preceding year.~~
- 72.11 (b) ~~If established, the State~~ The Concurrent Enrollment Teacher Partnership must submit
- 72.12 an annual joint report to the legislature and the Office of Higher Education by January 15
- 72.13 of each year on the progress of its activities. The report must include the number of teachers
- 72.14 participating in the program, the geographic location of the teachers, the number of credits
- 72.15 earned, and the subject areas of the courses in which participants earned credit. The report
- 72.16 must include a financial report for the preceding year.
- 72.17 Sec. 18. **[122A.85] TEACHER AND CLASSROOM SAFETY CODED ELSEWHERE.**
- 72.18 Subdivision 1. **Scope.** The sections referred to in subdivisions 2 to 5 are codified outside
- 72.19 this section. Those sections include many but not all the sections governing teacher and
- 72.20 classroom safety.
- 72.21 Subd. 2. **Dismissal and disciplinary report to the commissioner.** A teacher who was
- 72.22 physically assaulted by a student must receive a copy of the report to the commissioner
- 72.23 under section 121A.53.
- 72.24 Subd. 3. **Discipline and removal of students from class.** A student must be removed
- 72.25 from class immediately if the student engages in assault or violent behavior under section
- 72.26 121A.61.
- 72.27 Subd. 4. **Teachers' and paraprofessionals' legitimate educational interest.** (a) A
- 72.28 teacher has a legitimate educational interest in knowing which students placed in their

145.24 Sec. 55. Minnesota Statutes 2020, section 123B.147, subdivision 3, is amended to read:

145.25 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory,
145.26 and instructional leadership services, under the supervision of the superintendent of schools
145.27 of the district and according to the policies, rules, and regulations of the school board, for
145.28 the planning, management, operation, and evaluation of the education program of the building
145.29 or buildings to which the principal is assigned.

145.30 (b) To enhance a principal's culturally responsive leadership skills and support and
145.31 improve teaching practices, school performance, and student achievement for diverse student
145.32 populations, including at-risk students, children with disabilities, English learners, and gifted
146.1 students, among others, a district must develop and implement a performance-based system
146.2 for annually evaluating school principals assigned to supervise a school building within the
146.3 district. The evaluation must be designed to improve teaching and learning by supporting
146.4 the principal in shaping the school's professional environment and developing teacher
146.5 quality, performance, and effectiveness. The annual evaluation must:

146.6 (1) support and improve a principal's instructional leadership, organizational management,
146.7 and professional development, and strengthen the principal's capacity in the areas of
146.8 instruction, supervision, evaluation, and teacher development;

146.9 (2) support and improve a principal's culturally responsive leadership practices that
146.10 create inclusive and respectful teaching and learning environments for all students, families,
146.11 and employees;

146.12 ~~(2)~~ (3) include formative and summative evaluations based on multiple measures of
146.13 student progress toward career and college readiness;

146.14 ~~(3)~~ (4) be consistent with a principal's job description, a district's long-term plans and
146.15 goals, and the principal's own professional multiyear growth plans and goals, all of which

72.29 classroom have a history of violent behavior and must be notified before such students are
72.30 placed in their classroom under section 121A.64.

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

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

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

- 146.16 must support the principal's leadership behaviors and practices, rigorous curriculum, school
146.17 performance, and high-quality instruction;
- 146.18 ~~(4)~~ (5) include on-the-job observations and previous evaluations;
- 146.19 ~~(5)~~ (6) allow surveys to help identify a principal's effectiveness, leadership skills and
146.20 processes, and strengths and weaknesses in exercising leadership in pursuit of school success;
- 146.21 ~~(6)~~ (7) use longitudinal data on student academic growth as 35 percent of the evaluation
146.22 and incorporate district achievement goals and targets;
- 146.23 ~~(7)~~ (8) be linked to professional development that emphasizes improved teaching and
146.24 learning, curriculum and instruction, student learning, culturally responsive leadership
146.25 practices, and a collaborative professional culture; and
- 146.26 ~~(8)~~ (9) for principals not meeting standards of professional practice or other criteria
146.27 under this subdivision, implement a plan to improve the principal's performance and specify
146.28 the procedure and consequence if the principal's performance is not improved.
- 146.29 The provisions of this paragraph are intended to provide districts with sufficient flexibility
146.30 to accommodate district needs and goals related to developing, supporting, and evaluating
146.31 principals.
- 146.32 **EFFECTIVE DATE.** This section is effective July 1, 2023.
- 147.1 Sec. 56. Minnesota Statutes 2020, section 125A.08, is amended to read:
- 147.2 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**
- 147.3 (a) At the beginning of each school year, each school district shall have in effect, for
147.4 each child with a disability, an individualized education program.
- 147.5 (b) As defined in this section, every district must ensure the following:
- 147.6 (1) all students with disabilities are provided the special instruction and services which
147.7 are appropriate to their needs. Where the individualized education program team has
147.8 determined appropriate goals and objectives based on the student's needs, including the
147.9 extent to which the student can be included in the least restrictive environment, and where
147.10 there are essentially equivalent and effective instruction, related services, or assistive
147.11 technology devices available to meet the student's needs, cost to the district may be among
147.12 the factors considered by the team in choosing how to provide the appropriate services,
147.13 instruction, or devices that are to be made part of the student's individualized education
147.14 program. The individualized education program team shall consider and may authorize
147.15 services covered by medical assistance according to section 256B.0625, subdivision 26.
147.16 Before a school district evaluation team makes a determination of other health disability
147.17 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
147.18 team must seek written documentation of the student's medically diagnosed chronic or acute
147.19 health condition signed by a licensed physician or a licensed health care provider acting

147.20 within the scope of the provider's practice. The student's needs and the special education
147.21 instruction and services to be provided must be agreed upon through the development of
147.22 an individualized education program. The program must address the student's need to develop
147.23 skills to live and work as independently as possible within the community. The individualized
147.24 education program team must consider positive behavioral interventions, strategies, and
147.25 supports that address behavior needs for children. During grade 9, the program must address
147.26 the student's needs for transition from secondary services to postsecondary education and
147.27 training, employment, community participation, recreation, and leisure and home living. In
147.28 developing the program, districts must inform parents of the full range of transitional goals
147.29 and related services that should be considered. The program must include a statement of
147.30 the needed transition services, including a statement of the interagency responsibilities or
147.31 linkages or both before secondary services are concluded. If the individualized education
147.32 program meets the plan components in section 120B.125, the individualized education
147.33 program satisfies the requirement and no additional transition plan is needed;

148.1 (2) children with a disability under age five and their families are provided special
148.2 instruction and services appropriate to the child's level of functioning and needs;

148.3 (3) children with a disability and their parents or guardians are guaranteed procedural
148.4 safeguards and the right to participate in decisions involving identification, assessment
148.5 including assistive technology assessment, and educational placement of children with a
148.6 disability;

148.7 (4) eligibility and needs of children with a disability are determined by an initial
148.8 evaluation or reevaluation, which may be completed using existing data under United States
148.9 Code, title 20, section 33, et seq.;

148.10 (5) to the maximum extent appropriate, children with a disability, including those in
148.11 public or private institutions or other care facilities, are educated with children who are not
148.12 disabled, and that special classes, separate schooling, or other removal of children with a
148.13 disability from the regular educational environment occurs only when and to the extent that
148.14 the nature or severity of the disability is such that education in regular classes with the use
148.15 of supplementary services cannot be achieved satisfactorily;

148.16 (6) in accordance with recognized professional standards, testing and evaluation materials,
148.17 and procedures used for the purposes of classification and placement of children with a
148.18 disability are selected and administered so as not to be racially or culturally discriminatory;
148.19 and

148.20 (7) the rights of the child are protected when the parents or guardians are not known or
148.21 not available, or the child is a ward of the state.

148.22 (c) For all paraprofessionals employed to work in programs whose role in part is to
148.23 provide direct support to students with disabilities, the school board in each district shall
148.24 ensure that:

148.25 (1) before or beginning at the time of employment, each paraprofessional must develop
 148.26 sufficient knowledge and skills in emergency procedures, building orientation, roles and
 148.27 responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin
 148.28 meeting the needs, especially disability-specific and behavioral needs, of the students with
 148.29 whom the paraprofessional works;

148.30 (2) before beginning work alone with an individual student with a disability, the assigned
 148.31 paraprofessional must be either given paid time, or time during the school day, to review a
 148.32 student's individualized education program or be briefed on the student's specific needs by
 148.33 appropriate staff, and in the case of a student transferring into the school during the school
 149.1 year, the assigned paraprofessional must be given up to five days after the student's transfer
 149.2 to review the student's individualized education program;

149.3 ~~(2)~~ (3) annual training opportunities are required to enable the paraprofessional to
 149.4 continue to further develop the knowledge and skills that are specific to the students with
 149.5 whom the paraprofessional works, including understanding disabilities, the unique and
 149.6 individual needs of each student according to the student's disability and how the disability
 149.7 affects the student's education and behavior, following lesson plans, and implementing
 149.8 follow-up instructional procedures and activities; ~~and~~

149.9 (4) a minimum of 16 hours of paid orientation or professional development must be
 149.10 provided annually to all paraprofessionals, Title I aides, and other instructional support
 149.11 staff. Eight of the 16 hours must be completed before the first instructional day of the school
 149.12 year or within 30 days of hire. The orientation or professional development must be relevant
 149.13 to the employee's occupation and may include collaboration time with classroom teachers
 149.14 and planning for the school year. For paraprofessionals who provide direct support to
 149.15 students, at least 50 percent of the professional development or orientation must be dedicated
 149.16 to meeting the requirements of this section. Professional development for paraprofessionals
 149.17 may also address the requirements of section 120B.363, subdivision 3. A school administrator
 149.18 must keep a record of, and provide to each paraprofessional, an annual certification of
 149.19 compliance with this requirement; and

149.20 ~~(3)~~ (5) a districtwide process obligates each paraprofessional to work under the ongoing
 149.21 direction of a licensed teacher and, where appropriate and possible, the supervision of a
 149.22 school nurse.

149.23 (d) A school district may conduct a functional behavior assessment as defined in
 149.24 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting
 149.25 a comprehensive evaluation of the student in accordance with prior written notice provisions
 149.26 in section 125A.091, subdivision 3a. A parent or guardian may request that a school district
 149.27 conduct a comprehensive evaluation of the parent's or guardian's student.

149.28 Sec. 57. **[125A.755] PARAPROFESSIONAL TRAINING AID.**

149.29 Beginning in fiscal year 2022, each school district, charter school, and cooperative
 149.30 organization serving pupils is eligible for paraprofessional training aid. Professional training

149.31 aid equals \$196 times the number of paraprofessionals, Title I aides, and other instructional
149.32 support staff employed by the school district, charter school, or cooperative organization
149.33 during the previous school year. A school district must reserve paraprofessional training
149.34 aid and spend it only on the training required in section 125A.08.

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

150.2 Sec. 58. Minnesota Statutes 2020, section 179A.03, subdivision 19, is amended to read:

150.3 Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment"
150.4 means the hours of employment, the compensation therefor including fringe benefits except
150.5 retirement contributions or benefits other than employer payment of, or contributions to,
150.6 premiums for group insurance coverage of retired employees or severance pay, class sizes
150.7 in Minnesota school districts and charter schools, student testing, student-to-personnel ratios
150.8 in Minnesota school districts, and the employer's personnel policies affecting the working
150.9 conditions of the employees. In the case of professional employees the term does not mean
150.10 educational policies of a school district. "Terms and conditions of employment" is subject
150.11 to section 179A.07.

150.12 Sec. 59. **GRANTS FOR GROW YOUR OWN PROGRAMS.**

150.13 Subdivision 1. **Establishment.** The commissioner of education must award grants for
150.14 the three types of Grow Your Own programs established under this section in order to
150.15 develop a teaching workforce that more closely reflects the state's increasingly diverse
150.16 student population and ensure all students have equitable access to effective and diverse
150.17 teachers.

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

150.20 (b) "Eligible district" means a school district, charter school, or cooperative unit under
150.21 section 123A.24, subdivision 2.

150.22 (c) "Grow Your Own program" means a program established by an eligible district in
150.23 partnership with a Professional Educator Licensing and Standards Board-approved teacher
150.24 preparation program provider or by a Head Start program under section 119A.50 to provide
150.25 a pathway for candidates to enter the teaching profession and teach at any level from early
150.26 childhood to secondary school.

150.27 (d) "Residency program" means a Professional Educator Licensing and Standards
150.28 Board-approved teacher preparation program established by an eligible district and a
150.29 board-approved teacher preparation program provider that uses a cohort-based model and
150.30 includes a yearlong clinical experience integrating coursework and student teaching.

150.31 (e) "Resident" means a teacher candidate participating in a residency program.

151.1 Subd. 3. **Grants for residency programs.** (a) An eligible district may apply for grants
151.2 to develop, maintain, or expand effective residency programs. A residency program must

151.3 pair a resident with a teacher of record who must hold a Tier 3 or Tier 4 license. The
151.4 residency program must provide the teacher of record with ongoing professional development
151.5 in co-teaching, mentoring, and coaching skills and must ensure that the resident and teacher
151.6 of record co-teach and participate in required teacher professional development activities
151.7 for at least 80 percent of the contracted week for a full academic year.

151.8 (b) A grant recipient must use at least 80 percent of grant funds to provide tuition
151.9 scholarships or stipends to enable employees or community members seeking a teaching
151.10 license, who are of color or American Indian, to participate in a residency program. A grant
151.11 recipient may request permission from the commissioner to use the remaining grant funds
151.12 to provide tuition scholarships to employees who are not persons of color or American
151.13 Indian and who seek to teach in a licensure area in which the eligible district has a shortage
151.14 of Tier 3 or Tier 4 licensed teachers.

151.15 (c) An eligible district using grant funds under this subdivision to provide financial
151.16 support to teacher candidates may require a commitment from a candidate to teach in the
151.17 eligible district for a reasonable amount of time not to exceed five years.

151.18 Subd. 4. **Grants for programs serving adults.** (a) An eligible district or Head Start
151.19 program under section 119A.50 may apply for grants to provide financial assistance,
151.20 mentoring, and other experiences to support persons of color or American Indian persons
151.21 to become licensed teachers or preschool teachers.

151.22 (b) An eligible district or Head Start program must use grant funds awarded under this
151.23 subdivision for:

151.24 (1) tuition scholarships or stipends to eligible Tier 2 licensed teachers, education
151.25 assistants, cultural liaisons, or other nonlicensed employees who are of color or American
151.26 Indian and are enrolled in undergraduate or graduate-level coursework that is part of a
151.27 board-approved teacher preparation program leading to a Tier 3 teacher license;

151.28 (2) developing and implementing pathway programs with local community-based
151.29 organizations led by and for communities of color or American Indian communities that
151.30 provide stipends or tuition scholarships to parents and community members who are of
151.31 color or American Indian to change careers and obtain a Tier 3 license or other credential
151.32 needed to teach in a Head Start program; or

151.33 (3) collaborating with a board-approved teacher preparation program provided by a
151.34 postsecondary institution to develop and implement innovative teacher preparation programs
152.1 that lead to Tier 2 or Tier 3 licensure, involve more intensive and extensive clinical
152.2 experiences with more professional coaching or mentorship than are typically required in
152.3 traditional college or university campus-based teacher preparation programs, provide
152.4 candidates with support that is responsive to the unique needs of candidates who are of
152.5 color or American Indian, and have more than half of their candidates identify as persons
152.6 of color or American Indian.

152.7 (c) An eligible district or Head Start program providing financial assistance to individuals
152.8 under this subdivision may require a commitment from candidates to teach in the eligible
152.9 school or Head Start program for a reasonable amount of time not to exceed five years.

152.10 Subd. 5. **Grants for programs serving secondary school students.** (a) In addition to
152.11 grants for developing and offering dual-credit postsecondary course options in schools for
152.12 "Introduction to Teaching" or "Introduction to Education" courses under section 124D.09,
152.13 subdivision 10, a school district or charter school may apply for grants under this section
152.14 to offer other innovative programs that encourage secondary school students, especially
152.15 students of color and American Indian students, to pursue teaching. To be eligible for a
152.16 grant under this subdivision, a school district or charter school must ensure that the aggregate
152.17 percentage of secondary school students of color and American Indian students participating
152.18 in the program is equal to or greater than the aggregate percentage of students of color and
152.19 American Indian students in the school district or charter school.

152.20 (b) A grant recipient must use grant funds awarded under this subdivision for:

152.21 (1) supporting future teacher clubs or service-learning opportunities that provide middle
152.22 and high school students who are of color or American Indian with experiential learning
152.23 that supports the success of younger students or peers and increases students' interest in
152.24 pursuing a teaching career;

152.25 (2) providing direct support, including wrap-around services, for students who are of
152.26 color or American Indian to enroll and be successful in postsecondary enrollment options
152.27 courses under section 124D.09 that would meet degree requirements for teacher licensure;
152.28 or

152.29 (3) offering scholarships to graduating high school students who are of color or American
152.30 Indian to enroll in board-approved undergraduate teacher preparation programs at a college
152.31 or university in Minnesota.

152.32 Subd. 6. **Grant procedure.** (a) An eligible district or Head Start program must apply
152.33 for a grant under this section in the form and manner specified by the commissioner. The
153.1 commissioner must give priority to eligible districts or Head Start programs with the highest
153.2 total number or percentage of students who are of color or American Indian.

153.3 (b) For the 2022-2023 school year and later, grant applications for new and existing
153.4 programs must be received by the commissioner no later than January 15 of the year prior
153.5 to the school year in which the grant will be used. The commissioner must review all
153.6 applications and notify grant recipients by March 15 or as soon as practicable of the
153.7 anticipated amount awarded. If the commissioner determines that sufficient funding is
153.8 unavailable for the grants, the commissioner must notify grant applicants by June 30 or as
153.9 soon as practicable that there are insufficient funds.

153.10 (c) For the 2021-2022 school year, the commissioner must set a timetable for awarding
153.11 grants as soon as practicable.

- 153.12 Subd. 7. **Account established.** A Grow Your Own program account is created in the
 153.13 special revenue fund for depositing money appropriated to or received by the department
 153.14 for Grow Your Own programs. Money deposited in the account is appropriated to the
 153.15 commissioner, does not cancel, and is continuously available for grants under this section.
 153.16 Grant recipients may apply to use grant money over a period of up to 60 months.
- 153.17 Subd. 8. **Report.** Grant recipients must annually report to the commissioner in the form
 153.18 and manner determined by the commissioner on their activities under this section, including
 153.19 the number of participants, the percentage of participants who are of color or American
 153.20 Indian, and an assessment of program effectiveness, including participant feedback, areas
 153.21 for improvement, the percentage of participants continuing to pursue teacher licensure, and
 153.22 where applicable, the number of participants hired in the school or district as teachers after
 153.23 completing preparation programs. The commissioner must publish a report for the public
 153.24 that summarizes the activities and outcomes of grant recipients and what was done to promote
 153.25 sharing of effective practices among grant recipients and potential grant applicants.
- 153.26 **EFFECTIVE DATE.** This section is effective July 1, 2021.

- 73.10 Sec. 19. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.**
- 73.11 Notwithstanding any law to the contrary, the Professional Educator Licensing and
 73.12 Standards Board must extend by six months any calendar year 2021 deadline for completion
 73.13 of license renewal requirements because of interruptions due to COVID-19 for licenses
 73.14 under their jurisdiction.
- 73.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 73.16 Sec. 20. **SHORT-CALL SUBSTITUTE TEACHER PILOT.**
- 73.17 (a) A school district may employ a person who meets the professional requirements of
 73.18 Minnesota Statutes, section 122A.181, subdivision 2, paragraph (b), as a short-call substitute
 73.19 teacher in any content area, not only career and technical education, notwithstanding any
 73.20 licensing requirements in Minnesota Statutes, chapter 122A. A school district must request
 73.21 a background check in accordance with section 123B.03 on a short-call substitute teacher
 73.22 employed under this section. Each assignment to replace a teacher of record must last no
 73.23 longer than 15 consecutive school days.
- 73.24 (b) A district must report to the Professional Educator Licensing and Standards Board
 73.25 all persons it employs under this section and affirm that each person meets the professional
 73.26 requirements for a short-call substitute teacher.
- 73.27 **EFFECTIVE DATE.** This section is effective for the 2020-2021, 2021-2022, and
 73.28 2022-2023 school years only.

153.27 Sec. 60. APPROPRIATIONS; DEPARTMENT OF EDUCATION.

153.28 Subdivision 1. Department of Education. The sums indicated in this section are
153.29 appropriated from the general fund to the Department of Education for the fiscal years
153.30 designated.

153.31 Subd. 2. Black Men Teach Twin Cities grant. (a) For a grant to Black Men Teach
153.32 Twin Cities:

154.1 \$ 750,000 2022

154.2 (b) Grant funds must be used to establish partnerships with eight school district
154.3 elementary schools or elementary charter schools with a goal of increasing the number of
154.4 black male teachers to 20 percent of the teachers at each school site.

154.5 (c) The grant recipient must provide a detailed report to the chairs and ranking minority
154.6 members of the legislative committees having jurisdiction over kindergarten through grade
154.7 12 education and higher education by January 15 of each year until 2027 describing how
154.8 the grant funds were used. The report must describe the progress made toward the goal of
154.9 increasing the number of black male teachers at each school site and strategies used.

154.10 (d) Any balance does not cancel but is available until June 30, 2024.

154.11 Subd. 3. Concurrent enrollment teacher partnership. (a) To the Lakes Country Service
154.12 Cooperative for the concurrent enrollment teacher partnership under Minnesota Statutes,
154.13 section 122A.76:

154.14 \$ 1,000,000 2022

154.15 \$ 1,000,000 2023

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

154.17 Subd. 4. Grow Your Own. (a) For grants to develop, continue, or expand Grow Your
154.18 Own new teacher programs:

154.19 \$ 8,535,000 2022

154.20 \$ 9,285,000 2023

74.1 Sec. 21. APPROPRIATIONS; DEPARTMENT OF EDUCATION.

74.2 Subdivision 1. Department of Education. The sums indicated in this section are
74.3 appropriated from the general fund to the commissioner of education for the fiscal years
74.4 designated.

76.14 Subd. 10. Black Men Teach Twin Cities grant (a) For transfer to the Office of Higher
76.15 Education for a grant to Black Men Teach Twin Cities to establish partnerships with eight
76.16 school district elementary schools or elementary charter schools with a goal of increasing
76.17 the number of black male teachers to 20 percent of the employees at each school site:

76.18 \$ 750,000 2022

76.19 \$ 0 2023

76.22 (c) The grant recipient must provide a detailed report to the chairs and ranking minority
76.23 members of the legislative committees having jurisdiction over higher education and
76.24 kindergarten through grade 12 education by January 15 of each year until 2025 describing
76.25 how the grant funds were used. The report must describe the progress made toward the goal
76.26 of increasing the number of black male teachers at each school site and strategies used.

76.20 (b) Any balance does not cancel but is available until June 30, 2024. The base for fiscal
76.21 year 2024 and later is \$0.

74.5 Subd. 2. Statewide concurrent enrollment teacher training program. (a) For the
74.6 concurrent enrollment teacher partnership under Minnesota Statutes, section 122A.76:

74.7 \$ 375,000 2022

74.8 \$ 375,000 2023

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

74.10 Subd. 3. Paraprofessional pathway to teacher licensure. (a) For grants to school
74.11 districts for Grow Your Own new teacher programs:

74.12 \$ 4,000,000 2022

74.13 \$ 4,000,000 2023

154.21 (b) Of this amount in each fiscal year, at least \$3,000,000 is for teacher residency
 154.22 programs.

154.23 (c) The department may retain up to \$100,000 of the appropriation amount to monitor
 154.24 and administer the grant program.

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

154.26 Subd. 5. Equity, diversity, and inclusion anti-bias professional development. (a) For
 154.27 grants to districts and charter schools to implement professional development for staff
 154.28 focused on anti-bias instructional practices:

154.29 \$ 4,000,000 2022

154.30 (b) The department must develop tools and programs on anti-bias instructional practices.

155.1 (c) Eligible grantees include school districts, charter schools, intermediate school districts,
 155.2 and cooperative units as defined in section 123A.24, subdivision 2.

155.3 (d) The department may retain up to five percent of the appropriation to administer the
 155.4 program and grants.

155.5 (e) This is a onetime appropriation.

74.14 (b) The grants are for school districts with more than 30 percent minority students for
 74.15 a Professional Educator Licensing and Standards Board-approved nonconventional teacher
 74.16 residency pilot program or alternative teacher preparation program. The program must
 74.17 provide tuition scholarships or stipends to enable school district employees or community
 74.18 members affiliated with a school district who seek an education license to participate in a
 74.19 nonconventional or an alternative teacher preparation program. School districts that receive
 74.20 funds under this subdivision are strongly encouraged to recruit candidates of color and
 74.21 American Indian candidates to participate in the Grow Your Own new teacher programs.
 74.22 Districts or schools providing financial support may require a commitment as determined
 74.23 by the district to teach in the district or school for a reasonable amount of time that does
 74.24 not exceed five years.

75.3 (e) The department may retain up to \$120,000 of the appropriation amount in each fiscal
 75.4 year to monitor and administer the grant program.

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

74.25 (c) School districts and charter schools may also apply for grants to develop innovative
 74.26 expanded Grow Your Own programs that encourage secondary school students to pursue
 74.27 teaching, including developing and offering dual-credit postsecondary course options in
 74.28 schools for "Introduction to Teaching" or "Introduction to Education" courses consistent
 74.29 with Minnesota Statutes, section 124D.09, subdivision 10.

74.30 (d) Programs must annually report to the commissioner by the date determined by the
 74.31 commissioner on their activities under this section, including the number of participants,
 74.32 the percentage of participants who are of color or who are American Indian, and an
 74.33 assessment of program effectiveness, including participant feedback, areas for improvement,
 75.1 the percentage of participants continuing to pursue teacher licensure, and the number of
 75.2 participants hired in the school or district as teachers after completing preparation programs.

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

155.7 Subd. 6. **Nonexclusionary discipline.** (a) For grants to school districts and charter
 155.8 schools to provide training for school staff on nonexclusionary disciplinary practices:

155.9 \$ 5,000,000 2022

155.10 \$ 5,000,000 2023

155.11 (b) Up to \$475,000 is to develop training and to work with schools to train staff on
 155.12 nonexclusionary disciplinary practices that maintain the respect, trust, and attention of
 155.13 students and help keep students in classrooms. These funds may also be used for grant
 155.14 administration.

155.15 (c) Eligible grantees include school districts, charter schools, intermediate school districts,
 155.16 and cooperative units as defined in section 123A.24, subdivision 2.

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

155.18 Subd. 7. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering
 155.19 "Introduction to Teaching" or "Introduction to Education" college in the schools courses
 155.20 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

155.21 \$ 500,000 2022

155.22 \$ 500,000 2023

155.23 (b) The department may retain up to five percent of the appropriation amount to monitor
 155.24 and administer the grant program.

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

155.26 Subd. 8. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
 155.27 aid under Minnesota Statutes, section 122A.415, subdivision 4:

155.28 \$ 88,896,000 2022

155.29 \$ 88,898,000 2023

155.30 (b) The 2022 appropriation includes \$8,877,000 for 2021 and \$80,019,000 for 2022.

155.31 (c) The 2023 appropriation includes \$8,891,000 for 2022 and \$80,007,000 for 2023.

156.1 Subd. 9. **Agricultural educator grants.** (a) For agricultural educator grants under Laws
 156.2 2017, First Special Session chapter 5, article 2, section 51:

75.6 Subd. 4. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering
 75.7 "Introduction to Teaching" or "Introduction to Education" college in the schools courses
 75.8 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

75.9 \$ 375,000 2022

75.10 \$ 375,000 2023

75.11 (b) The department may retain up to \$18,750 of the appropriation amount in each fiscal
 75.12 year to monitor and administer the grant program.

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

75.14 Subd. 5. **Alternative teacher compensation aid.** (a) For alternative teacher compensation
 75.15 aid under Minnesota Statutes, section 122A.415, subdivision 4:

75.16 \$ 88,617,000 2022

75.17 \$ 88,518,000 2023

75.18 (b) The 2022 appropriation includes \$8,877,000 for 2021 and \$79,740,000 for 2022.

75.19 (c) The 2023 appropriation includes \$8,859,000 for 2022 and \$79,659,000 for 2023.

75.20 Subd. 6. **Agricultural educator grants.** (a) For agricultural educator grants under Laws
 75.21 2017, First Special Session chapter 5, article 2, section 51:

156.3 \$ 250,000 2022

156.4 \$ 250,000 2023

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

156.6 Subd. 10. **American Indian teacher preparation grants.** (a) For joint grants to assist
156.7 people who are American Indian to become teachers under Minnesota Statutes, section
156.8 122A.63:

156.9 \$ 600,000 2022

156.10 \$ 600,000 2023

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

156.12 Subd. 11. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in
156.13 Minnesota hiring bonuses pilot program under Minnesota Statutes, section 122A.59:

156.14 \$ 350,000 2022

156.15 \$ 350,000 2023

156.16 (b) The department may use up to \$35,000 of the appropriation amount to develop and
156.17 administer the program under this subdivision.

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

156.19 Subd. 12. **Minnesota Science Teachers Association.** (a) For a grant to the Minnesota
156.20 Science Teachers Association to provide professional development for up to 1,150 teachers
156.21 to implement the 2019 revised science standards:

156.22 \$ 611,000 2022

156.23 (b) Grant funds must be used for current high school teachers to prepare to take the
156.24 content test for additional licensure in earth science, and to provide pedagogical and content

75.22 \$ 250,000 2022

75.23 \$ 250,000 2023

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

75.25 Subd. 7. **American Indian teacher preparation grants.** (a) For joint grants to assist
75.26 people who are American Indian to become teachers under Minnesota Statutes, section
75.27 122A.63:

75.28 \$ 460,000 2022

75.29 \$ 460,000 2023

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

76.1 Subd. 8. **Language Essentials for Teachers of Reading and Spelling grant.** (a) For
76.2 grants to licensed teachers to complete the Language Essentials for Teachers of Reading
76.3 and Spelling (LETRS) program:

76.4 \$ 3,000,000 2022

76.5 \$ 3,000,000 2023

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

76.7 Subd. 9. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in
76.8 Minnesota hiring bonuses pilot program under Minnesota Statutes, section 122A.59:

76.9 \$ 350,000 2022

76.10 \$ 350,000 2023

76.11 (b) The department may use up to \$35,000 of the appropriation amount to develop and
76.12 administer the program under this subdivision.

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

156.25 professional development to 6th grade and high school teachers to be effective teachers of
156.26 earth and space science. Professional development must be offered at multiple locations
156.27 across the state, including outside the seven-county metropolitan area, and online.

156.28 (c) This appropriation is available until June 30, 2023.

156.29 (d) The department may use up to five percent of this appropriation for administrative
156.30 costs.

157.1 Subd. 13. **Paraprofessional training.** For costs associated with paid orientation and
157.2 professional development for paraprofessionals under Minnesota Statutes, section 125A.08:

157.3 \$ 6,300,000 2022

157.4 \$ 7,000,000 2023

157.5 (b) The 2022 appropriation includes \$0 for 2021 and \$6,300,000 for 2022.

157.6 (c) The 2023 appropriation includes \$700,000 for 2022 and \$6,300,000 for 2023.

157.7 Subd. 14. **Tribal relations training.** (a) For grants to school districts and charter schools
157.8 to provide Tribal relations training to school leaders:

157.9 \$ 250,000 2022

157.10 \$ 250,000 2023

157.11 (b) Eligible grantees include school districts, charter schools, intermediate school districts,
157.12 and cooperative units as defined in section 123A.24, subdivision 2.

157.13 (c) Up to five percent of this amount is available to the department for grant and program
157.14 administration costs.

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

157.16 Sec. 61. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
157.17 **STANDARDS BOARD.**

157.18 Subdivision 1. **Professional Educator Licensing and Standards Board.** The sums
157.19 indicated in this section are appropriated from the general fund to the Professional Educator
157.20 Licensing and Standards Board for the fiscal years designated.

157.21 Subd. 2. **Collaborative urban and greater Minnesota educators of color grants.** (a)
157.22 For collaborative urban and greater Minnesota educators of color competitive grants under
157.23 Minnesota Statutes, section 122A.635:

76.27 Sec. 22. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
76.28 **STANDARDS BOARD.**

76.29 Subdivision 1. **Professional Educator Licensing and Standards Board.** The sums
76.30 indicated in this section are appropriated from the general fund to the Professional Educator
76.31 Licensing and Standards Board for the fiscal years designated.

78.8 Subd. 4. **Collaborative urban and greater Minnesota educators of color grants.** (a)
78.9 For collaborative urban and greater Minnesota educators of color grants under Minnesota
78.10 Statutes, section 122A.635:

157.24 \$ 1,500,000 2022

157.25 \$ 1,500,000 2023

157.26 (b) Any balance does not cancel but is available in the following fiscal year.

157.27 (c) The board may retain up to three percent of the appropriation amount to monitor and
157.28 administer the grant program.

157.29 Subd. 3. **Mentoring, induction, and retention incentive program grants for teachers**
157.30 **of color.** (a) For the development and expansion of mentoring, induction, and retention
158.1 programs designed for teachers of color or American Indian teachers under Minnesota
158.2 Statutes, section 122A.70:

158.3 \$ 3,000,000 2022

158.4 \$ 3,000,000 2023

158.5 (b) Any balance does not cancel but is available in the following fiscal year.

158.6 (c) The base appropriation for grants under Minnesota Statutes, section 122A.70, for
158.7 fiscal year 2024 and later is \$4,500,000, of which at least \$3,500,000 each fiscal year must
158.8 be granted for the development and expansion of mentoring, induction, and retention
158.9 programs designed for teachers of color or American Indian teachers.

158.10 (d) The board may retain up to three percent of the appropriation amount to monitor and
158.11 administer the grant program.

158.12 Subd. 4. **Reports on increasing percentage of teachers of color and American Indian**
158.13 **teachers.** For a report on the efforts and impact of all state-funded programs to increase the
158.14 percentage of teachers of color and American Indian teachers in Minnesota schools developed
158.15 in consultation with the Department of Education, Office of Higher Education, grant
158.16 recipients, and stakeholders:

158.17 \$ 15,000 2022

158.18 The base appropriation for fiscal year 2024 and each even-numbered later fiscal year is
158.19 \$15,000.

158.20 Subd. 5. **Teacher recruitment marketing campaign.** (a) To develop two contracts to
158.21 develop and implement an outreach and marketing campaign under this subdivision:

78.11 \$ 1,000,000 2022

78.12 \$ 1,000,000 2023

78.17 (c) Any balance in the first year does not cancel but is available in the second year.

78.13 (b) The board may retain up to \$30,000 of the appropriation amount in each fiscal year
78.14 to monitor and administer the grant program and a portion of these funds may be transferred
78.15 to the Office of Higher Education as determined by the executive director of the board and
78.16 the commissioner to support the administration of the program.

77.1 Subd. 2. **Mentoring, induction, and retention incentive program grants.** (a) For the
77.2 development and expansion of mentoring, induction, and retention programs designed for
77.3 teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

77.4 \$ 2,000,000 2022

77.5 \$ 2,000,000 2023

77.6 (b) Any balance does not cancel but is available in the following fiscal year.

77.7 (c) For fiscal year 2024 and later, the base for grants under Minnesota Statutes, section
77.8 122A.70 is \$2,000,000.

77.9 (d) The board may retain up to \$60,000 of the appropriation amount in each fiscal year
77.10 to monitor and administer the grant program.

77.11 Subd. 3. **Teacher recruitment marketing campaign.** (a) For developing two contracts
77.12 to develop and implement an outreach and marketing campaign under this subdivision:

158.22 \$ 500,000 2022

158.23 \$ 500,000 2023

158.24 (b) The Professional Educator Licensing and Standards Board must issue a request for
 158.25 proposals to develop and implement an outreach and marketing campaign to elevate the
 158.26 profession and recruit teachers, especially teachers of color and American Indian teachers.
 158.27 Outreach efforts should include and support current and former Teacher of the Year finalists
 158.28 interested in being recruitment fellows to encourage prospective educators throughout the
 158.29 state.

158.30 (c) The outreach and marketing campaign must focus on making the following individuals
 158.31 become interested in teaching in Minnesota public schools:

159.1 (1) high school and college students of color or American Indian students who have not
 159.2 chosen a career path; or

159.3 (2) adults from racial or ethnic groups underrepresented in the teacher workforce who
 159.4 may be seeking to change careers.

159.5 (d) The board must award two \$250,000 grants each year to firms or organizations that
 159.6 demonstrate capacity to reach wide and varied audiences of prospective teachers based on
 159.7 a work plan with quarterly deliverables. Preferences should be given to firms or organizations
 159.8 that are led by people of color and that have people of color working on the campaign with
 159.9 a proven record of success. The grant recipients must recognize current pathways or programs
 159.10 to become a teacher and must partner with educators, schools, institutions, and racially
 159.11 diverse communities. The grant recipients are encouraged to provide in-kind contributions
 159.12 or seek funds from nonstate sources to supplement the grant award.

159.13 (e) The board may use no more than three percent of the appropriation amount to
 159.14 administer the program under this subdivision, and may have an interagency agreement
 159.15 with the Department of Education including transfer of funds to help administer the program.

159.16 (f) Any balance in the first year does not cancel but is available in the second year.

159.17 **EFFECTIVE DATE.** This section is effective July 1, 2021.

159.18 Sec. 62. **REPEALER.**

159.19 Minnesota Statutes 2020, sections 122A.091, subdivisions 3 and 6; 122A.092; 122A.18,
 159.20 subdivision 7c; 122A.184, subdivision 3; 122A.23, subdivision 3; and 122A.2451, are
 159.21 repealed.

77.13 \$ 500,000 2022

77.14 \$ 500,000 2023

77.15 (b) The Professional Educator Licensing and Standards Board must issue a request for
 77.16 proposals to develop and implement an outreach and marketing campaign to elevate the
 77.17 profession and recruit teachers, especially teachers of color and American Indian teachers.
 77.18 Outreach efforts should include and support current and former Teacher of the Year finalists
 77.19 interested in being recruitment fellows to encourage prospective educators throughout the
 77.20 state.

77.21 (c) The outreach and marketing campaign must focus on making the following individuals
 77.22 become interested in teaching in Minnesota public schools:

77.23 (1) high school and college students of color or American Indian students who have not
 77.24 chosen a career path; or

77.25 (2) adults from racial or ethnic groups underrepresented in the teacher workforce who
 77.26 may be seeking to change careers.

77.27 (d) The board must award two \$250,000 grants each year to firms or organizations that
 77.28 demonstrate capacity to reach wide and varied audiences of prospective teachers based on
 77.29 a work plan with quarterly deliverables. Preferences should be given to firms or organizations
 77.30 that are led by people of color and that have people of color working on the campaign with
 77.31 a proven record of success. The grant recipients must recognize current pathways or programs
 77.32 to become a teacher and must partner with educators, schools, institutions, and racially
 78.1 diverse communities. The grant recipients are encouraged to provide in-kind contributions
 78.2 or seek funds from nonstate sources to supplement the grant award.

78.3 (e) The board may use no more than \$15,000 of the appropriation amount in each fiscal
 78.4 year to administer the program under this subdivision, and may have an interagency
 78.5 agreement with the Department of Education including transfer of funds to help administer
 78.6 the program.

78.7 (f) Any balance in the first year does not cancel but is available in the second year.

78.18 Sec. 23. **REVISOR INSTRUCTION.**

78.19 The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article
78.20 2, section 51, as Minnesota Statutes, section 122A.77.

159.22

ARTICLE 4

159.23

CHARTER SCHOOLS

159.24 Section 1. Minnesota Statutes 2020, section 124E.02, is amended to read:

159.25

124E.02 DEFINITIONS.159.26 (a) For purposes of this chapter, the terms defined in this section have the meanings
159.27 given them.159.28 (b) "Affidavit" means a written statement the authorizer submits to the commissioner
159.29 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to
159.30 its review and approval process before chartering a school.160.1 (c) "Affiliate" means a person that directly or indirectly, through one or more
160.2 intermediaries, controls, is controlled by, or is under common control with another person.160.3 (d) "Charter management organization" means any nonprofit entity that contracts with
160.4 a charter school board of directors to provide, manage, or oversee all or substantially all of
160.5 a charter school's educational design or implementation or a charter school's administrative,
160.6 financial, business, or operational functions.160.7 ~~(e)~~ (e) "Control" means the ability to affect the management, operations, or policy actions
160.8 or decisions of a person, whether by owning voting securities, by contract, or otherwise.160.9 (f) "Education management organization" means any for-profit entity that provides,
160.10 manages, or oversees all or substantially all of the educational design or implementation
160.11 for a charter school or a charter school's administrative, financial, business, or operational
160.12 functions.160.13 ~~(g)~~ (g) "Immediate family" means an individual whose relationship by blood, marriage,
160.14 adoption, or partnership is no more remote than first cousin.160.15 (h) "Online education service provider" means an organization that provides an online
160.16 learning management system, virtual learning environment, or online student management
160.17 system for a charter school and services for the implementation and operation of an online
160.18 education program for the charter school.160.19 ~~(i)~~ (i) "Person" means an individual or entity of any kind.160.20 ~~(j)~~ (j) "Related party" means an affiliate or immediate relative of the other interested
160.21 party, an affiliate of an immediate relative who is the other interested party, or an immediate
160.22 relative of an affiliate who is the other interested party.160.23 ~~(k)~~ (k) For purposes of this chapter, the terms defined in section 120A.05 have the same
160.24 meanings.

- 160.25 Sec. 2. Minnesota Statutes 2020, section 124E.03, subdivision 2, is amended to read:
- 160.26 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
160.27 meet all federal, state, and local health and safety requirements applicable to school districts.
- 160.28 (b) A school must comply with statewide accountability requirements governing standards
160.29 and assessments in chapter 120B.
- 160.30 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
160.31 123B.34 to 123B.39.
- 161.1 (d) A charter school is a district for the purposes of tort liability under chapter 466.
- 161.2 (e) A charter school must comply with the Pledge of Allegiance requirement under
161.3 section 121A.11, subdivision 3.
- 161.4 (f) A charter school and charter school board of directors must comply with chapter 181
161.5 governing requirements for employment.
- 161.6 (g) A charter school must comply with continuing truant notification under section
161.7 260A.03.
- 161.8 (h) A charter school must develop and implement a teacher evaluation and peer review
161.9 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
161.10 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
161.11 The teacher evaluation process in this paragraph does not create any additional employment
161.12 rights for teachers.
- 161.13 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
161.14 section 120B.11, to review curriculum, instruction, and student achievement and strive for
161.15 the world's best workforce.
- 161.16 (j) A charter school is subject to and must comply with section 121A.575 and the Pupil
161.17 Fair Dismissal Act, sections 121A.40 to 121A.56.
- 161.18 (k) A charter school is subject to and must comply with the uniform municipal contracting
161.19 law according to section 471.345 in the same manner as school districts.
- 161.20 Sec. 3. Minnesota Statutes 2020, section 124E.03, is amended by adding a subdivision to
161.21 read:
- 161.22 Subd. 8. **English learners.** A charter school is subject to and must comply with the
161.23 Education for English Learners Act, sections 124D.58 to 124D.64, as though it were a
161.24 district.

161.25 Sec. 4. Minnesota Statutes 2020, section 124E.03, is amended by adding a subdivision to
161.26 read:

161.27 Subd. 9. **Corporal punishment.** A charter school is subject to and must comply with
161.28 section 121A.58 as though it were a district.

162.1 Sec. 5. Minnesota Statutes 2020, section 124E.05, subdivision 4, is amended to read:

162.2 Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must
162.3 include in its application to the commissioner at least the following:

162.4 (1) how the organization carries out its mission by chartering schools;

162.5 (2) a description of the capacity of the organization to serve as an authorizer, including
162.6 the positions allocated to authorizing duties, the qualifications for those positions, the
162.7 full-time equivalencies of those positions, and the financial resources available to fund the
162.8 positions;

162.9 (3) the application and review process the authorizer uses to decide whether to grant
162.10 charters;

162.11 (4) the type of contract it arranges with the schools it charters to meet the provisions of
162.12 section 124E.10;

162.13 (5) the process for overseeing the school, consistent with clause (4), to ensure that the
162.14 schools chartered comply with applicable law and rules and the contract;

162.15 (6) the criteria and process the authorizer uses to approve applications adding grades or
162.16 sites under section 124E.06, subdivision 5;

162.17 (7) the process for renewing or terminating the school's charter based on evidence
162.18 showing the academic, organizational, and financial competency of the school, including
162.19 its success in increasing student achievement and meeting the goals of the charter school
162.20 agreement; and

162.21 (8) an assurance specifying that the organization is committed to serving as an authorizer
162.22 for the full five-year term until the commissioner terminates the organization's ability to
162.23 authorize charter schools under subdivision 6 or the organization formally withdraws as an
162.24 approved authorizer under subdivision 7.

162.25 (b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the
162.26 requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict
162.27 of interest between an authorizer and its charter schools or ongoing evaluation or continuing
162.28 education of an administrator or other professional support staff by submitting to the
162.29 commissioner a written promise to comply with the requirements.

162.30 Sec. 6. Minnesota Statutes 2020, section 124E.05, subdivision 6, is amended to read:

162.31 Subd. 6. **Corrective action.** (a) If, consistent with this chapter, the commissioner finds
 162.32 that an authorizer has not met the requirements of this chapter, the commissioner may subject
 163.1 the authorizer to a corrective action plan, which may ~~include terminating the contract with~~
 163.2 ~~the charter school board of directors of a school it chartered; last no longer than 130 business~~
 163.3 ~~days. The commissioner may prohibit an authorizer on a corrective plan from accepting a~~
 163.4 ~~transfer application from a charter school and an application to establish a charter school.~~

163.5 (b) The commissioner must notify the authorizer in writing ~~of that the authorizer has~~
 163.6 ~~been placed on a corrective plan. The notice must include any findings that may subject the~~
 163.7 ~~authorizer to corrective action at the conclusion of the corrective plan and the authorizer~~
 163.8 ~~then has 15 business days to request an informal hearing before the commissioner takes~~
 163.9 ~~corrective action. The commissioner must hold an informal hearing within 15 business days~~
 163.10 ~~of the request. If the issues identified as the basis for the corrective action are not resolved~~

33.8 Sec. 29. Minnesota Statutes 2020, section 124E.05, subdivision 5, is amended to read:

33.9 Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's
 33.10 performance every five years in a manner and form determined by the commissioner, subject
 33.11 to paragraphs (b) and (c), and may review an authorizer's performance more frequently at
 33.12 the commissioner's own initiative or at the request of a charter school operator, charter
 33.13 school board member, or other interested party. The commissioner, after completing the
 33.14 review, shall transmit a report with findings to the authorizer.

33.15 (b) Consistent with this subdivision, the commissioner must:

33.16 (1) use criteria appropriate to the authorizer and the schools it charters to review the
 33.17 authorizer's performance; and

33.18 (2) consult with authorizers, charter school operators, and other charter school
 33.19 stakeholders in developing review criteria under this paragraph.

33.20 (c) The commissioner's form must use existing department data on the authorizer to
 33.21 minimize duplicate reporting to the extent practicable. When reviewing an authorizer's
 33.22 performance under this subdivision, the commissioner must not:

33.23 (1) fail to credit;

33.24 (2) withhold points; or

33.25 (3) otherwise penalize an authorizer for failing to charter additional schools or for the
 33.26 absence of complaints against the authorizer's current portfolio of charter schools.

33.27 (d) An authorizer that is a school district that submitted a written promise under
 33.28 subdivision 4, paragraph (b), may submit a new written promise to comply with the
 33.29 requirements to the commissioner as part of the review process.

[NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 2, SECTION 29]

34.1 Sec. 30. Minnesota Statutes 2020, section 124E.05, subdivision 6, is amended to read:

34.2 Subd. 6. **Corrective action.** (a) If, consistent with this chapter, the commissioner finds
 34.3 that an authorizer has not met the requirements of this chapter, the commissioner may subject
 34.4 the authorizer to a corrective action plan, which may ~~include terminating the contract with~~
 34.5 ~~the charter school board of directors of a school it chartered; last no longer than 130 business~~
 34.6 ~~days. The commissioner may prohibit an authorizer on a corrective plan from accepting a~~
 34.7 ~~transfer application from a charter school and an application to establish a charter school.~~

34.8 (b) The commissioner must notify the authorizer in writing ~~of that the authorizer has~~
 34.9 ~~been placed on a corrective plan. The notice must include any findings that may subject the~~
 34.10 ~~authorizer to corrective action at the conclusion of the corrective plan and the authorizer~~
 34.11 ~~then has 15 business days to request an informal hearing before the commissioner takes~~
 34.12 ~~corrective action. The commissioner must hold an informal hearing within 15 days of the~~
 34.13 ~~request. If the issues identified as the basis for the corrective action are not resolved at the~~

163.11 at the informal hearing, the authorizer must make the requested improvements and notify
 163.12 the commissioner of the improvements within 45 business days. Within 20 business days,
 163.13 the commissioner must review the changes and notify the authorizer of any remaining issues
 163.14 to be resolved. An authorizer must address the remaining issues as directed by the
 163.15 commissioner within 20 business days. Within 15 business days, the commissioner must
 163.16 review the changes and notify the authorizer whether all issues in the corrective plan have
 163.17 been resolved.

163.18 ~~(c)~~ (d) ~~If the commissioner terminates a contract between an authorizer and a charter school~~
 163.19 ~~under this paragraph the authorizer's ability to charter a school, the commissioner may must~~
 163.20 ~~assist the affected charter school in acquiring a new authorizer. A charter school board of~~
 163.21 ~~directors may submit to the commissioner a request to transfer to a new authorizer without~~
 163.22 ~~the approval or consent of the current authorizer if that authorizer has been under a corrective~~
 163.23 ~~action plan for more than 130 business days.~~

163.24 ~~(b)~~ (d) ~~The commissioner may at any time take corrective action against an authorizer,~~
 163.25 ~~including terminating an authorizer's ability to charter a school, terminating a contract with~~
 163.26 ~~a charter school, and other appropriate sanctions for:~~

163.27 ~~(1) failing to demonstrate the criteria under subdivision 3 under which the commissioner~~
 163.28 ~~approved the authorizer;~~

163.29 ~~(2) violating a term of the chartering contract between the authorizer and the charter~~
 163.30 ~~school board of directors;~~

163.31 ~~(3) unsatisfactory performance as an approved authorizer; or~~

163.32 ~~(4) any good cause shown that gives the commissioner a legally sufficient reason to take~~
 163.33 ~~corrective action against an authorizer; or~~

164.1 ~~(5) failing to meet the terms of a corrective action plan by the specified deadline.~~

164.2 **EFFECTIVE DATE.** This section is effective July 1, 2021.

164.3 Sec. 7. Minnesota Statutes 2020, section 124E.05, subdivision 7, is amended to read:

164.4 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw
 164.5 as an approved authorizer for a reason unrelated to any cause under section ~~124E.10,~~
 164.6 ~~subdivision 4~~ 124E.07, subdivision 6, the authorizer must notify all its chartered schools
 164.7 and the commissioner in writing by March 1 of its intent to withdraw as an authorizer on
 164.8 June 30 in the next calendar year, regardless of when the authorizer's five-year term of
 164.9 approval ends. Upon notification of the schools and commissioner, the authorizer must
 164.10 provide a letter to the school for distribution to families of students enrolled in the school
 164.11 that explains the decision to withdraw as an authorizer. The commissioner may approve the
 164.12 transfer of a charter school to a new authorizer under section 124E.10, subdivision 5.

34.14 informal hearing, the authorizer must make the requested improvements and notify the
 34.15 commissioner of the improvements within 45 business days. Within 20 business days, the
 34.16 commissioner must review the changes and notify the authorizer of any remaining issues
 34.17 to be resolved. An authorizer must address the remaining issues as directed by the
 34.18 commissioner within 20 business days. Within 15 business days, the commissioner must
 34.19 review the changes and notify the authorizer whether all issues in the corrective plan have
 34.20 been resolved.

34.21 ~~(c)~~ (d) ~~If the commissioner terminates a contract between an authorizer and a charter school~~
 34.22 ~~under this paragraph the authorizer's ability to charter a school, the commissioner may must~~
 34.23 ~~assist the affected charter school in acquiring a new authorizer. A charter school board of~~
 34.24 ~~directors may submit to the commissioner a request to transfer to a new authorizer without~~
 34.25 ~~the approval or consent of the current authorizer if that authorizer has been under a corrective~~
 34.26 ~~action plan for more than 130 business days.~~

34.27 ~~(b)~~ (d) ~~The commissioner may at any time take corrective action against an authorizer,~~
 34.28 ~~including terminating an authorizer's ability to charter a school, terminating a contract with~~
 34.29 ~~a charter school, and other appropriate sanctions for:~~

34.30 ~~(1) failing to demonstrate the criteria under subdivision 3 under which the commissioner~~
 34.31 ~~approved the authorizer;~~

34.32 ~~(2) violating a term of the chartering contract between the authorizer and the charter~~
 34.33 ~~school board of directors;~~

34.34 ~~(3) unsatisfactory performance as an approved authorizer; or~~

35.1 ~~(4) any good cause shown that gives the commissioner a legally sufficient reason to take~~
 35.2 ~~corrective action against an authorizer; or~~

35.3 ~~(5) failing to meet the terms of a corrective action plan by the specified deadline.~~

[NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 2, SECTION 30]

164.13 Sec. 8. Minnesota Statutes 2020, section 124E.06, subdivision 1, is amended to read:

164.14 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an
 164.15 application from a charter school developer, may charter either a licensed teacher under
 164.16 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed
 164.17 teachers under section 122A.18, subdivision 1, to operate a school subject to the
 164.18 commissioner's approval of the authorizer's affidavit under subdivision 4.

164.19 (b) "Application" under this section means the charter school business plan a charter
 164.20 school developer submits to an authorizer for approval to establish a charter school. This
 164.21 application must include:

164.22 (1) the school developer's:

164.23 (i) mission statement;

164.24 (ii) school purposes;

164.25 (iii) program design;

164.26 (iv) financial plan;

164.27 (v) market need and demand study;

164.28 ~~(vi)~~ (vi) governance and management structure; and

164.29 ~~(vii)~~ (vii) background and experience;

164.30 (2) any other information the authorizer requests; and

165.1 (3) a "statement of assurances" of legal compliance prescribed by the commissioner.

165.2 (c) "Market need and demand study" means a study that includes the following for any
 165.3 proposed location of a new school, grade or site expansion, or preschool program:

165.4 (1) current and projected demographic information;

165.5 (2) student enrollment patterns;

165.6 (3) information on existing schools and types of educational programs currently available;

165.7 (4) characteristics of proposed students and families;

165.8 (5) availability of properly zoned and classified facilities; and

165.9 (6) quantification of existing demand for the new school, grade or site expansion, or
 165.10 preschool program.

165.11 ~~(d)~~ (d) An authorizer shall not approve an application submitted by a charter school
 165.12 developer under paragraph (a) if the application does not comply with subdivision 3,
 165.13 paragraph (e), and section 124E.01, subdivision 1. The commissioner shall not approve an

165.14 affidavit submitted by an authorizer under subdivision 4 if the affidavit does not comply
165.15 with subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

165.16 Sec. 9. Minnesota Statutes 2020, section 124E.06, subdivision 4, is amended to read:

165.17 Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish
165.18 and operate a school, the authorizer must file an affidavit with the commissioner stating its
165.19 intent to charter a school. An authorizer must file a separate affidavit for each school it
165.20 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of
165.21 the year the new charter school plans to serve students. The affidavit must state:

165.22 (1) the terms and conditions under which the authorizer would charter a school, including
165.23 market research that addresses the need, demand, and potential market for the proposed
165.24 charter school in the community where the school intends to locate; and

165.25 (2) how the authorizer intends to oversee:

165.26 (i) the fiscal and student performance of the charter school; and

165.27 (ii) compliance with the terms of the written contract between the authorizer and the
165.28 charter school board of directors under section 124E.10, subdivision 1.

165.29 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60
165.30 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the
165.31 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer
166.1 then has 20 business days to address the deficiencies. The commissioner must notify the
166.2 authorizer of the commissioner's final approval or final disapproval within 15 business days
166.3 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer
166.4 does not address deficiencies to the commissioner's satisfaction, the commissioner's
166.5 disapproval is final. An authorizer who fails to obtain the commissioner's approval is
166.6 precluded from chartering the school that is the subject of this affidavit.

166.7 Sec. 10. Minnesota Statutes 2020, section 124E.06, subdivision 5, is amended to read:

166.8 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to
166.9 amend the school charter to add grades or primary enrollment sites beyond those defined
166.10 in the original affidavit approved by the commissioner. After approving the school's
166.11 application, the authorizer shall submit a supplemental affidavit in the form and manner
166.12 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the
166.13 commissioner by October 1 to be eligible to add grades or sites in the next school year. The
166.14 supplemental affidavit must document to the authorizer's satisfaction:

166.15 (1) the need for the additional grades or sites with supporting long-range enrollment
166.16 projections;

166.17 (2) a longitudinal record of student academic performance and growth on statewide
166.18 assessments under chapter 120B or on other academic assessments that measure longitudinal

- 166.19 student performance and growth approved by the charter school's board of directors and
166.20 agreed upon with the authorizer;
- 166.21 (3) a history of sound school finances and a plan to add grades or sites that sustains the
166.22 school's finances; ~~and~~
- 166.23 (4) board capacity to administer and manage the additional grades or sites; and
- 166.24 (5) market need and demand study.
- 166.25 (b) The commissioner shall have 30 business days to review and comment on the
166.26 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
166.27 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
166.28 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.
166.29 The commissioner must notify the authorizer of final approval or final disapproval within
166.30 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
166.31 The school may not add grades or sites until the commissioner has approved the supplemental
166.32 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.
- 167.1 Sec. 11. Minnesota Statutes 2020, section 124E.11, is amended to read:
- 167.2 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**
- 167.3 (a) A charter school, including its preschool or prekindergarten program established
167.4 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:
- 167.5 (1) pupils within an age group or grade level;
- 167.6 (2) pupils who are eligible to participate in the graduation incentives program under
167.7 section 124D.68; or
- 167.8 (3) residents of a specific geographic area in which the school is located when the
167.9 majority of students served by the school are members of underserved populations.
- 167.10 (b) A charter school, including its preschool or prekindergarten program established
167.11 under section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who
167.12 submits a timely application, unless the number of applications exceeds the capacity of a
167.13 program, class, grade level, or building. In this case, pupils must be accepted by lot. The
167.14 charter school must develop and publish, including on its website, a lottery policy and
167.15 process that it must use when accepting pupils by lot.
- 167.16 (c) A charter school shall give enrollment preference to a sibling of an enrolled pupil
167.17 and to a foster child of that pupil's parents and may give preference for enrolling children
167.18 of the school's staff before accepting other pupils by lot. A charter school that is located in
167.19 Duluth township in St. Louis County and admits students in kindergarten through grade 6
167.20 must give enrollment preference to students residing within a five-mile radius of the school
167.21 and to the siblings of enrolled children. A charter school may give enrollment preference
167.22 to children currently enrolled in the school's free preschool or prekindergarten program

167.23 under section 124E.06, subdivision 3, paragraph (b), who are eligible to enroll in kindergarten
167.24 in the next school year.

167.25 (d) Admission to a charter school must be free to any person who resides within the state
167.26 of Minnesota, and Minnesota students have preference over out-of-state residents. A person
167.27 shall not be admitted to a charter school (1) as a kindergarten pupil, unless the pupil is at
167.28 least five years of age on September 1 of the calendar year in which the school year for
167.29 which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil
167.30 is at least six years of age on September 1 of the calendar year in which the school year for
167.31 which the pupil seeks admission commences or has completed kindergarten; except that a
167.32 charter school may establish and publish on its website a policy for admission of selected
167.33 pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

168.1 (e) Except as permitted in paragraph (d), a charter school, including its preschool or
168.2 prekindergarten program established under section 124E.06, subdivision 3, paragraph (b),
168.3 may not limit admission to pupils on the basis of intellectual ability, measures of achievement
168.4 or aptitude, or athletic ability and may not establish any criteria or requirements for admission
168.5 that are inconsistent with this section.

168.6 (f) The charter school shall not distribute any services or goods of value to students,
168.7 parents, or guardians as an inducement, term, or condition of enrolling a student in a charter
168.8 school.

168.9 (g) Once a student is enrolled in the school, the student is considered enrolled in the
168.10 school until the student formally withdraws or is expelled under the Pupil Fair Dismissal
168.11 Act in sections 121A.40 to 121A.56.

168.12 (h) A charter school with at least 90 percent of enrolled students who are eligible for
168.13 special education services and have a primary disability of deaf or hard-of-hearing may
168.14 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,
168.15 paragraph (a), and must comply with the federal Individuals with Disabilities Education
168.16 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause
168.17 (iv).

168.18 Sec. 12. Minnesota Statutes 2020, section 124E.12, subdivision 1, is amended to read:

168.19 Subdivision 1. **Teachers.** A charter school must employ necessary teachers or contract
168.20 with a cooperative formed under chapter 308A to provide necessary teachers, as defined
168.21 by section ~~122A.15, subdivision 1~~ 122A.06, subdivision 2, who hold valid licenses to
168.22 perform the particular service for which they are employed in the school. The commissioner
168.23 may reduce the charter school's state aid under section 127A.43 if the school employs a
168.24 teacher who is not appropriately licensed or approved by the Professional Educator Licensing
168.25 and Standards Board. The school may employ necessary employees who are not required
168.26 to hold teaching licenses to perform duties other than teaching and may contract for other
168.27 services. The school may discharge teachers and nonlicensed employees. The charter school
168.28 board is subject to section 181.932 governing whistle-blowers. When offering employment

168.29 to a prospective employee, a charter school must give that employee a written description
168.30 of the terms and conditions of employment and the school's personnel policies.

168.31 Sec. 13. Minnesota Statutes 2020, section 124E.13, subdivision 1, is amended to read:

168.32 Subdivision 1. **Leased space.** A charter school may lease space from: an independent
168.33 or special school board; other public organization; private, nonprofit, nonsectarian
169.1 organization; private property owner; or a sectarian organization; and if the leased space is
169.2 owned by the lessor and is constructed as a school facility. The commissioner must review
169.3 and approve or disapprove leases in a timely manner to determine eligibility for lease aid
169.4 under section 124E.22.

169.5 Sec. 14. Minnesota Statutes 2020, section 124E.16, subdivision 1, is amended to read:

169.6 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,
169.7 audit procedures, and audit requirements as a district, except as required under this
169.8 subdivision. Audits must be conducted in compliance with generally accepted governmental
169.9 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing
169.10 auditing procedures. A charter school is subject to and must comply with sections 15.054;
169.11 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property
169.12 and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing
169.13 municipal contracting. The audit must comply with the requirements of sections 123B.75
169.14 to 123B.83 governing school district finance, except when the commissioner and authorizer
169.15 approve a deviation made necessary because of school program finances. The commissioner,
169.16 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance
169.17 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must
169.18 submit a plan under section 123B.81, subdivision 4.

169.19 (b) The charter school must submit an audit report to the commissioner and its authorizer
169.20 annually by December 31. The charter school's charter management organization or
169.21 educational management organization must submit an audit report to the commissioner
169.22 annually by December 31.

169.23 (c) The charter school, with the assistance of the auditor conducting the audit, must
169.24 include with the report, as supplemental information: (1) a copy of management agreements
169.25 with a charter management organization or an educational management organization and
169.26 (2) service agreements or contracts over the lesser of \$100,000 or ten percent of the school's
169.27 most recent annual audited expenditures. The agreements must detail the terms of the
169.28 agreement, including the services provided and the annual costs for those services. If the
169.29 entity that provides the professional services to the charter school is exempt from taxation
169.30 under section 501 of the Internal Revenue Code of 1986, that entity must file with the
169.31 commissioner by February 15 a copy of the annual return required under section 6033 of
169.32 the Internal Revenue Code of 1986.

170.1 (d) A charter school independent audit report shall include audited financial data of an
170.2 affiliated building corporation under section 124E.13, subdivision 3, or other component
170.3 unit.

170.4 (e) If the audit report finds that a material weakness exists in the financial reporting
170.5 systems of a charter school, the charter school must submit a written report to the
170.6 commissioner explaining how the charter school will resolve that material weakness. An
170.7 auditor, as a condition of providing financial services to a charter school, must agree to
170.8 make available information about a charter school's financial audit to the commissioner and
170.9 authorizer upon request.

170.10 Sec. 15. Minnesota Statutes 2020, section 124E.25, subdivision 1a, is amended to read:

170.11 Subd. 1a. **School closures; payments.** (a) Notwithstanding subdivision 1 and section
170.12 127A.45, for a charter school ceasing operation on or before June 30, for the payment periods
170.13 occurring after the school ceases serving students, the commissioner shall withhold the
170.14 estimated state aid owed the school. The charter school board of directors and authorizer
170.15 must submit to the commissioner a closure plan under chapter ~~308A~~ or 317A; and financial
170.16 information about the school's liabilities and assets. After receiving the closure plan, financial
170.17 information, an audit of pupil counts, and documented lease expenditures from the charter
170.18 school and monitoring special education expenditures, the commissioner may release cash
170.19 withheld and may continue regular payments up to the current year payment percentages
170.20 if further amounts are owed. If, based on audits and monitoring, the school received state
170.21 aid in excess of the amount owed, the commissioner shall retain aid withheld sufficient to
170.22 eliminate the aid overpayment.

170.23 (b) For a charter school ceasing operations before or at the end of a school year,
170.24 notwithstanding section 127A.45, subdivision 3, the commissioner may make preliminary
170.25 final payments after the school submits the closure plan, an audit of pupil counts, documented
170.26 lease expenditures, and Uniform Financial Accounting and Reporting Standards (UFARS)
170.27 financial data and the commissioner monitors special education expenditures for the final
170.28 year of operation. The commissioner may make the final payment after receiving audited
170.29 financial statements under section 123B.77, subdivision 3.

170.30 (c) Notwithstanding sections 317A.701 to 317A.791, after closing a charter school and
170.31 satisfying creditors, remaining cash and investment balances shall be returned by the
170.32 commissioner to the state general fund.

171.1

ARTICLE 5

171.2

SPECIAL EDUCATION

78.21

ARTICLE 4

78.22

SPECIAL EDUCATION

78.23 Section 1. Minnesota Statutes 2020, section 121A.21, is amended to read:

78.24 **121A.21 SCHOOL HEALTH SERVICES.**

78.25 Subdivision 1. Requirements. (a) Every school board must provide services to promote
78.26 the health of its pupils.

78.27 (b) The board of a district with 1,000 pupils or more in average daily membership in
78.28 early childhood family education, preschool disabled, elementary, and secondary programs
78.29 must comply with the requirements of this paragraph. It may use one or a combination of
78.30 the following methods:

79.1 (1) employ personnel, including at least one full-time equivalent licensed school nurse;

79.2 (2) contract with a public or private health organization or another public agency for
79.3 personnel during the regular school year, determined appropriate by the board, who are
79.4 currently licensed under chapter 148 and who are certified public health nurses; or

79.5 (3) enter into another arrangement approved by the commissioner.

79.6 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the
79.7 meanings given.

79.8 (b) "Clinical nursing provider" means an agency or nurse that renders clinical nursing
79.9 services or their designee.

79.10 (c) "Clinical nursing services" means specific health care services, based on a physician's
79.11 or advanced practice nurse's orders, as provided by a registered nurse or licensed practical
79.12 nurse with specialized pediatric training who either attends to the pupil directly or supervises
79.13 the work of their designee.

79.14 (d) "Pupil who is medically fragile" means a school-aged child who has a life-threatening
79.15 medical condition, and as a result of such condition, requires individualized and continuous
79.16 clinical nursing services.

79.17 Subd. 3. Clinical nursing services at school. (a) Maintaining a continuity of care for
79.18 students who are medically fragile is necessary for those pupils' safety, creates a safer
79.19 environment at school and during transportation, and fosters learning and inclusion.

79.20 (b) A pupil who is medically fragile who requires clinical nursing services must receive
79.21 services and care needed to meet the child's clinical nursing service needs while attending
79.22 school or during transportation to and from school. The school and the parent or legal
79.23 guardian are encouraged to consult and collaborate with the pupil's treating or ordering
79.24 provider about services and care needed to meet the pupil's clinical nursing service needs
79.25 in the school. If the school and the parent or legal guardian do not agree about the service

79.26 and care needed to meet the child's clinical nursing service needs while attending school or
 79.27 during transportation to and from school, the school and the parent or legal guardian must
 79.28 contact the pupil's licensed care provider to attempt to mutually consult and clarify the
 79.29 medical orders outlined in the plan of care. The objective of the consultation is to review
 79.30 and revise, as necessary, the services proposed by the school to ensure the proposed services
 79.31 are sufficient to meet the student's needs.

79.32 (c) If a pupil who is medically fragile requires clinical nursing services care at school
 79.33 or during transportation to and from school, the school and the parent or legal guardian must
 80.1 meet to discuss options for arranging for clinical nursing services during school. Options
 80.2 may include but are not limited to:

80.3 (1) the pupil's clinical nursing provider in the home provides clinical nursing services
 80.4 to the pupil at school and during transportation to and from school;

80.5 (2) the school contracts with the pupil's existing clinical nursing provider to provide
 80.6 clinical nursing services to the pupil at school and during transportation to and from school;
 80.7 and

80.8 (3) the school arranges for clinical nursing services for the pupil at school and during
 80.9 transportation to and from school, either by school staff or a contract with another clinical
 80.10 nursing services provider.

80.11 (d) When considering options for arranging for clinical nursing services, the school and
 80.12 the parents or legal guardians shall take into account the following factors:

80.13 (1) the ability of a clinical nursing provider to provide the specific clinical nursing
 80.14 services the pupil requires;

80.15 (2) the familiarity of the clinical nursing provider with the pupil's specific clinical nursing
 80.16 services needs and any training that may be required; and

80.17 (3) the impact of the selection of a clinical nursing provider on the availability of clinical
 80.18 nursing services to the pupil at home.

80.19 The meeting and decision between the school and parents or legal guardians may take place
 80.20 during individualized education plan team meetings under the Individuals with Disabilities
 80.21 in Education Act or meetings required by Section 504 of the Rehabilitation Act, if applicable,
 80.22 and, if applicable, the dispute resolution processes available under either act are available
 80.23 to the school and to the parents or legal guardian.

80.24 (e) For the purposes of this subdivision, the school district and nurse or clinical nursing
 80.25 service provider must enter into agreements as necessary to establish mutual expectations
 80.26 of the nurse's or provider's conduct in the school environment, including confidentiality
 80.27 agreements, who they are designated to report to in the school environment, supervision,
 80.28 and the nurse's or provider's authority within the school environment.

171.3 Section 1. Minnesota Statutes 2020, section 124E.21, subdivision 1, is amended to read:

171.4 Subdivision 1. **Special education aid.** (a) Except as provided in section 124E.23, special
171.5 education aid, excluding cross subsidy reduction aid under section 125A.76, subdivision
171.6 2e, must be paid to a charter school according to section 125A.76, as though it were a school
171.7 district.

171.8 (b) ~~For fiscal year 2020 and later,~~ The special education aid paid to the charter school
171.9 shall be adjusted as follows:

171.10 (1) if the charter school does not receive general education revenue on behalf of the
171.11 student according to section 124E.20, the aid shall be adjusted as provided in section
171.12 125A.11; or

171.13 (2) if the charter school receives general education revenue on behalf of the student
171.14 according to section 124E.20, the aid shall be adjusted as provided in section 127A.47,
171.15 subdivision 7, paragraphs (b) to (e), and if the tuition adjustment is computed under section
171.16 127A.47, subdivision 7, paragraph (c), it shall also receive an adjustment equal to ~~five~~
171.17 ~~percent for fiscal year 2020 or~~ ten percent for fiscal year 2021 and later of the unreimbursed
171.18 cost of providing special education and services for the student and the amount in paragraph
171.19 (c).

171.20 (c) A charter school special education tuition adjustment aid equals the difference between
171.21 the charter school's unreimbursed costs without a rate cap and the district's unreimbursed
171.22 costs with the rate cap, times the adjustment factor for that year. For fiscal years 2021, 2022,
171.23 and 2023, the adjustment factor equals 100 percent. For fiscal year 2024, the adjustment
171.24 factor equals 75 percent. For fiscal year 2025, the adjustment factor equals 50 percent. For
171.25 fiscal year 2026 and later, the adjustment factor equals 25 percent.

171.26 **EFFECTIVE DATE.** This section is effective July 1, 2021.

171.27 Sec. 2. Minnesota Statutes 2020, section 125A.21, subdivision 1, is amended to read:

171.28 Subdivision 1. **Obligation to pay.** (a) Nothing in sections 125A.03 to 125A.24 and
171.29 125A.65 relieves an insurer or similar third party from an otherwise valid obligation to pay,
171.30 or changes the validity of an obligation to pay, for services rendered to a child with a
171.31 disability, and the child's family.

172.1 (b) For purposes of this section, "school district" and "district" mean a school district,
172.2 charter school, or cooperative unit defined under section 123A.24, subdivision 2, providing
172.3 direct special education services to students.

172.4 (c) A school district shall pay the nonfederal share of medical assistance services provided
172.5 according to section 256B.0625, subdivision 26. Eligible expenditures must not be made
172.6 from federal funds or funds used to match other federal funds. Any federal disallowances
172.7 are the responsibility of the school district. A school district may pay or reimburse
172.8 co-payments, coinsurance, deductibles, and other enrollee cost-sharing amounts, on behalf

172.9 of the student or family, in connection with health and related services provided under an
172.10 individual educational plan or individualized family service plan.

172.11 Sec. 3. Minnesota Statutes 2020, section 125A.21, subdivision 2, is amended to read:

172.12 Subd. 2. **Third-party reimbursement.** (a) ~~Beginning July 1, 2000,~~ Districts shall seek
172.13 reimbursement from insurers and similar third parties for the cost of services provided by
172.14 the district whenever the services provided by the district are otherwise covered by the
172.15 child's health coverage. Districts shall request, but may not require, the child's family to
172.16 provide information about the child's health coverage when a child with a disability begins
172.17 to receive services from the district of a type that may be reimbursable, and shall request,
172.18 but may not require, updated information after that as needed.

172.19 (b) For children enrolled in medical assistance under chapter 256B or MinnesotaCare
172.20 under chapter 256L who have no other health coverage, a district shall provide an initial
172.21 and annual written notice to the enrolled child's parent or legal representative of its intent
172.22 to seek reimbursement from medical assistance or MinnesotaCare for:

172.23 (1) the evaluations required as part of the individualized education program process or
172.24 individualized family service plan process; and

172.25 (2) health-related services provided by the district according to the individualized
172.26 education program or individualized family service plan.

172.27 The initial notice must give the child's parent or legal representative the right to request a
172.28 copy of the child's education records on the health-related services that the district provided
172.29 to the child and disclosed to a third-party payer.

172.30 (c) The district shall give the parent or legal representative annual written notice of:

172.31 (1) the district's intent to seek reimbursement from medical assistance or MinnesotaCare
172.32 for evaluations required as part of the individualized education program process or
172.33 individualized family service plan process, and for health-related services provided by the
173.1 district according to the individualized education program or individualized family service
173.2 plan;

173.3 (2) the right of the parent or legal representative to request a copy of all records
173.4 concerning individualized education program or individualized family service plan
173.5 health-related services disclosed by the district to any third party; and

173.6 (3) the right of the parent or legal representative to withdraw consent for disclosure of
173.7 a child's records at any time without consequence.

173.8 The written notice shall be provided as part of the written notice required by Code of Federal
173.9 Regulations, title 34, section 300.504 or 303.520. The district must ensure that the parent
173.10 of a child with a disability is given notice, in understandable language, of federal and state
173.11 procedural safeguards available to the parent under this paragraph and paragraph (b).

173.12 (d) In order to access the private health care coverage of a child who is covered by private
173.13 health care coverage in whole or in part, a district must:

173.14 (1) obtain annual written informed consent from the parent or legal representative, in
173.15 compliance with subdivision 5; and

173.16 (2) inform the parent or legal representative that a refusal to permit the district or state
173.17 Medicaid agency to access their private health care coverage does not relieve the district of
173.18 its responsibility to provide all services necessary to provide free and appropriate public
173.19 education at no cost to the parent or legal representative.

173.20 (e) If the commissioner of human services obtains federal approval to exempt covered
173.21 individualized education program or individualized family service plan health-related
173.22 services from the requirement that private health care coverage refuse payment before
173.23 medical assistance may be billed, paragraphs (b), (c), and (d) shall also apply to students
173.24 with a combination of private health care coverage and health care coverage through medical
173.25 assistance or MinnesotaCare.

173.26 (f) In the event that Congress or any federal agency or the Minnesota legislature or any
173.27 state agency establishes lifetime limits, limits for any health care services, cost-sharing
173.28 provisions, or otherwise provides that individualized education program or individualized
173.29 family service plan health-related services impact benefits for persons enrolled in medical
173.30 assistance or MinnesotaCare, the amendments to this subdivision adopted in 2002 are
173.31 repealed on the effective date of any federal or state law or regulation that imposes the
173.32 limits. In that event, districts must obtain informed consent consistent with this subdivision
173.33 as it existed prior to the 2002 amendments and subdivision 5, before seeking reimbursement
174.1 for children enrolled in medical assistance under chapter 256B or MinnesotaCare under
174.2 chapter 256L who have no other health care coverage.

174.3 (g) To the extent practicable, a charter school must seek reimbursements under this
174.4 section in the same manner as school districts. The commissioner may provide training and
174.5 technical assistance to a charter school seeking third-party reimbursement.

174.6 Sec. 4. Minnesota Statutes 2020, section 125A.76, subdivision 2e, is amended to read:

174.7 Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy
174.8 reduction aid equals the school district's initial special education cross subsidy for the
174.9 previous fiscal year times the cross subsidy aid factor for that fiscal year.

174.10 (b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and~~ 6.43 percent
174.11 for fiscal year 2021 ~~and later.~~ The cross subsidy aid factor equals 9.33 percent for fiscal
174.12 year 2022 and 12.11 percent for fiscal year 2023 and later.

174.13 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

174.14 Sec. 5. Minnesota Statutes 2020, section 127A.47, subdivision 7, is amended to read:

174.15 Subd. 7. **Alternative attendance programs.** (a) The general education aid and special
174.16 education aid for districts must be adjusted for each pupil attending a nonresident district
174.17 under sections 123A.05 to 123A.08, 124D.03, 124D.08, and 124D.68. The adjustments
174.18 must be made according to this subdivision.

174.19 (b) For purposes of this subdivision, ~~the~~ "unreimbursed cost of providing special
174.20 education and services" means the difference between: (1) the actual cost of providing
174.21 special instruction and services, ~~including special transportation and unreimbursed building~~
174.22 ~~lease and debt service costs for facilities used primarily for special education,~~ for a pupil
174.23 with a disability, as defined in section 125A.02, or a pupil, as defined in section 125A.51,
174.24 who is enrolled in a program listed in this subdivision, including special transportation and
174.25 unreimbursed building lease and debt service costs for facilities used primarily for special
174.26 education, minus (2) if the pupil receives special instruction and services outside the regular
174.27 classroom for more than 60 percent of the school day, the amount of general education
174.28 revenue, if the pupil receives special instruction and services outside the regular classroom
174.29 for more than 60 percent of the school day, excluding local optional revenue, plus local
174.30 optional aid and referendum equalization aid as defined in section 125A.11, subdivision 1,
174.31 paragraph (d), attributable to that pupil for the portion of time the pupil receives special
174.32 instruction and services outside of the regular classroom, excluding portions attributable to
175.1 district and school administration, district support services, operations and maintenance,
175.2 capital expenditures, and pupil transportation, minus (3) special education aid under section
175.3 125A.76, excluding cross subsidy reduction aid under section 125A.76, subdivision 2e,
175.4 attributable to that pupil, that is received by the district providing special instruction and
175.5 services. For purposes of this paragraph, general education revenue and referendum
175.6 equalization aid attributable to a pupil must be calculated using the serving district's average
175.7 general education revenue and referendum equalization aid per adjusted pupil unit.

175.8 (c) ~~For fiscal year 2020, special education aid paid to a resident district must be reduced~~
175.9 ~~by an amount equal to 85 percent of the unreimbursed cost of providing special education~~
175.10 ~~and services. For fiscal year 2021 and later, Special education aid paid to a resident district~~
175.11 ~~must be reduced by an amount equal to 80 percent of the unreimbursed cost of providing~~
175.12 ~~special education and services.~~

175.13 (d) Notwithstanding paragraph (c), special education aid paid to a resident district must
175.14 be reduced by an amount equal to 100 percent of the unreimbursed cost of providing special
175.15 education and services ~~provided~~ to students at an intermediate district, cooperative, or charter
175.16 school where the percent of students eligible for special education services is at least 70
175.17 percent of the charter school's total enrollment.

175.18 (e) Notwithstanding paragraph (c), special education aid paid to a resident district must
175.19 be reduced under paragraph (d) for students at a charter school receiving special education
175.20 aid under section 124E.21, subdivision 3, calculated as if the charter school received special
175.21 education aid under section 124E.21, subdivision 1.

175.22 (f) Special education aid paid to the district or cooperative providing special instruction
175.23 and services for the pupil, or to the fiscal agent district for a cooperative, must be increased
175.24 by the amount of the reduction in the aid paid to the resident district under paragraphs (c)
175.25 and (d). If the resident district's special education aid is insufficient to make the full
175.26 adjustment under paragraphs (c), (d), and (e), the remaining adjustment shall be made to
175.27 other state aids due to the district.

175.28 (g) Notwithstanding paragraph (a), general education aid paid to the resident district of
175.29 a nonspecial education student for whom an eligible special education charter school receives
175.30 general education aid under section 124E.20, subdivision 1, paragraph (c), must be reduced
175.31 by an amount equal to the difference between the general education aid attributable to the
175.32 student under section 124E.20, subdivision 1, paragraph (c), and the general education aid
175.33 that the student would have generated for the charter school under section 124E.20,
175.34 subdivision 1, paragraph (a). For purposes of this paragraph, "nonspecial education student"
176.1 means a student who does not meet the definition of pupil with a disability as defined in
176.2 section 125A.02 or the definition of a pupil in section 125A.51.

176.3 (h) An area learning center operated by a service cooperative, intermediate district,
176.4 education district, or a joint powers cooperative may elect through the action of the
176.5 constituent boards to charge the resident district tuition for pupils rather than to have the
176.6 general education revenue paid to a fiscal agent school district. Except as provided in
176.7 paragraph (f), the district of residence must pay tuition equal to at least 90 and no more than
176.8 100 percent of the district average general education revenue per pupil unit minus an amount
176.9 equal to the product of the formula allowance according to section 126C.10, subdivision 2,
176.10 times .0466, calculated without compensatory revenue, local optional revenue, and
176.11 transportation sparsity revenue, times the number of pupil units for pupils attending the area
176.12 learning center.

176.13 (i) For a charter school located outside of Minneapolis or St. Paul, notwithstanding
176.14 paragraph (b), unreimbursed tuition reimbursement amounts for a charter school, not
176.15 including a charter school for which the tuition adjustment is calculated under paragraph
176.16 (d) or (e), must be computed according to this paragraph. For purposes of this paragraph:

176.17 (1) "regular school year statewide district cap rate" means the unreimbursed regular
176.18 school year cost per service hour, calculated statewide for all districts and averaged across
176.19 the current year;

176.20 (2) "extended school year statewide district cap rate" means the unreimbursed extended
176.21 school year cost per service hour, calculated statewide for all districts and averaged across
176.22 the current year;

176.23 (3) "special education one-to-one paraprofessional statewide district cap rate" means
176.24 the unreimbursed special education one-to-one paraprofessional cost per hour, calculated
176.25 statewide for all districts and averaged across the current year; and

176.26 (4) "unreimbursed cost of providing special education and services" means the lesser of
 176.27 (i) the amount calculated under paragraph (b), or (ii) the regular school year statewide district
 176.28 cap rate multiplied by the regular school year service hours, plus the extended school year
 176.29 statewide district cap rate multiplied by the extended school year service hours, plus the
 176.30 special education one-to-one paraprofessional statewide district cap rate times instructional
 176.31 hours.

176.32 (j) For a charter school located in the city of Minneapolis, the commissioner must
 176.33 substitute the Minneapolis school district's cap rates for the statewide cap rates for that year.
 177.1 For a charter school located in the city of St. Paul, the commissioner must substitute the St.
 177.2 Paul school district's cap rates for the statewide cap rates for that year.

177.3 (k) For purposes of paragraphs (i) and (j), for each capped rate, the unreimbursed cap
 177.4 rate for the charter school must not exceed 200 percent of the capped rate for fiscal year
 177.5 2024, 175 percent of the capped rate for fiscal year 2025, 150 percent of the capped rate
 177.6 for fiscal year 2026, and 125 percent of the capped rate for fiscal year 2027 and later.

177.7 (l) Notwithstanding paragraph (b), the department may disallow tuition expenses for a
 177.8 charter school if the department determines that the charter school failed to pursue third-party
 177.9 billing for qualifying special education services.

177.10 **EFFECTIVE DATE.** This section is effective for fiscal year 2023 and later.

177.11 Sec. 6. **SPECIAL EDUCATION RECOVERY SERVICES AND SUPPORTS.**

177.12 Subdivision 1. **Special education recovery.** The commissioner of education, school
 177.13 districts, and charter schools must collaborate with families of students with disabilities as
 177.14 provided in this section to address the impact of disruptions to in-person instruction on
 177.15 students' access to a free appropriate public education related to the COVID-19 pandemic.

177.16 Subd. 2. **Special education services and supports.** (a) A school district or charter school
 177.17 that serves one or more students with disabilities must invite the parents of a student with
 177.18 a disability to a meeting of each individualized education program (IEP) team as soon as
 177.19 practicable but no later than December 1, 2021, to determine whether special education
 177.20 services and supports are necessary to address lack of progress on IEP goals or in the general
 177.21 education curriculum or loss of learning or skills due to disruptions related to the COVID-19
 177.22 pandemic. The services and supports may include but are not limited to extended school
 177.23 year services, additional IEP services, compensatory services, or other appropriate services.
 177.24 This meeting may occur in an annual or other regularly scheduled IEP meeting. If the IEP
 177.25 team determines that the services and supports are necessary, the team shall determine what
 177.26 services and supports are appropriate for the student and when and how those services
 177.27 should be provided, in accordance with relevant guidance from the Minnesota Department
 177.28 of Education and the United States Department of Education. The services and supports
 177.29 must be included in the IEP of the student. A district or charter school must report to the

80.29 Sec. 2. **SPECIAL EDUCATION RECOVERY SERVICES AND SUPPORTS.**

80.30 Subdivision 1. **Special education recovery.** The commissioner of education, school
 80.31 districts, and charter schools must collaborate with families of students with disabilities as
 81.1 provided in this section to address the impact of disruptions to in-person instruction on
 81.2 students' access to a free appropriate public education due to COVID-19.

81.3 Subd. 2. **Special education services and supports.** (a) A school district or charter school
 81.4 that serves one or more students with disabilities must invite the parents of a student with
 81.5 a disability to a meeting of each individualized education program (IEP) team as soon as
 81.6 practicable, to determine whether special education services and supports are necessary to
 81.7 address lack of progress on IEP goals or in the general education curriculum or loss of
 81.8 learning or skills due to disruptions due to COVID-19. The services and supports may
 81.9 include but are not limited to extended school year services, additional IEP services,
 81.10 compensatory services, or other appropriate services. This meeting may occur in an annual
 81.11 or other regularly scheduled IEP meeting. If the IEP team determines that the services and
 81.12 supports are necessary, the team shall determine what services and supports are appropriate
 81.13 for the student and when and how those services should be provided, in accordance with
 81.14 relevant guidance from the Minnesota Department of Education and the United States
 81.15 Department of Education. The services and supports must be included in the IEP of the
 81.16 student. A district or charter school must report to the commissioner, in the form and manner

177.30 commissioner, in the form and manner determined by the commissioner, the services and
 177.31 supports provided to students with disabilities under this section, including the cost of
 177.32 providing the services.

178.1 (b) In determining whether a student is eligible for services and supports described in
 178.2 paragraph (a), and what services and supports are appropriate for the student, the IEP team
 178.3 must consider, in conjunction with any other considerations advised by guidance from the
 178.4 Minnesota Department of Education or the United States Department of Education:

178.5 (1) services and supports provided to the student before the disruptions to in-person
 178.6 instruction related to the COVID-19 pandemic;

178.7 (2) the ability of the student to access services and supports;

178.8 (3) the student's progress toward IEP goals, including the goals in the IEP in effect before
 178.9 disruptions to in-person instruction related to the COVID-19 pandemic, and progress in the
 178.10 general education curriculum;

178.11 (4) the student's regression or lost skills resulting from disruptions to instruction;

178.12 (5) other significant influences on the student's ability to participate in and benefit from
 178.13 instruction related to the COVID-19 pandemic, including family loss, changed family
 178.14 circumstances, other trauma, and illness; and

178.15 (6) the types of services and supports that would benefit the student and improve the
 178.16 student's ability to benefit from school, including academic supports, behavioral supports,
 178.17 mental health supports, related services, and other services and supports.

178.18 (c) When considering how and when the services and supports described in paragraph
 178.19 (a) should be provided, the IEP team must take into account the timing and delivery method
 178.20 most appropriate for the student, such as time of day, day of the week, or time of year, and
 178.21 the availability of other services accessible to the student to address learning loss. The IEP
 178.22 team may determine that providers in addition to school district or charter school staff are
 178.23 most appropriate to provide the services and supports described in paragraph (a).

178.24 (d) A school district or charter school must make available the services and supports
 178.25 included in an IEP, as described in paragraph (a), until the IEP team determines that services
 178.26 and supports are no longer necessary to address lack of progress on IEP goals or in the
 178.27 general education curriculum or loss of learning or skills due to disruptions related to the
 178.28 COVID-19 pandemic.

178.29 (e) A school district providing special education services on a shared time basis to a
 178.30 student enrolled in a nonpublic school must offer the student special education services and
 178.31 supports in accordance with this section.

178.32 (f) The commissioner may identify school district, charter school, and cooperative unit
 178.33 pandemic-related expenses incurred under this section, and if the commissioner determines
 179.1 the costs are eligible for funding using the additional funds set aside under the American

81.17 determined by the commissioner, the services and supports provided to students with
 81.18 disabilities under this section, including the cost of providing the services.

81.19 (b) In determining whether a student is eligible for services and supports described in
 81.20 paragraph (a), and what services and supports are appropriate for the student, the IEP team
 81.21 must consider, in conjunction with any other considerations advised by guidance from the
 81.22 Minnesota Department of Education or the United States Department of Education:

81.23 (1) services and supports provided to the student before the disruptions to in-person
 81.24 instruction due to COVID-19;

81.25 (2) the ability of the student to access services and supports;

81.26 (3) the student's progress toward IEP goals, including the goals in the IEP in effect before
 81.27 disruptions to in-person instruction related to COVID-19, and progress in the general
 81.28 education curriculum;

81.29 (4) the student's regression or lost skills resulting from disruptions to instruction;

81.30 (5) other significant influences on the student's ability to participate in and benefit from
 81.31 instruction as a result of COVID-19, including family loss, changed family circumstances,
 81.32 other trauma, and illness; and

82.1 (6) the types of services and supports that would benefit the student and improve the
 82.2 student's ability to benefit from school, including academic supports, behavioral supports,
 82.3 mental health supports, related services, and other services and supports.

82.4 (c) When considering how and when the services and supports described in paragraph
 82.5 (a) should be provided, the IEP team must take into account the timing and delivery method
 82.6 most appropriate for the student, such as time of day, day of the week, or time of year; and
 82.7 the availability of other services accessible to the student to address learning loss. The IEP
 82.8 team may determine that providers in addition to school district or charter school staff are
 82.9 most appropriate to provide the services and supports described in paragraph (a).

82.10 (d) A school district or charter school must make available the services and supports
 82.11 included in an IEP, as described in paragraph (a), until the IEP team determines that services
 82.12 and supports are no longer necessary to address lack of progress on IEP goals or in the
 82.13 general education curriculum or loss of learning or skills due to disruptions due to COVID-19.

82.14 (e) A school district or charter school may use federal funds to comply with this section.

179.2 Rescue Plan Act, section 2014, for the Individuals with Disabilities Education Act, the
179.3 commissioner may allocate the federal funds for 100 percent of the costs of the services
179.4 provided under this section and exclude these expenses from state special education aid
179.5 under Minnesota Statutes, sections 125A.76 and 125A.79.

179.6 **Sec. 7. THIRD-PARTY REIMBURSEMENT.**

179.7 The commissioner of education and commissioner of human services must consult with
179.8 stakeholders to identify strategies to streamline access and reimbursement for behavioral
179.9 health services for children who are enrolled in medical assistance and have individualized
179.10 education programs or individualized family services plans, and to avoid duplication of
179.11 services and procedures to the extent practicable. The commissioners must review models
179.12 used in other states and identify strategies to reduce administrative burdens for schools
179.13 while ensuring continuity of care for students accessing services when not in school. By
179.14 November 1, 2021, the commissioners must report their findings and recommendations for
179.15 statutory changes to the chairs and ranking members of the committees with jurisdiction
179.16 over early learning through grade 12 education and human services in accordance with
179.17 Minnesota Statutes, section 3.195.

179.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

179.19 **Sec. 8. APPROPRIATIONS.**

179.20 Subdivision 1. **Department of Education.** The sums indicated in this section are
179.21 appropriated from the general fund to the Department of Education for the fiscal years
179.22 designated.

179.23 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
179.24 section 125A.75:

179.25 \$ 1,844,261,000 2022

179.26 \$ 1,994,392,000 2023

179.27 The 2022 appropriation includes \$215,125,000 for 2021 and \$1,629,136,000 for 2022.

179.28 The 2023 appropriation includes \$229,335,000 for 2022 and \$1,765,057,000 for 2023.

179.29 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
179.30 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
179.31 the district boundaries for whom no district of residence can be determined:

180.1 \$ 1,818,000 2022

180.2 \$ 2,010,000 2023

82.15 **Sec. 3. REPORT ON BEHAVIORAL HEALTH SERVICES REIMBURSEMENT.**

82.16 The commissioners of education and human services shall consult with stakeholders to
82.17 identify strategies to streamline access and reimbursement for behavioral health services
82.18 for children with an individualized education program or an individualized family service
82.19 plan who are enrolled in medical assistance and, whenever possible, avoid duplication of
82.20 services and procedures. The commissioners shall identify strategies to reduce administrative
82.21 burden for schools while ensuring continuity of care for student's accessing services when
82.22 not in school and shall review models in other states. The commissioners shall provide an
82.23 update, including any recommendations for statutory changes, to the chairs and ranking
82.24 minority members of the committees with jurisdiction over kindergarten through grade 12
82.25 education and human services by November 1, 2021.

82.26 **Sec. 4. APPROPRIATIONS.**

82.27 Subdivision 1. **Department of Education.** The sums indicated in this section are
82.28 appropriated from the general fund to the Department of Education for the fiscal years
82.29 designated.

82.30 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
82.31 section 125A.75:

83.1 \$ 1,821,955,000 2022

83.2 \$ 1,942,616,000 2023

83.3 The 2022 appropriation includes \$215,125,000 for 2021 and \$1,606,830,000 for 2022.

83.4 The 2023 appropriation includes \$226,195,000 for 2022 and \$1,716,421,000 for 2023.

83.5 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
83.6 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
83.7 the district boundaries for whom no district of residence can be determined:

83.8 \$ 1,818,000 2022

83.9 \$ 2,010,000 2023

180.3 If the appropriation for either year is insufficient, the appropriation for the other year is
 180.4 available.

180.5 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
 180.6 services under Minnesota Statutes, section 125A.75, subdivision 1:

180.7 \$ 465,000 2022

180.8 \$ 512,000 2023

180.9 The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

180.10 The 2023 appropriation includes \$49,000 for 2022 and \$463,000 for 2023.

180.11 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
 180.12 districts for unreimbursed eligible expenditures attributable to children placed in the serving
 180.13 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

180.14 \$ 24,000 2022

180.15 \$ 25,000 2023

180.16 Subd. 6. **Special education out-of-state tuition.** For special education out-of-state
 180.17 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

180.18 \$ 250,000 2022

180.19 \$ 250,000 2023

83.10 If the appropriation for either year is insufficient, the appropriation for the other year is
 83.11 available.

83.12 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
 83.13 services under Minnesota Statutes, section 125A.75, subdivision 1:

83.14 \$ 465,000 2022

83.15 \$ 512,000 2023

83.16 The 2022 appropriation includes \$23,000 for 2021 and \$442,000 for 2022.

83.17 The 2023 appropriation includes \$49,000 for 2022 and \$463,000 for 2023.

83.18 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
 83.19 districts for unreimbursed eligible expenditures attributable to children placed in the serving
 83.20 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

83.21 \$ 24,000 2022

83.22 \$ 25,000 2023

83.23 Subd. 6. **Special education out-of-state tuition.** For special education out-of-state
 83.24 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

83.25 \$ 250,000 2022

83.26 \$ 250,000 2023

83.27 Subd. 7. **Clinical nursing services guidance.** For the commissioner to develop guidance
 83.28 for school districts on arranging for and accommodating clinical nursing services at school
 83.29 under Minnesota Statutes, section 121A.21:

83.30 \$ 100,000 2022

83.31 \$ 0 2023

84.1 This is a onetime appropriation.

180.20

ARTICLE 6

84.2

ARTICLE 5

180.21

HEALTH AND SAFETY

84.3

HEALTH AND SAFETY

180.22 Section 1. Minnesota Statutes 2020, section 120B.21, is amended to read:

180.23 **120B.21 MENTAL HEALTH EDUCATION.**

180.24 School districts and charter schools ~~are encouraged to~~ must provide mental health
 180.25 instruction for students in grades 4 through 12 aligned with local health education standards
 180.26 and integrated into existing programs, curriculum, or the general school environment
 180.27 activities of a district or charter school. The commissioner, in consultation with the
 180.28 commissioner of human services, commissioner of health, and mental health organizations,
 180.29 ~~must, by July 1, 2020, and July 1 of each even-numbered year thereafter,~~ provide districts
 180.30 and charter schools with resources gathered by Minnesota mental health advocates, including:

181.1 (1) age-appropriate model learning activities for grades 4 through 12 that encompass
 181.2 the mental health components of the National Health Education Standards and the
 181.3 benchmarks developed by the department's quality teaching network in health and best
 181.4 practices in mental health education; and

181.5 (2) a directory of resources for planning and implementing age-appropriate mental health
 181.6 curriculum and instruction in grades 4 through 12 that includes resources on suicide and
 181.7 self-harm prevention. A district or charter school providing instruction or presentations on
 181.8 preventing suicide or self-harm must use either the resources provided by the commissioner
 181.9 or other evidence-based instruction.

181.10 **EFFECTIVE DATE.** This section is effective July 1, 2022.

181.11 Sec. 2. Minnesota Statutes 2020, section 121A.031, subdivision 5, is amended to read:

181.12 Subd. 5. **Safe and supportive schools programming.** (a) Districts and schools ~~are~~
 181.13 ~~encouraged to~~ must provide developmentally appropriate programmatic instruction to help
 181.14 students identify, prevent, and reduce prohibited conduct; ~~value diversity in school and~~
 181.15 ~~society; develop and improve students' knowledge and skills for solving problems, managing~~
 181.16 ~~conflict, engaging in civil discourse, and recognizing, responding to, and reporting prohibited~~
 181.17 ~~conduct; and make effective prevention and intervention programs available to students.~~
 181.18 ~~Upon request, the school safety technical assistance center under section 127A.052 must~~
 181.19 ~~assist a district or school in helping students understand social media and cyberbullying.~~
 181.20 ~~Districts and schools must establish~~ by establishing strategies for creating a positive school
 181.21 climate and use evidence-based social-emotional learning to prevent and reduce
 181.22 discrimination and other improper conduct.

181.23 (b) Districts and schools ~~are encouraged to~~ must:

181.24 (1) engage all students in creating a safe and supportive school environment;

- 181.25 (2) partner with parents and other community members to develop and implement
181.26 prevention and intervention programs;
- 181.27 (3) engage all students and adults in integrating education, intervention, and other
181.28 remedial responses into the school environment;
- 181.29 (4) train student bystanders to intervene in and report incidents of prohibited conduct to
181.30 the school's primary contact person;
- 181.31 (5) teach students to advocate for themselves and others;
- 182.1 (6) prevent inappropriate referrals to special education of students who may engage in
182.2 prohibited conduct; and
- 182.3 (7) foster student collaborations that foster a safe and supportive school climate.
- 182.4 Sec. 3. Minnesota Statutes 2020, section 121A.031, subdivision 6, is amended to read:
- 182.5 Subd. 6. **State model policy.** (a) The commissioner, in consultation with the
182.6 commissioner of human rights, shall develop and maintain a state model policy. A district
182.7 or school that does not adopt and implement a local policy under subdivisions 3 to 5 must
182.8 implement and may supplement the provisions of the state model policy. The commissioner
182.9 must assist districts and schools under this subdivision to implement the state policy. The
182.10 state model policy must:
- 182.11 (1) define prohibited conduct, consistent with this section;
- 182.12 (2) apply the prohibited conduct policy components in this section;
- 182.13 (3) for a child with a disability, whenever an evaluation by an individualized education
182.14 program team or a section 504 team indicates that the child's disability affects the child's
182.15 social skills development or the child is vulnerable to prohibited conduct because of the
182.16 child's disability, the child's individualized education program or section 504 plan may
182.17 address the skills and proficiencies the child needs to not engage in and respond to such
182.18 conduct; and
- 182.19 (4) encourage violence prevention and character development education programs under
182.20 section 120B.232, subdivision 1.
- 182.21 (b) The commissioner shall develop and post departmental procedures for:
- 182.22 (1) periodically reviewing district and school programs and policies for compliance with
182.23 this section;
- 182.24 (2) investigating, reporting, and responding to noncompliance with this section, which
182.25 may include an annual review of plans to improve and provide a safe and supportive school
182.26 climate; and
- 182.27 (3) allowing students, parents, and educators to file a complaint about noncompliance
182.28 with the commissioner.

182.29 (c) The commissioner must post on the department's website information indicating that
182.30 when districts and schools allow non-curriculum-related student groups access to school
182.31 facilities, the district or school must give all student groups equal access to the school
182.32 facilities regardless of the content of the group members' speech.

183.1 (d) The commissioner must develop and maintain resources to assist a district or school
183.2 in implementing strategies for creating a positive school climate and use evidence-based
183.3 social-emotional learning to prevent and reduce discrimination and other improper conduct.

183.4 (e) The commissioner must develop and adopt state-level social-emotional learning
183.5 standards.

183.6 Sec. 4. **[121A.20] SCHOOL MENTAL HEALTH SYSTEMS.**

183.7 Mental health is defined as the social, emotional, and behavioral well-being of students.
183.8 Comprehensive school mental health systems provide an array of supports and services that
183.9 promote positive school climate, social-emotional learning, and mental health and well-being,
183.10 while reducing the prevalence and severity of mental illness. School mental health systems
183.11 are built on a strong foundation of district and school professionals, including administrators,
183.12 educators, and specialized instructional support personnel including school psychologists,
183.13 school social workers, school counselors, school nurses, and other school health professionals,
183.14 all in strategic partnership with students and families, as well as community health and
183.15 mental health partners. School mental health systems also assess and address the social and
183.16 environmental factors that impact mental health, including public policies and social norms
183.17 that shape mental health outcomes.

183.18 Sec. 5. **[121A.201] MULTI-TIERED SYSTEM OF SUPPORTS.**

183.19 The Minnesota Multi-Tiered System of Supports is a systemic, continuous improvement
183.20 framework for ensuring positive social, emotional, behavioral, developmental, and academic
183.21 outcomes for every student. The Multi-Tiered System of Supports provides access to layered
183.22 tiers of culturally and linguistically responsive, evidence-based practices. The Multi-Tiered
183.23 System of Supports framework relies on the understanding and belief that every student
183.24 can learn and thrive, and it engages an anti-racist approach to examining policies and
183.25 practices and ensuring equitable distribution of resources and opportunity. This systemic
183.26 framework requires:

183.27 (1) design and delivery of culturally and linguistically responsive, effective,
183.28 standards-based core instruction in safe, supportive environments inclusive of every student
183.29 as a necessary foundation for tiered supports;

183.30 (2) layered tiers of culturally and linguistically responsive supplemental and intensive
183.31 supports to meet each student's needs;

184.1 (3) developing collective knowledge and experience through engagement in representative
184.2 partnerships with students, education professionals, families, and communities;

184.3 (4) multidisciplinary teams of education professionals that review and use data to prevent
184.4 and solve problems, inform instruction and supports, and ensure effective implementation
184.5 in partnership with students and families;

184.6 (5) effective and timely use of meaningful, culturally relevant data disaggregated by
184.7 student groups identified in section 121A.031 that includes but is not limited to universal
184.8 screening, frequent progress monitoring, implementation fidelity, and multiple qualitative
184.9 and quantitative sources; and

184.10 (6) ongoing professional learning on the Multi-Tiered System of Supports systemic
184.11 framework using anti-racist approaches to training and coaching.

184.12 **Sec. 6. [121A.24] SEIZURE TRAINING AND ACTION PLAN.**

184.13 Subdivision 1. Seizure action plan. (a) For purposes of this section, "seizure action
184.14 plan" means a written individualized health plan designed to acknowledge and prepare for
184.15 the health care needs of a student with a seizure disorder diagnosed by the student's treating
184.16 licensed health care provider.

184.17 (b) The requirements of this subdivision apply to a school district or charter school where
184.18 an enrolled student's parent or guardian has notified the school district or charter school that
184.19 the student has a diagnosed seizure disorder and has seizure rescue medication or medication
184.20 prescribed by the student's licensed health care provider to treat seizure disorder symptoms
184.21 approved by the United States Food and Drug Administration. The parent or guardian of a
184.22 student with a diagnosed seizure disorder must collaborate with school personnel to
184.23 implement the seizure action plan.

184.24 (c) A seizure action plan must:

184.25 (1) identify a school nurse or a designated individual at each school site who is on duty
184.26 during the regular school day and can administer or assist with the administration of seizure
184.27 rescue medication or medication prescribed to treat seizure disorder symptoms approved
184.28 by the United States Food and Drug Administration;

184.29 (2) require training on seizure medications for an employee identified under clause (1),
184.30 recognition of signs and symptoms of seizures, and appropriate steps to respond to seizures;

184.31 (3) be provided to the person identified under clause (1); and

185.1 (4) be filed in the office of the school principal or licensed school nurse or, in the absence
185.2 of a licensed school nurse, a professional nurse or designated individual.

185.3 (d) A school district or charter school employee or volunteer responsible for the
185.4 supervision or care of a student with a diagnosed seizure disorder must be given notice and
185.5 a copy of the seizure action plan, the name or position of the employee identified under

84.4 **Section 1. [121A.24] SEIZURE TRAINING AND ACTION PLAN.**

84.5 Subdivision 1. Seizure action plan. (a) For purposes of this section, "seizure action
84.6 plan" means a written individualized health plan designed to acknowledge and prepare for
84.7 the health care needs of a student with a seizure disorder diagnosed by the student's treating
84.8 licensed health care provider.

84.9 (b) The requirements of this subdivision apply to a school district or charter school where
84.10 an enrolled student's parent or guardian has notified the school district or charter school that
84.11 the student has a diagnosed seizure disorder and has seizure rescue medication or medication
84.12 prescribed by the student's licensed health care provider to treat seizure disorder symptoms
84.13 approved by the United States Food and Drug Administration. The parent or guardian of a
84.14 student with a diagnosed seizure disorder must collaborate with school personnel to
84.15 implement the seizure action plan.

84.16 (c) A seizure action plan must:

84.17 (1) identify at least one employee at each school site who is on duty during the entire
84.18 school day and can administer or assist with the administration of seizure rescue medication
84.19 or medication prescribed to treat seizure disorder symptoms approved by the United States
84.20 Food and Drug Administration;

84.21 (2) require training on seizure medications for an employee identified under clause (1),
84.22 recognition of signs and symptoms of seizures, and appropriate steps to respond to seizures;
84.23 and

84.24 (3) be filed in the office of the school principal or licensed school nurse or, in the absence
84.25 of a licensed school nurse, a professional nurse or designated individual.

84.26 (d) A school district or charter school employee or volunteer responsible for the
84.27 supervision or care of a student with a diagnosed seizure disorder must be given notice and
84.28 a copy of the seizure action plan, the name of the employee identified under paragraph (c),

185.6 paragraph (c), clause (1), and the method by which the trained school employee may be
185.7 contacted in an emergency.

185.8 Subd. 2. **Training requirements.** A school district or charter school must provide all
185.9 licensed school nurses or, in the absence of a licensed school nurse, a professional nurse or
185.10 designated individual, and other school staff working with students with self-study materials
185.11 on seizure disorder signs, symptoms, medications, and appropriate responses.

185.12 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.
[SEE ARTICLE 7, SECTION 1 FOR HOUSE LANGUAGE]

185.13 Sec. 7. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

185.14 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
185.15 the meanings given:

185.16 (1) "new position" means a student support services personnel full-time or part-time
185.17 position not under contract by a school district, charter school, or cooperative unit at the
185.18 start of the 2021-2022 school year; and

185.19 (2) "student support services personnel" means an individual licensed to serve as a school
185.20 counselor, school psychologist, school social worker, school nurse, or chemical dependency
185.21 counselor in Minnesota.

185.22 Subd. 2. **Purpose.** The purpose of student support personnel aid is to:

185.23 (1) address shortages of student support services personnel within Minnesota schools;

185.24 (2) decrease caseloads for existing student support services personnel to ensure effective
185.25 services;

185.26 (3) ensure that students receive effective academic guidance and integrated and
185.27 comprehensive services to improve prekindergarten through grade 12 school outcomes and
185.28 career and college readiness;

84.29 clause (1), and the method by which the trained school employee may be contacted in an
84.30 emergency.

84.31 Subd. 2. **Training requirements.** A school district or charter school must provide all
84.32 licensed school nurses or, in the absence of a licensed school nurse, a professional nurse or
85.1 designated individual, and other school staff working with students with self-study materials
85.2 on seizure disorder signs, symptoms, medications, and appropriate responses.

85.3 Subd. 3. **Department of Health.** A school district or charter school may consult with
85.4 the commissioner of health regarding training resources to comply with the requirements
85.5 of this section.

85.6 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

85.7 Sec. 2. **[121A.336] NOTIFICATION OF ENVIRONMENTAL HAZARDS.**

85.8 Upon notification by the Department of Health or Pollution Control Agency to a school
85.9 district, charter school, or nonpublic school of environmental hazards that may affect the
85.10 health of students or school staff, the school must notify school staff, students, and parents
85.11 of the hazards as soon as practicable. The notice must include direction on how to obtain
85.12 additional information about the hazard, including any actions that may reduce potential
85.13 harm to those affected by the hazard.

- 185.29 (4) ensure that student support services personnel serve within the scope and practice
 185.30 of their training and licensure;
- 186.1 (5) fully integrate learning supports, instruction, and school management within a
 186.2 comprehensive approach that facilitates interdisciplinary collaboration; and
- 186.3 (6) improve school safety and school climate to support academic success and career
 186.4 and college readiness.
- 186.5 Subd. 3. **Aid eligibility and application.** A school district, charter school, intermediate
 186.6 school district, or other cooperative unit is eligible to apply for student support personnel
 186.7 aid under this section. The commissioner must prescribe the form and manner of the
 186.8 application, which must include a plan describing how the aid will be used.
- 186.9 Subd. 4. **Student support personnel aid.** (a) The initial student support personnel aid
 186.10 for a school district equals the greater of \$20 times the number of pupils enrolled at the
 186.11 district on October 1 of the previous fiscal year or \$31,500. The initial student support
 186.12 personnel aid for a charter school equals \$20 times the number of pupils enrolled at the
 186.13 charter school on October 1 of the previous fiscal year.
- 186.14 (b) The cooperative student support personnel aid for a school district that is a member
 186.15 of an intermediate school district or other cooperative unit that enrolls students equals \$6
 186.16 times the number of pupils enrolled at the district on October 1 of the previous fiscal year.
 186.17 If a district is a member of more than one cooperative unit that enrolls students, the revenue
 186.18 must be allocated among the cooperative units.
- 186.19 (c) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not
 186.20 exceed the district or cooperative unit's actual expenditure according to the approved plan
 186.21 under subdivision 3.
- 186.22 Subd. 5. **Allowed uses; match requirements.** (a) Aid under this section must be used
 186.23 to hire new positions for student support services personnel.
- 186.24 (b) Cooperative student support personnel aid must be transferred to the intermediate
 186.25 district or other cooperative unit of which the district is a member and used to hire new
 186.26 positions for student support services personnel at the intermediate district or cooperative
 186.27 unit.
- 186.28 (c) If a school district, charter school, or cooperative unit is not able to hire a new full-time
 186.29 equivalent position with student support personnel aid, the aid may be used for contracted
 186.30 services from individuals licensed to serve as a school counselor, school psychologist, school
 186.31 social worker, school nurse, or chemical dependency counselor in Minnesota.
- 187.1 (d) Student support personnel hired or contracted before the start of the 2021-2022 school
 187.2 year with federal funding related to COVID-19, including the American Rescue Plan, Public
 187.3 Law 117-2, is considered personnel hired for new positions.

187.4 Subd. 6. **Report required.** By February 1 following any fiscal year in which student
187.5 support personnel aid was received, a school district, charter school, or cooperative unit
187.6 must submit a written report to the commissioner indicating how the new position affected
187.7 two or more of the following measures:

- 187.8 (1) school climate;
- 187.9 (2) attendance rates;
- 187.10 (3) academic achievement;
- 187.11 (4) career and college readiness;
- 187.12 (5) postsecondary completion rates; and
- 187.13 (6) student health.

187.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

[SEE ARTICLE 7, SECTION 4 FOR HOUSE LANGUAGE]

85.14 Sec. 3. Minnesota Statutes 2020, section 126C.44, is amended to read:

85.15 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

85.16 Subdivision 1. **Safe schools revenue.** ~~(a) Each district may make a levy on all taxable~~
85.17 ~~property located within the district for the purposes specified in this section. The maximum~~
85.18 ~~amount which may be levied for all costs under this section shall be equal to \$36 multiplied~~
85.19 ~~by~~ For fiscal year 2022 and fiscal year 2023, the safe schools revenue for a school district
85.20 equals \$37 times the district's adjusted pupil units for the school year. For fiscal year 2024
85.21 and later, the safe schools revenue for a school district equals \$47 times the district's adjusted
85.22 pupil units for the school year.

85.23 Subd. 2. **Safe schools levy.** (a) For fiscal year 2022, a district's safe schools levy equals
85.24 \$36 times the district's adjusted pupil units for the school year.

85.25 (b) To obtain safe schools revenue for fiscal year 2023 and later, a district may levy an
85.26 amount not more than \$37 times the district's adjusted pupil units for the school year, times
85.27 the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to the
85.28 safe schools equalizing factor. The safe schools equalizing factor equals 60 percent of the
85.29 state average net tax capacity per adjusted pupil unit for all school districts.

85.30 Subd. 3. **Safe schools aid.** (a) Basic safe schools aid equals safe schools revenue minus
85.31 the permitted safe schools levy.

86.1 (b) Safe schools equalization aid equals the safe schools revenue minus the basic safe
86.2 schools aid minus the safe schools levy. If a school district does not levy the entire amount
86.3 permitted, the safe schools equalization aid must be reduced in proportion to the actual
86.4 amount levied.

86.5 (c) For fiscal year 2022, a district's safe schools aid equals basic safe schools aid. For
86.6 fiscal year 2023 and later, a district's safe schools aid equals basic safe schools aid plus safe
86.7 schools equalization aid.

86.8 Subd. 4. **Cooperative safe schools revenue.** In addition to the amounts in subdivision
86.9 1, the cooperative safe schools revenue for a school district that is a member of a cooperative
86.10 unit that enrolls students equals the district's adjusted pupil units for the school year, times
86.11 \$16 for fiscal year 2022, \$20 for fiscal year 2023, and \$26 for fiscal year 2024 and later.
86.12 Revenue raised under this subdivision must be transferred to the cooperative unit and be
86.13 reserved and used only for costs associated with safe schools activities authorized under
86.14 subdivision 10. For purposes of this section, "cooperative unit" has the meaning given under
86.15 section 123A.24, subdivision 2.

86.16 Subd. 5. **Cooperative safe schools levy.** (a) For fiscal year 2022, the cooperative safe
86.17 schools levy for a school district that is a member of an intermediate district may not exceed
86.18 \$15 times the adjusted pupil units of the member district. The cooperative safe schools levy
86.19 authority is in addition to a district's safe schools levy authority under subdivision 2.

86.20 (b) For fiscal year 2023 and later, the cooperative safe schools levy for a school district
86.21 that is a member of a cooperative unit that enrolls students may not exceed \$20 times the
86.22 adjusted pupil units of the member district times the lesser of one or the ratio of its adjusted
86.23 net tax capacity per adjusted pupil unit to the safe schools equalizing factor. The cooperative
86.24 safe schools levy authority is in addition to a district's safe schools levy authority under
86.25 subdivision 2.

86.26 Subd. 6. **Cooperative safe schools aid.** (a) Basic cooperative safe schools aid equals
86.27 cooperative safe schools revenue minus the permitted cooperative safe schools levy.

86.28 (b) Cooperative safe schools equalization aid equals cooperative safe schools revenue
86.29 minus basic cooperative safe schools aid minus the cooperative safe schools levy. If a school
86.30 district does not levy the entire amount permitted, the cooperative safe schools equalization
86.31 aid must be reduced in proportion to the actual amount levied.

86.32 (c) For fiscal year 2022, the cooperative safe schools aid for a school district that is a
86.33 member of a cooperative unit that enrolls students equals basic cooperative safe schools
86.34 aid. For fiscal year 2023 and later, the cooperative safe schools aid for a school district that
87.1 is a member of a cooperative unit that enrolls students equals basic cooperative safe schools
87.2 aid plus cooperative safe schools equalization aid.

87.3 Subd. 7. **Safe schools aid for charter schools.** (a) For fiscal year 2022 and fiscal year
87.4 2023, safe schools aid for a charter school equals \$37 times the adjusted pupil units for the
87.5 school year. For fiscal year 2024 and later, safe schools aid for a charter school equals \$47
87.6 times the adjusted pupil units for the school year.

87.7 (b) Safe schools aid must be reserved and used only for costs associated with safe schools
 87.8 activities authorized under subdivision 10.

87.9 **Subd. 8. Safe schools aid for nonpublic schools.** (a) For fiscal year 2022 and fiscal
 87.10 year 2023, safe schools aid for a nonpublic school, excluding a home school, equals \$37
 87.11 times enrollment for the school year. For fiscal year 2024 and later, safe schools aid for a
 87.12 nonpublic school, excluding a home school, equals \$47 times enrollment for the school
 87.13 year.

87.14 (b) Safe schools aid must be reserved and used only for costs associated with safe schools
 87.15 activities authorized under subdivision 10.

87.16 **Subd. 9. Safe schools aid for American Indian tribal contract or grant schools.** (a)
 87.17 For fiscal year 2022 and fiscal year 2023, safe schools aid for an American Indian tribal
 87.18 contract or grant school equals \$37 times enrollment for the school year. For fiscal year
 87.19 2024 and later, safe schools aid for an American Indian tribal contract or grant school equals
 87.20 \$47 times enrollment for the school year.

87.21 (b) Safe schools aid must be reserved and used only for costs associated with safe schools
 87.22 activities authorized under subdivision 10.

87.23 **Subd. 10. Uses of safe schools revenue.** ~~The proceeds of the levy~~ (a) For fiscal year
 87.24 2021 and later, safe schools revenue must be reserved and used for directly funding the
 87.25 following purposes or for reimbursing the cities and counties who contract with the district
 87.26 for the following purposes:

87.27 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
 87.28 officers and sheriffs for liaison in services in the district's schools;

87.29 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,
 87.30 subdivision 3, paragraph (e), in the elementary schools;

87.31 (3) to pay the costs for a gang resistance education training curriculum in the district's
 87.32 schools;

88.1 (4) to pay the costs for security in the district's schools and on school property;

88.2 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
 88.3 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
 88.4 school district;

88.5 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
 88.6 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
 88.7 counselors to help provide early responses to problems;

88.8 (7) to pay for facility security enhancements including laminated glass, public
 88.9 announcement systems, emergency communications devices, and equipment and facility
 88.10 modifications related to violence prevention and facility security;

88.11 (8) to pay for costs associated with improving the school climate; ~~or~~

88.12 (9) to pay costs for colocating and collaborating with mental health professionals who
 88.13 are not district employees or contractors or for school-linked mental health services delivered
 88.14 by telemedicine; or

88.15 (10) to pay for the costs of enhancing cybersecurity in the district's information system.

88.16 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt
 88.17 to contract for services to be provided by peace officers or sheriffs with the police department
 88.18 of each city or the sheriff's department of the county within the district containing the school
 88.19 receiving the services. If a local police department or a county sheriff's department does
 88.20 not wish to provide the necessary services, the district may contract for these services with
 88.21 any other police or sheriff's department located entirely or partially within the school district's
 88.22 boundaries.

88.23 (c) ~~A school district that is a member of an intermediate school district may include in~~
 88.24 ~~its authority under this section the costs associated with safe schools activities authorized~~
 88.25 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~
 88.26 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~
 88.27 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~
 88.28 ~~be transferred to the intermediate school district. A school district, charter school, or~~
 88.29 ~~cooperative unit receiving revenue under this section must annually report safe schools~~
 88.30 ~~expenditures to the commissioner, in the form and manner specified by the commissioner.~~
 88.31 The report must conform to uniform financial and reporting standards established for this
 88.32 purpose and provide a breakdown by functional area.

89.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later,
 89.2 except that subdivision 10 is effective the day following final enactment.

89.3 Sec. 4. **APPROPRIATIONS.**

89.4 Subdivision 1. **Department of Education.** The sums indicated in this section are
 89.5 appropriated from the general fund to the Department of Education for the fiscal years
 89.6 designated.

187.15 Sec. 8. **APPROPRIATIONS.**

187.16 Subdivision 1. **Department of Education.** The sums indicated in this section are
 187.17 appropriated from the general fund to the Department of Education in the fiscal years
 187.18 designated.

187.19 Subd. 2. **Student support personnel aid.** For aid to support schools in addressing
 187.20 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

187.21 \$ 17,223,000 2023

187.22 Subd. 3. **Subd. 3. Suicide prevention training for teachers.** (a) For transfer to the commissioner
187.23 of health for a grant to a nationally recognized provider of evidence-based online training
187.24 on suicide prevention and engagement of students experiencing mental distress:

187.25 \$ 265,000 2022

187.26 (b) Training funded by the grant must be accessible to teachers in every school district,
187.27 charter school, intermediate school district, service cooperative, and Tribal school in
187.28 Minnesota.

187.29 (c) The grant recipient must report to the commissioner of health the number of teachers
187.30 completing the online training, average length of time to complete training, and length of
188.1 average stay using the online training. The commissioner must survey online training users
188.2 to determine their perception of the online training. By January 8, 2023, the commissioner
188.3 must report the grant recipient's information and the survey results to the chairs and ranking
188.4 minority members of the legislative committees with jurisdiction over kindergarten through
188.5 grade 12 education and suicide prevention.

188.6 (d) This is a onetime appropriation and is available until June 30, 2023.

188.7 Subd. 4. **Subd. 4. Equity diversity and inclusion trauma-informed grants.** (a) For grants to
188.8 districts and charter schools to implement professional development for staff focused on
188.9 trauma-informed practices:

188.10 \$ 6,000,000 2022

188.11 \$ 6,000,000 2023

188.12 (b) The department must develop best practices and other resources for trauma-informed
188.13 practices.

188.14 (c) Eligible grantees include school districts, charter schools, intermediate school districts,
188.15 and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2.

188.16 (d) The department may retain up to five percent of the appropriation for the
188.17 administration of the program and grants.

89.7 Subd. 2. **Subd. 2. Safe schools aid.** For safe schools aid under Minnesota Statutes, section
89.8 126C.44:

89.9 \$ 9,489,000 2022

89.10 \$ 6,935,000 2023

89.11 The fiscal year 2022 appropriation includes \$0 for 2021 and \$9,489,000 for 2022. The
89.12 fiscal year 2023 appropriation includes \$1,055,000 for 2022 and \$5,880,000 for 2023.

89.13 Subd. 3. **Subd. 3. Suicide prevention training for teachers.** (a) For a grant to a nationally
89.14 recognized provider of evidence-based online training on suicide prevention and engagement
89.15 of students experiencing mental distress:

89.16 \$ 265,000 2022

89.17 (b) Training funded by the grant must be accessible to teachers in every school district,
89.18 charter school, intermediate school district, service cooperative, and tribal school in
89.19 Minnesota.

89.20 (c) The grant recipient must report to the commissioner of education the number of
89.21 teachers completing the online training, average length of time to complete training, and
89.22 length of average stay using the online training. The commissioner must survey online
89.23 training users to determine their perception of the online training. By January 8, 2023, the
89.24 commissioner must report the grant recipient's information and the survey results to the
89.25 chairs and ranking minority members of the legislative committees having jurisdiction over
89.26 kindergarten through grade 12 education.

89.27 (d) This is a onetime appropriation and is available until June 30, 2023.

188.18 (e) This is a onetime appropriation.

188.19 (f) Any balance in the first year does not cancel but is available in the second year.

188.20

ARTICLE 7

188.21

FACILITIES188.22 Section 1. **[121A.336] NOTIFICATION OF ENVIRONMENTAL HAZARDS.**

188.23 Upon notification by the Department of Health or Pollution Control Agency to a school
 188.24 district, charter school, or nonpublic school of environmental hazards that may affect the
 188.25 health of students or school staff, the school must notify school staff, students, and parents
 188.26 of the hazards as soon as practicable. The notice must include direction on how to obtain
 188.27 additional information about the hazard, including any actions that may reduce potential
 188.28 harm to those affected by the hazard.

188.29 Sec. 2. Minnesota Statutes 2020, section 123B.595, subdivision 3, is amended to read:

188.30 Subd. 3. **Intermediate districts and other cooperative units.** (a) Upon approval through
 188.31 the adoption of a resolution by each member district school board of an intermediate district
 189.1 or other cooperative ~~units~~ unit under section 123A.24, subdivision 2, or a joint powers
 189.2 district under section 471.59, and the approval of the commissioner of education, a school
 189.3 district may include in its authority under this section a proportionate share of the long-term
 189.4 maintenance costs of the intermediate district ~~or~~ cooperative unit, or joint powers district.
 189.5 The cooperative unit or joint powers district may issue bonds to finance the project costs
 189.6 or levy for the costs; using long-term maintenance revenue transferred from member districts
 189.7 to make debt service payments or pay project costs or, for leased facilities, pay the portion
 189.8 of lease costs attributable to the amortized cost of long-term facilities maintenance projects
 189.9 completed by the landlord. Authority under this subdivision is in addition to the authority
 189.10 for individual district projects under subdivision 1.

189.11 (b) The resolution adopted under paragraph (a) may specify which member districts will
 189.12 share the project costs under this subdivision, except that debt service payments for bonds
 189.13 issued by a cooperative unit or joint powers district to finance long-term maintenance project
 189.14 costs must be the responsibility of all member districts.

189.15 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

90.1

ARTICLE 6

90.2

FACILITIES, FUND TRANSFERS, & ACCOUNTING90.3 Sec. 2. **[121A.336] NOTIFICATION OF ENVIRONMENTAL HAZARDS.**

85.8 Upon notification by the Department of Health or Pollution Control Agency to a school
 85.9 district, charter school, or nonpublic school of environmental hazards that may affect the
 85.10 health of students or school staff, the school must notify school staff, students, and parents
 85.11 of the hazards as soon as practicable. The notice must include direction on how to obtain
 85.12 additional information about the hazard, including any actions that may reduce potential
 85.13 harm to those affected by the hazard.

(NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 5, SECTION 2)

90.3 Section 1. Minnesota Statutes 2020, section 123B.10, is amended by adding a subdivision
 90.4 to read:

90.5 Subd. 5. **Consulting fees.** The board must also publish at the same time and in a
 90.6 conspicuous place on the district's official website a summary of actual expenditures by
 90.7 vendor which exceed \$25,000 for the prior fiscal year for consulting fees for professional
 90.8 services, consistent with the Uniform Financial Accounting and Reporting Standards Object
 90.9 Code 305. The summary must include a notice that the district must provide more detailed
 90.10 information upon request.

90.11 Sec. 2. Minnesota Statutes 2020, section 123B.595, subdivision 3, is amended to read:

90.12 Subd. 3. **Intermediate districts and other cooperative units.** (a) Upon approval through
 90.13 the adoption of a resolution by each member district school board of an intermediate district
 90.14 or other cooperative ~~units~~ unit under section 123A.24, subdivision 2, or a joint powers
 90.15 district under section 471.59, and the approval of the commissioner of education, a school
 90.16 district may include in its authority under this section a proportionate share of the long-term
 90.17 maintenance costs of the intermediate district ~~or~~ cooperative unit, or joint powers district.
 90.18 The cooperative unit or joint powers district may issue bonds to finance the project costs
 90.19 or levy for the costs; using long-term maintenance revenue transferred from member districts
 90.20 to make debt service payments or pay project costs or, for leased facilities, pay the portion
 90.21 of lease costs attributable to the amortized cost of long-term facilities maintenance projects
 90.22 completed by the landlord. Authority under this subdivision is in addition to the authority
 90.23 for individual district projects under subdivision 1.

90.24 (b) The resolution adopted under paragraph (a) may specify which member districts will
 90.25 share the project costs under this subdivision, except that debt service payments for bonds
 90.26 issued by a cooperative unit or joint powers district to finance long-term maintenance project
 90.27 costs must be the responsibility of all member districts.

90.28 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

189.16 Sec. 3. Minnesota Statutes 2020, section 126C.40, subdivision 1, is amended to read:

189.17 Subdivision 1. **To lease building or land.** (a) When an independent or a special school
189.18 district or a group of independent or special school districts finds it economically
189.19 advantageous to rent or lease a building or land for any instructional purposes or for school
189.20 storage or furniture repair, and it determines that the operating capital revenue authorized
189.21 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
189.22 commissioner for permission to make an additional capital expenditure levy for this purpose.
189.23 An application for permission to levy under this subdivision must contain financial
189.24 justification for the proposed levy, the terms and conditions of the proposed lease, and a
189.25 description of the space to be leased and its proposed use.

189.26 (b) The criteria for approval of applications to levy under this subdivision must include:
189.27 the reasonableness of the price, the appropriateness of the space to the proposed activity,
189.28 the feasibility of transporting pupils to the leased building or land, conformity of the lease
189.29 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
189.30 lease to the space needs and the financial condition of the district. The commissioner must
189.31 not authorize a levy under this subdivision in an amount greater than the cost to the district
189.32 of renting or leasing a building or land for approved purposes. The proceeds of this levy
189.33 must not be used for custodial or other maintenance services. A district may not levy under
190.1 this subdivision for the purpose of leasing or renting a district-owned building or site to
190.2 itself.

190.3 (c) For agreements finalized after July 1, 1997, a district may not levy under this
190.4 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
190.5 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
190.6 building addition or additions used primarily for regular kindergarten, elementary, or
190.7 secondary instruction that contains more than 20 percent of the square footage of the
190.8 previously existing building.

190.9 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
190.10 purpose of leasing or renting a district-owned building or site to itself only if the amount is
190.11 needed by the district to make payments required by a lease purchase agreement, installment
190.12 purchase agreement, or other deferred payments agreement authorized by law, and the levy
190.13 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
190.14 under this paragraph may be in the amount needed by the district to make payments required
190.15 by a lease purchase agreement, installment purchase agreement, or other deferred payments
190.16 agreement authorized by law, provided that any agreement include a provision giving the
190.17 school districts the right to terminate the agreement annually without penalty.

190.18 (e) The total levy under this subdivision for a district for any year must not exceed \$212
190.19 times the adjusted pupil units for the fiscal year to which the levy is attributable.

190.20 (f) For agreements for which a review and comment have been submitted to the
190.21 Department of Education after April 1, 1998, the term "instructional purpose" as used in
190.22 this subdivision excludes expenditures on stadiums.

90.29 Sec. 3. Minnesota Statutes 2020, section 126C.40, subdivision 1, is amended to read:

90.30 Subdivision 1. **To lease building or land.** (a) When an independent or a special school
90.31 district or a group of independent or special school districts finds it economically
90.32 advantageous to rent or lease a building or land for any instructional purposes or for school
91.1 storage or furniture repair, and it determines that the operating capital revenue authorized
91.2 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
91.3 commissioner for permission to make an additional capital expenditure levy for this purpose.
91.4 An application for permission to levy under this subdivision must contain financial
91.5 justification for the proposed levy, the terms and conditions of the proposed lease, and a
91.6 description of the space to be leased and its proposed use.

91.7 (b) The criteria for approval of applications to levy under this subdivision must include:
91.8 the reasonableness of the price, the appropriateness of the space to the proposed activity,
91.9 the feasibility of transporting pupils to the leased building or land, conformity of the lease
91.10 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
91.11 lease to the space needs and the financial condition of the district. The commissioner must
91.12 not authorize a levy under this subdivision in an amount greater than the cost to the district
91.13 of renting or leasing a building or land for approved purposes. The proceeds of this levy
91.14 must not be used for custodial or other maintenance services. A district may not levy under
91.15 this subdivision for the purpose of leasing or renting a district-owned building or site to
91.16 itself.

91.17 (c) For agreements finalized after July 1, 1997, a district may not levy under this
91.18 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
91.19 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
91.20 building addition or additions used primarily for regular kindergarten, elementary, or
91.21 secondary instruction that contains more than 20 percent of the square footage of the
91.22 previously existing building.

91.23 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
91.24 purpose of leasing or renting a district-owned building or site to itself only if the amount is
91.25 needed by the district to make payments required by a lease purchase agreement, installment
91.26 purchase agreement, or other deferred payments agreement authorized by law, and the levy
91.27 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
91.28 under this paragraph may be in the amount needed by the district to make payments required
91.29 by a lease purchase agreement, installment purchase agreement, or other deferred payments
91.30 agreement authorized by law, provided that any agreement include a provision giving the
91.31 school districts the right to terminate the agreement annually without penalty.

91.32 (e) The total levy under this subdivision for a district for any year must not exceed \$212
91.33 times the adjusted pupil units for the fiscal year to which the levy is attributable.

92.1 (f) For agreements for which a review and comment have been submitted to the
92.2 Department of Education after April 1, 1998, the term "instructional purpose" as used in
92.3 this subdivision excludes expenditures on stadiums.

190.23 (g) The commissioner of education may authorize a school district to exceed the limit
 190.24 in paragraph (e) if the school district petitions the commissioner for approval. The
 190.25 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
 190.26 for not more than five years if the district meets the following criteria:

190.27 (1) the school district has been experiencing pupil enrollment growth in the preceding
 190.28 five years;

190.29 (2) the purpose of the increased levy is in the long-term public interest;

190.30 (3) the purpose of the increased levy promotes colocation of government services; and

190.31 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding
 190.32 over construction of school facilities.

191.1 (h) A school district that is a member of an intermediate school district or other
 191.2 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under
 191.3 section 471.59 may include in its authority under this section the costs associated with leases
 191.4 of administrative and classroom space for ~~intermediate school district~~ programs of the
 191.5 intermediate school district or other cooperative unit under section 123A.24, subdivision
 191.6 2, or joint powers district under section 471.59. This authority must not exceed \$65 times
 191.7 the adjusted pupil units of the member districts. This authority is in addition to any other
 191.8 authority authorized under this section. The intermediate school district, other cooperative
 191.9 unit, or joint powers district may specify which member districts will levy for lease costs
 191.10 under this paragraph.

191.11 ~~(i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012~~
 191.12 ~~to 2023, a district that is a member of the "Technology and Information Education Systems"~~
 191.13 ~~data processing joint board, that finds it economically advantageous to enter into a lease~~
 191.14 ~~agreement to finance improvements to a building and land for a group of school districts~~
 191.15 ~~or special school districts for staff development purposes, may levy for its portion of lease~~
 191.16 ~~costs attributed to the district within the total levy limit in paragraph (e). The total levy~~
 191.17 ~~authority under this paragraph shall not exceed \$632,000.~~

191.18 ~~(j)~~ (i) Notwithstanding paragraph (a), a district may levy under this subdivision for the
 191.19 purpose of leasing administrative space if the district can demonstrate to the satisfaction of
 191.20 the commissioner that the lease cost for the administrative space is no greater than the lease
 191.21 cost for instructional space that the district would otherwise lease. The commissioner must
 191.22 deny this levy authority unless the district passes a resolution stating its intent to lease
 191.23 instructional space under this section if the commissioner does not grant authority under
 191.24 this paragraph. The resolution must also certify that the lease cost for administrative space
 191.25 under this paragraph is no greater than the lease cost for the district's proposed instructional
 191.26 lease.

191.27 (j) Notwithstanding paragraph (a), a district may levy under this subdivision for the
 191.28 district's proportionate share of deferred maintenance expenditures for a district-owned

92.4 (g) The commissioner of education may authorize a school district to exceed the limit
 92.5 in paragraph (e) if the school district petitions the commissioner for approval. The
 92.6 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
 92.7 for not more than five years if the district meets the following criteria:

92.8 (1) the school district has been experiencing pupil enrollment growth in the preceding
 92.9 five years;

92.10 (2) the purpose of the increased levy is in the long-term public interest;

92.11 (3) the purpose of the increased levy promotes colocation of government services; and

92.12 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding
 92.13 over construction of school facilities.

92.14 (h) A school district that is a member of an intermediate school district or other
 92.15 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under
 92.16 section 471.59 may include in its authority under this section the costs associated with leases
 92.17 of administrative and classroom space for ~~intermediate school district~~ programs of the
 92.18 intermediate school district or other cooperative unit under section 123A.24, subdivision
 92.19 2, or joint powers district under section 471.59. This authority must not exceed \$65 times
 92.20 the adjusted pupil units of the member districts. This authority is in addition to any other
 92.21 authority authorized under this section. The intermediate school district, other cooperative
 92.22 unit, or joint powers district may specify which member districts will levy for lease costs
 92.23 under this paragraph.

92.24 (i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012
 92.25 to 2023, a district that is a member of the "Technology and Information Education Systems"
 92.26 data processing joint board, that finds it economically advantageous to enter into a lease
 92.27 agreement to finance improvements to a building and land for a group of school districts
 92.28 or special school districts for staff development purposes, may levy for its portion of lease
 92.29 costs attributed to the district within the total levy limit in paragraph (e). The total levy
 92.30 authority under this paragraph shall not exceed \$632,000.

92.31 (j) Notwithstanding paragraph (a), a district may levy under this subdivision for the
 92.32 purpose of leasing administrative space if the district can demonstrate to the satisfaction of
 92.33 the commissioner that the lease cost for the administrative space is no greater than the lease
 93.1 cost for instructional space that the district would otherwise lease. The commissioner must
 93.2 deny this levy authority unless the district passes a resolution stating its intent to lease
 93.3 instructional space under this section if the commissioner does not grant authority under
 93.4 this paragraph. The resolution must also certify that the lease cost for administrative space
 93.5 under this paragraph is no greater than the lease cost for the district's proposed instructional
 93.6 lease.

93.7 (k) Notwithstanding paragraph (a), a district may levy under this subdivision for the
 93.8 district's proportionate share of deferred maintenance expenditures for a district-owned

191.29 building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint
 191.30 powers district under section 471.59 for any instructional purposes or for school storage.

191.31 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

192.1 Sec. 4. Minnesota Statutes 2020, section 126C.44, is amended to read:

192.2 **126C.44 SAFE SCHOOLS LEVY.**

192.3 (a) Each district may make a levy on all taxable property located within the district for
 192.4 the purposes specified in this section. The maximum amount which may be levied for all
 192.5 costs under this section shall be equal to \$36 multiplied by the district's adjusted pupil units
 192.6 for the school year.

93.9 building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint
 93.10 powers district under section 471.59 for any instructional purposes or for school storage.

93.11 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

85.14 Sec. 3. Minnesota Statutes 2020, section 126C.44, is amended to read:

85.15 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

85.16 ~~Subdivision 1. **Safe schools revenue.** (a) Each district may make a levy on all taxable~~
 85.17 ~~property located within the district for the purposes specified in this section. The maximum~~
 85.18 ~~amount which may be levied for all costs under this section shall be equal to \$36 multiplied~~
 85.19 ~~by For fiscal year 2022 and fiscal year 2023, the safe schools revenue for a school district~~
 85.20 ~~equals \$37 times the district's adjusted pupil units for the school year. For fiscal year 2024~~
 85.21 ~~and later, the safe schools revenue for a school district equals \$47 times the district's adjusted~~
 85.22 ~~pupil units for the school year.~~

85.23 Subd. 2. **Safe schools levy.** (a) For fiscal year 2022, a district's safe schools levy equals
 85.24 \$36 times the district's adjusted pupil units for the school year.

85.25 (b) To obtain safe schools revenue for fiscal year 2023 and later, a district may levy an
 85.26 amount not more than \$37 times the district's adjusted pupil units for the school year, times
 85.27 the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to the
 85.28 safe schools equalizing factor. The safe schools equalizing factor equals 60 percent of the
 85.29 state average net tax capacity per adjusted pupil unit for all school districts.

85.30 Subd. 3. **Safe schools aid.** (a) Basic safe schools aid equals safe schools revenue minus
 85.31 the permitted safe schools levy.

86.1 (b) Safe schools equalization aid equals the safe schools revenue minus the basic safe
 86.2 schools aid minus the safe schools levy. If a school district does not levy the entire amount
 86.3 permitted, the safe schools equalization aid must be reduced in proportion to the actual
 86.4 amount levied.

86.5 (c) For fiscal year 2022, a district's safe schools aid equals basic safe schools aid. For
 86.6 fiscal year 2023 and later, a district's safe schools aid equals basic safe schools aid plus safe
 86.7 schools equalization aid.

86.8 Subd. 4. **Cooperative safe schools revenue.** In addition to the amounts in subdivision
 86.9 1, the cooperative safe schools revenue for a school district that is a member of a cooperative
 86.10 unit that enrolls students equals the district's adjusted pupil units for the school year, times
 86.11 \$16 for fiscal year 2022, \$20 for fiscal year 2023, and \$26 for fiscal year 2024 and later.
 86.12 Revenue raised under this subdivision must be transferred to the cooperative unit and be
 86.13 reserved and used only for costs associated with safe schools activities authorized under
 86.14 subdivision 10. For purposes of this section, "cooperative unit" has the meaning given under
 86.15 section 123A.24, subdivision 2.

86.16 Subd. 5. **Cooperative safe schools levy.** (a) For fiscal year 2022, the cooperative safe
 86.17 schools levy for a school district that is a member of an intermediate district may not exceed
 86.18 \$15 times the adjusted pupil units of the member district. The cooperative safe schools levy
 86.19 authority is in addition to a district's safe schools levy authority under subdivision 2.

86.20 (b) For fiscal year 2023 and later, the cooperative safe schools levy for a school district
 86.21 that is a member of a cooperative unit that enrolls students may not exceed \$20 times the
 86.22 adjusted pupil units of the member district times the lesser of one or the ratio of its adjusted
 86.23 net tax capacity per adjusted pupil unit to the safe schools equalizing factor. The cooperative
 86.24 safe schools levy authority is in addition to a district's safe schools levy authority under
 86.25 subdivision 2.

86.26 Subd. 6. **Cooperative safe schools aid.** (a) Basic cooperative safe schools aid equals
 86.27 cooperative safe schools revenue minus the permitted cooperative safe schools levy.

86.28 (b) Cooperative safe schools equalization aid equals cooperative safe schools revenue
 86.29 minus basic cooperative safe schools aid minus the cooperative safe schools levy. If a school
 86.30 district does not levy the entire amount permitted, the cooperative safe schools equalization
 86.31 aid must be reduced in proportion to the actual amount levied.

86.32 (c) For fiscal year 2022, the cooperative safe schools aid for a school district that is a
 86.33 member of a cooperative unit that enrolls students equals basic cooperative safe schools
 86.34 aid. For fiscal year 2023 and later, the cooperative safe schools aid for a school district that
 87.1 is a member of a cooperative unit that enrolls students equals basic cooperative safe schools
 87.2 aid plus cooperative safe schools equalization aid.

87.3 Subd. 7. **Safe schools aid for charter schools.** (a) For fiscal year 2022 and fiscal year
 87.4 2023, safe schools aid for a charter school equals \$37 times the adjusted pupil units for the
 87.5 school year. For fiscal year 2024 and later, safe schools aid for a charter school equals \$47
 87.6 times the adjusted pupil units for the school year.

87.7 (b) Safe schools aid must be reserved and used only for costs associated with safe schools
 87.8 activities authorized under subdivision 10.

87.9 Subd. 8. **Safe schools aid for nonpublic schools.** (a) For fiscal year 2022 and fiscal
 87.10 year 2023, safe schools aid for a nonpublic school, excluding a home school, equals \$37
 87.11 times enrollment for the school year. For fiscal year 2024 and later, safe schools aid for a
 87.12 nonpublic school, excluding a home school, equals \$47 times enrollment for the school
 87.13 year.

87.14 (b) Safe schools aid must be reserved and used only for costs associated with safe schools
 87.15 activities authorized under subdivision 10.

87.16 Subd. 9. **Safe schools aid for American Indian tribal contract or grant schools.** (a)
 87.17 For fiscal year 2022 and fiscal year 2023, safe schools aid for an American Indian tribal
 87.18 contract or grant school equals \$37 times enrollment for the school year. For fiscal year

192.7 (b) The proceeds of the levy must be reserved and used for directly funding the following
 192.8 purposes or for reimbursing the cities and counties who contract with the district for the
 192.9 following purposes:

192.10 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
 192.11 officers and sheriffs for liaison in services in the district's schools;

192.12 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,
 192.13 subdivision 3, paragraph (e), in the elementary schools;

192.14 (3) to pay the costs for a gang resistance education training curriculum in the district's
 192.15 schools;

192.16 (4) to pay the costs for security in the district's schools and on school property;

192.17 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
 192.18 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
 192.19 school district;

192.20 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
 192.21 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
 192.22 counselors to help provide early responses to problems;

192.23 (7) to pay for facility security enhancements including laminated glass, public
 192.24 announcement systems, emergency communications devices, and equipment and facility
 192.25 modifications related to violence prevention and facility security;

192.26 (8) to pay for costs associated with improving the school climate; or

192.27 (9) to pay costs for colocating and collaborating with mental health professionals who
 192.28 are not district employees or contractors.

192.29 ~~(b)~~ (c) For expenditures under paragraph ~~(a)~~ (b), clause (1), the district must initially
 192.30 attempt to contract for services to be provided by peace officers or sheriffs with the police
 192.31 department of each city or the sheriff's department of the county within the district containing
 192.32 the school receiving the services. If a local police department or a county sheriff's department
 193.1 does not wish to provide the necessary services, the district may contract for these services
 193.2 with any other police or sheriff's department located entirely or partially within the school
 193.3 district's boundaries.

87.19 2024 and later, safe schools aid for an American Indian tribal contract or grant school equals
 87.20 \$47 times enrollment for the school year.

87.21 (b) Safe schools aid must be reserved and used only for costs associated with safe schools
 87.22 activities authorized under subdivision 10.

87.23 Subd. 10. Uses of safe schools revenue. The proceeds of the levy (a) For fiscal year
 87.24 2021 and later, safe schools revenue must be reserved and used for directly funding the
 87.25 following purposes or for reimbursing the cities and counties who contract with the district
 87.26 for the following purposes:

87.27 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
 87.28 officers and sheriffs for liaison in services in the district's schools;

87.29 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,
 87.30 subdivision 3, paragraph (e), in the elementary schools;

87.31 (3) to pay the costs for a gang resistance education training curriculum in the district's
 87.32 schools;

88.1 (4) to pay the costs for security in the district's schools and on school property;

88.2 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
 88.3 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
 88.4 school district;

88.5 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
 88.6 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
 88.7 counselors to help provide early responses to problems;

88.8 (7) to pay for facility security enhancements including laminated glass, public
 88.9 announcement systems, emergency communications devices, and equipment and facility
 88.10 modifications related to violence prevention and facility security;

88.11 (8) to pay for costs associated with improving the school climate; ~~or~~

88.12 (9) to pay costs for colocating and collaborating with mental health professionals who
 88.13 are not district employees or contractors or for school-linked mental health services delivered
 88.14 by telemedicine; or

88.15 (10) to pay for the costs of enhancing cybersecurity in the district's information system.

88.16 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt
 88.17 to contract for services to be provided by peace officers or sheriffs with the police department
 88.18 of each city or the sheriff's department of the county within the district containing the school
 88.19 receiving the services. If a local police department or a county sheriff's department does
 88.20 not wish to provide the necessary services, the district may contract for these services with
 88.21 any other police or sheriff's department located entirely or partially within the school district's
 88.22 boundaries.

193.4 ~~(e)~~ (d) A school district that is a member of an intermediate school district may include
 193.5 in its authority under this section the costs associated with safe schools activities authorized
 193.6 under paragraph ~~(a)~~ (b) for intermediate school district programs. This authority must not
 193.7 exceed \$15 times the adjusted pupil units of the member districts. This authority is in addition
 193.8 to any other authority authorized under this section. Revenue raised under this paragraph
 193.9 must be transferred to the intermediate school district.

193.10 (e) A school district or charter school receiving revenue under this section must annually
 193.11 report safe schools expenditures to the commissioner, in the form and manner specified by
 193.12 the commissioner. The report must conform to uniform financial and reporting standards
 193.13 established for this purpose and provide a breakdown by functional area.

193.14 EFFECTIVE DATE. This section is effective for revenue for fiscal year 2022 and later.

88.23 ~~(c) A school district that is a member of an intermediate school district may include in~~
 88.24 ~~its authority under this section the costs associated with safe schools activities authorized~~
 88.25 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~
 88.26 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~
 88.27 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~
 88.28 ~~be transferred to the intermediate school district. A school district, charter school, or~~
 88.29 ~~cooperative unit receiving revenue under this section must annually report safe schools~~
 88.30 ~~expenditures to the commissioner, in the form and manner specified by the commissioner.~~
 88.31 ~~The report must conform to uniform financial and reporting standards established for this~~
 88.32 ~~purpose and provide a breakdown by functional area.~~

89.1 EFFECTIVE DATE. This section is effective for revenue for fiscal year 2022 and later,
 89.2 except that subdivision 10 is effective the day following final enactment.

(NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 5, SECTION 3)

93.12 Sec. 4. Laws 2020, chapter 116, article 3, section 8, is amended to read:
 93.13 Sec. 8. **FUND TRANSFERS; FOR FISCAL YEARS 2020 AND 2021 ONLY;**
 93.14 **REVENUE REDIRECTION FISCAL YEAR 2021 ONLY.**

93.15 Subdivision 1. **Fund and account transfers allowed.** Notwithstanding Minnesota
 93.16 Statutes, section 123B.80, subdivision 3, for fiscal years 2020 and 2021 only, a school
 93.17 district, charter school, or cooperative unit may transfer any funds not already assigned to
 93.18 or encumbered by staff salary and benefits, or otherwise encumbered by federal law, from
 93.19 any accounts or operating fund to the undesignated balance in any other operating fund.

93.20 Subd. 1a. **Redirected revenue uses.** Notwithstanding any law to the contrary, for fiscal
 93.21 year 2021 only, a school district may redirect any reserved or restricted revenue to another
 93.22 use upon adoption of a written resolution of the school board. This authority applies to any
 93.23 funds not already assigned to or encumbered by staff salary and benefits, or otherwise
 93.24 encumbered by federal law.

93.25 Subd. 2. **No aid or levy effect.** A fund ~~or~~ transfer, account transfer, or redirection of
 93.26 revenue is allowed under this section if the transfer or revenue redirection does not increase
 93.27 state aid obligations to the district or school, or result in additional property tax authority
 93.28 for the district. Redirected revenue, a fund transfer, or an account transfer is limited to the
 93.29 operating funds and accounts of a school district, charter school, or cooperative unit.

93.30 Subd. 3. **Board approval required; reporting; audit trail.** (a) A fund or account
 93.31 transfer under this section for fiscal year 2020 is effective June 30, 2020, and a fund or
 93.32 account transfer under this section for fiscal year 2021 is effective June 30, 2021. The school
 94.1 board must approve any fund or account transfer before the reporting deadline for the
 94.2 respective fiscal year.

94.3 (b) A school board that redirects reserved or restricted revenue or uses revenue for a
 94.4 different purpose than the specific purposes listed in statute for that revenue must adopt a

193.15 Sec. 5. APPROPRIATIONS.

193.16 Subdivision 1. Department of Education. The sums indicated in this section are
193.17 appropriated from the general fund to the Department of Education for the fiscal years
193.18 designated.

193.19 Subd. 2. Debt service equalization aid. For debt service equalization aid under
193.20 Minnesota Statutes, section 123B.53, subdivision 6:

193.21 \$ 25,001,000 2022

193.22 \$ 24,286,000 2023

193.23 The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

193.24 The 2023 appropriation includes \$2,371,000 for 2022 and \$21,915,000 for 2023.

193.25 Subd. 3. Long-term facilities maintenance equalized aid. For long-term facilities
193.26 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

193.27 \$ 108,582,000 2022

193.28 \$ 111,077,000 2023

193.29 The 2022 appropriation includes \$10,660,000 for 2021 and \$97,922,000 for 2022.

193.30 The 2023 appropriation includes \$10,880,000 for 2022 and \$100,197,000 for 2023.

194.1 Subd. 4. Equity in telecommunications access. (a) For equity in telecommunications
194.2 access:

94.5 written resolution outlining the purpose for, and specifying the amount of, funds that are
94.6 redirected.

94.7 (c) A school district, charter school, or cooperative unit must maintain accounting records
94.8 for the purposes of this section that are sufficient to document both the specific funds
94.9 transferred or redirected and use of those funds. The accounting records are subject to auditor
94.10 review. Any execution of flexibility must not interfere with or jeopardize funding per federal
94.11 requirements. Any transfer or redirection of funds must not interfere with the equitable
94.12 delivery of distance learning or social distancing models.

94.13 Subd. 4. Commissioner's guidance. The commissioner must prepare and post to the
94.14 department's website a document providing guidance on the process for approval of fund
94.15 and account balance transfers authorized under this section.

94.16 EFFECTIVE DATE. This section is effective the day following final enactment.

94.17 Sec. 5. APPROPRIATIONS.

94.18 Subdivision 1. Department of Education. The sums indicated in this section are
94.19 appropriated from the general fund to the Department of Education for the fiscal years
94.20 designated.

94.21 Subd. 2. Debt service equalization aid. For debt service equalization aid under
94.22 Minnesota Statutes, section 123B.53, subdivision 6:

94.23 \$ 25,001,000 2022

94.24 \$ 24,286,000 2023

94.25 The 2022 appropriation includes \$2,588,000 for 2021 and \$22,413,000 for 2022.

94.26 The 2023 appropriation includes \$2,490,000 for 2022 and \$21,796,000 for 2023.

94.27 Subd. 3. Long-term facilities maintenance equalized aid. For long-term facilities
94.28 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

94.29 \$ 108,468,000 2022

94.30 \$ 110,899,000 2023

94.31 The 2022 appropriation includes \$10,660,000 for 2021 and \$97,808,000 for 2022.

95.1 The 2023 appropriation includes \$10,867,000 for 2022 and \$100,032,000 for 2023.

95.2 Subd. 4. Equity in telecommunications access. (a) For equity in telecommunications
95.3 access:

194.3 \$ 3,750,000 2022

194.4 \$ 3,750,000 2023

194.5 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
194.6 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
194.7 revenue for fiscal years 2022 and 2023 shall be prorated.

194.8 (c) Any balance in the first year does not cancel but is available in the second year.

194.9 Subd. 5. Maximum effort loan aid. For aid payments to schools under Minnesota
194.10 Statutes, section 477A.09.

194.11 \$ 3,288,000 2022

194.12 \$ 0 2023

194.13 The base for fiscal year 2024 is \$0.

95.4 \$ 3,750,000 2022

95.5 \$ 3,750,000 2023

95.6 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
95.7 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
95.8 revenue for fiscal years 2022 and 2023 shall be prorated.

95.9 (c) Any balance in the first year does not cancel but is available in the second year.

95.10 Subd. 5. Maximum effort loan aid. For aid payments to schools under Minnesota
95.11 Statutes, section 477A.09.

95.12 \$ 3,288,000 2022

95.13 \$ 0 2023

95.14 The base for fiscal year 2024 is \$0.

194.14

ARTICLE 8

194.15

NUTRITION AND LIBRARIES

194.16 Section 1. Minnesota Statutes 2020, section 124D.111, is amended to read:

194.17 **124D.111 SCHOOL MEAL POLICY; LUNCH AID; FOOD SERVICE**
 194.18 **ACCOUNTING.**

194.19 Subdivision 1. ~~School lunch aid computation meal policy.~~ (a) Each Minnesota sponsor
 194.20 of the national school lunch program or school breakfast program must adopt and post to
 194.21 its website, or the website of the organization where the meal is served, a school meal policy.
 194.22 The policy must:

194.23 (1) be in writing, accessible in multiple languages, and clearly communicate student
 194.24 meal charges when payment cannot be collected at the point of service;

194.25 (2) be reasonable and well-defined and maintain the dignity of students by prohibiting
 194.26 lunch shaming or otherwise ostracizing any student;

194.27 (3) address whether the sponsor uses a collection agency to collect unpaid school meal
 194.28 debt;

194.29 (4) require any communication to collect unpaid school meal debt be done by school
 194.30 staff trained on the school district's policy on collecting student meal debt;

195.1 (5) require that all communication relating to school meal debt be delivered only to a
 195.2 student's parent or guardian and not directly to the student;

195.3 (6) ensure that once a sponsor has placed a meal on a tray or otherwise served a
 195.4 reimbursable meal to a student, the meal may not be subsequently withdrawn from the
 195.5 student by the cashier or other school official because the student has outstanding meal
 195.6 debt;

195.7 (7) ensure that a student who has been determined eligible for free and reduced-price
 195.8 lunch must always be served a reimbursable meal even if the student has outstanding debt;

195.9 (8) provide the third-party provider with its school meal policy if the school contracts
 195.10 with a third-party provider for its meal services; and

195.11 (9) require school nutrition staff be trained on the policy.

195.12 (b) Any contract between a school and a third-party provider of meal services entered
 195.13 into or modified on or after July 1, 2021, must ensure that the third-party provider adheres
 195.14 to the sponsor's school meal policy.

95.15

ARTICLE 7

95.16

NUTRITION AND LIBRARIES

95.17 Section 1. Minnesota Statutes 2020, section 124D.111, is amended to read:

95.18 **124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE**
 95.19 **ACCOUNTING.**

95.20 Subdivision 1. ~~School lunch aid computation meals policies.~~ (a) Each Minnesota
 95.21 participant in the national school lunch program must adopt and post to its website, or the
 95.22 website of the organization where the meal is served, a school meals policy.

95.23 (b) The policy must be in writing and clearly communicate student meal charges when
 95.24 payment cannot be collected at the point of service. The policy must be reasonable and
 95.25 well-defined and maintain the dignity of students by prohibiting lunch shaming or otherwise
 95.26 ostracizing the student.

95.27 (c) The policy must address whether the participant uses a collections agency to collect
 95.28 unpaid school meals debt.

95.29 (d) The policy must ensure that once a participant has placed a meal on a tray or otherwise
 95.30 served the meal to a student, the meal may not be subsequently withdrawn from the student
 96.1 by the cashier or other school official, whether or not the student has an outstanding meals
 96.2 balance.

96.3 (e) The policy must ensure that a student who has been determined eligible for free and
 96.4 reduced-price lunch must always be served a reimbursable meal even if the student has an
 96.5 outstanding debt.

96.6 (f) If a school contracts with a third party for its meal services, it must provide the vendor
 96.7 with its school meals policy. Any contract between the school and a third-party provider
 96.8 entered into or modified after July 1, 2021, must ensure that the third-party provider adheres
 96.9 to the participant's school meals policy.

195.15 Subd. 1a. **School lunch aid amounts.** Each school year, the state must pay ~~participants~~
 195.16 ~~sponsors~~ in the national school lunch program the amount of 12.5 cents for each full paid
 195.17 and free student lunch and 52.5 cents for each reduced-price lunch served to students.

195.18 Subd. 2. **Application.** A school district, charter school, nonpublic school, or other
 195.19 ~~participant sponsor~~ in the national school lunch program shall apply to the department for
 195.20 this payment on forms provided by the department.

195.21 Subd. 2a. **Federal Child and Adult Care Food Program; criteria and notice.** The
 195.22 commissioner must post on the department's website eligibility criteria and application
 195.23 information for nonprofit organizations interested in applying to the commissioner for
 195.24 approval as a multisite sponsoring organization under the federal Child and Adult Care
 195.25 Food Program. The posted criteria and information must inform interested nonprofit
 195.26 organizations about:

195.27 (1) the criteria the commissioner uses to approve or disapprove an application, including
 195.28 how an applicant demonstrates financial viability for the Minnesota program, among other
 195.29 criteria;

195.30 (2) the commissioner's process and time line for notifying an applicant when its
 195.31 application is approved or disapproved and, if the application is disapproved, the explanation
 195.32 the commissioner provides to the applicant; and

196.1 (3) any appeal or other recourse available to a disapproved applicant.

196.2 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision must
 196.3 be recorded as provided in this subdivision.

196.4 (b) In each district, the expenses for a school food service program for pupils must be
 196.5 attributed to a school food service fund. Under a food service program, the school food
 196.6 service may prepare or serve milk, meals, or snacks in connection with school or community
 196.7 service activities.

196.8 (c) Revenues and expenditures for food service activities must be recorded in the food
 196.9 service fund. The costs of processing applications, accounting for meals, preparing and
 196.10 serving food, providing kitchen custodial services, and other expenses involving the preparing
 196.11 of meals or the kitchen section of the lunchroom may be charged to the food service fund
 196.12 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial
 196.13 services, lunchroom utilities, and other administrative costs of the food service program
 196.14 must be charged to the general fund.

196.15 That portion of superintendent and fiscal manager costs that can be documented as
 196.16 attributable to the food service program may be charged to the food service fund provided
 196.17 that the school district does not employ or contract with a food service director or other
 196.18 individual who manages the food service program, or food service management company.
 196.19 If the cost of the superintendent or fiscal manager is charged to the food service fund, the

96.10 Subd. 1a. **School lunch aid amounts.** Each school year, the state must pay participants
 96.11 in the national school lunch program the amount of 12.5 cents for each full paid and free
 96.12 student lunch and 52.5 cents for each reduced-price lunch served to students.

96.13 Subd. 2. **Application.** A school district, charter school, nonpublic school, or other
 96.14 participant in the national school lunch program shall apply to the department for this
 96.15 payment on forms provided by the department.

96.16 Subd. 2a. **Federal child and adult care food program; criteria and notice.** The
 96.17 commissioner must post on the department's website eligibility criteria and application
 96.18 information for nonprofit organizations interested in applying to the commissioner for
 96.19 approval as a multisite sponsoring organization under the federal child and adult care food
 96.20 program. The posted criteria and information must inform interested nonprofit organizations
 96.21 about:

96.22 (1) the criteria the commissioner uses to approve or disapprove an application, including
 96.23 how an applicant demonstrates financial viability for the Minnesota program, among other
 96.24 criteria;

96.25 (2) the commissioner's process and time line for notifying an applicant when its
 96.26 application is approved or disapproved and, if the application is disapproved, the explanation
 96.27 the commissioner provides to the applicant; and

96.28 (3) any appeal or other recourse available to a disapproved applicant.

96.29 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision must
 96.30 be recorded as provided in this subdivision.

96.31 (b) In each district, the expenses for a school food service program for pupils must be
 96.32 attributed to a school food service fund. Under a food service program, the school food
 97.1 service may prepare or serve milk, meals, or snacks in connection with school or community
 97.2 service activities.

97.3 (c) Revenues and expenditures for food service activities must be recorded in the food
 97.4 service fund. The costs of processing applications, accounting for meals, preparing and
 97.5 serving food, providing kitchen custodial services, and other expenses involving the preparing
 97.6 of meals or the kitchen section of the lunchroom may be charged to the food service fund
 97.7 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial
 97.8 services, lunchroom utilities, and other administrative costs of the food service program
 97.9 must be charged to the general fund.

97.10 That portion of superintendent and fiscal manager costs that can be documented as
 97.11 attributable to the food service program may be charged to the food service fund provided
 97.12 that the school district does not employ or contract with a food service director or other
 97.13 individual who manages the food service program, or food service management company.
 97.14 If the cost of the superintendent or fiscal manager is charged to the food service fund, the

196.20 charge must be at a wage rate not to exceed the statewide average for food service directors
196.21 as determined by the department.

196.22 (d) Capital expenditures for the purchase of food service equipment must be made from
196.23 the general fund and not the food service fund, unless the restricted balance in the food
196.24 service fund at the end of the last fiscal year is greater than the cost of the equipment to be
196.25 purchased.

196.26 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased
196.27 from the food service fund.

196.28 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
196.29 is not eliminated by revenues from food service operations in the next fiscal year, then the
196.30 deficit must be eliminated by a permanent fund transfer from the general fund at the end of
196.31 that second fiscal year. However, if a district contracts with a food service management
196.32 company during the period in which the deficit has accrued, the deficit must be eliminated
196.33 by a payment from the food service management company.

197.1 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund
197.2 for up to three years without making the permanent transfer if the district submits to the
197.3 commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at
197.4 the end of the third fiscal year.

197.5 (h) If a surplus in the food service fund exists at the end of a fiscal year for three
197.6 successive years, a district may recode for that fiscal year the costs of lunchroom supervision,
197.7 lunchroom custodial services, lunchroom utilities, and other administrative costs of the food
197.8 service program charged to the general fund according to paragraph (c) and charge those
197.9 costs to the food service fund in a total amount not to exceed the amount of surplus in the
197.10 food service fund.

197.11 Subd. 4. **No fees.** A participant sponsor that receives school lunch aid under this section
197.12 must make lunch meals available without charge and must not deny a school lunch or
197.13 breakfast to all participating students who qualify for free or reduced-price meals, whether
197.14 or not the student has an outstanding balance in the student's meal account attributable to a
197.15 la carte purchases or for any other reason. The participant sponsor must also ensure that
197.16 any reminders for payment of outstanding student meal balances do not demean or stigmatize
197.17 any child participating in the school lunch program or school breakfast program.

197.18 Subd. 5. **Respectful treatment.** (a) The sponsor must also provide meals to students in
197.19 a respectful manner according to the policy adopted under subdivision 1. The sponsor must
197.20 ensure respectful treatment of students, including but not limited to ensuring that: a meal
197.21 is not dumped in the trash; no meal that has been served is withdrawn from a student; and
197.22 no students with outstanding meals balances have their names announced or listed in a
197.23 public manner nor receive a sticker, stamp, or pinned note reminding the students of the
197.24 outstanding meals balance. The sponsor must not impose any other restriction prohibited
197.25 under section 123B.37 due to unpaid student meal debt. The sponsor must not limit a student's

97.15 charge must be at a wage rate not to exceed the statewide average for food service directors
97.16 as determined by the department.

97.17 (d) Capital expenditures for the purchase of food service equipment must be made from
97.18 the general fund and not the food service fund, unless the restricted balance in the food
97.19 service fund at the end of the last fiscal year is greater than the cost of the equipment to be
97.20 purchased.

97.21 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased
97.22 from the food service fund.

97.23 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
97.24 is not eliminated by revenues from food service operations in the next fiscal year, then the
97.25 deficit must be eliminated by a permanent fund transfer from the general fund at the end of
97.26 that second fiscal year. However, if a district contracts with a food service management
97.27 company during the period in which the deficit has accrued, the deficit must be eliminated
97.28 by a payment from the food service management company.

97.29 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund
97.30 for up to three years without making the permanent transfer if the district submits to the
97.31 commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at
97.32 the end of the third fiscal year.

97.33 (h) If a surplus in the food service fund exists at the end of a fiscal year for three
97.34 successive years, a district may recode for that fiscal year the costs of lunchroom supervision,
98.1 lunchroom custodial services, lunchroom utilities, and other administrative costs of the food
98.2 service program charged to the general fund according to paragraph (c) and charge those
98.3 costs to the food service fund in a total amount not to exceed the amount of surplus in the
98.4 food service fund.

98.5 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must
98.6 make lunch available without charge and must not deny a school lunch to all participating
98.7 students who qualify for free or reduced-price meals, whether or not that student has an
98.8 outstanding balance in the student's meals account attributable to a la carte purchases or for
98.9 any other reason.

98.10 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students
98.11 in a respectful manner according to the policy adopted under subdivision 1. The participant
98.12 must ensure that any reminders for payment of outstanding student meal balances do not
98.13 demean or stigmatize any child participating in the school lunch program-, including but
98.14 not limited to dumping meals, withdrawing a meal that has been served, announcing or
98.15 listing students' names publicly, or affixing stickers, stamps, or pins. The participant must
98.16 not impose any other restriction prohibited under section 123B.37 due to unpaid student
98.17 meal balances. The participant must not limit a student's participation in any school activities,

197.26 participation in any school activities, graduation ceremonies, field trips, athletics, activity
 197.27 clubs, or other extracurricular activities or access to materials, technology, or other items
 197.28 provided to students due to an unpaid student meal debt.

197.29 (b) If the commissioner or the commissioner's designee determines a sponsor has violated
 197.30 the requirement to provide meals to participating students in a respectful manner, the
 197.31 commissioner or the commissioner's designee must send a letter of noncompliance to the
 197.32 sponsor. The sponsor is required to respond and, if applicable, remedy the practice within
 197.33 60 days.

198.1 Subd. 6. **Definitions.** (a) For the purposes of this section, the terms defined in this
 198.2 subdivision have the meanings given.

198.3 (b) "A la carte" means a food item ordered separately from the school meal.

198.4 (c) "School meal" means a meal provided to students during the school day.

198.5 **EFFECTIVE DATE.** This section is effective July 1, 2021.

198.6 Sec. 2. Minnesota Statutes 2020, section 124D.1158, is amended to read:

198.7 **124D.1158 SCHOOL BREAKFAST PROGRAM.**

198.8 Subdivision 1. **Purpose.** The purpose of the school breakfast program is to provide
 198.9 affordable morning nutrition to children so that they can effectively learn. Public and
 198.10 nonpublic schools that participate in the federal school breakfast program may receive state
 198.11 breakfast aid. Schools shall encourage all children to eat a nutritious breakfast, either at
 198.12 home or at school, and shall work to eliminate barriers to breakfast participation at school
 198.13 such as inadequate facilities and transportation.

198.14 Subd. 2. **Program; eligibility.** Each school year, public and nonpublic schools that
 198.15 participate in the federal school breakfast program are eligible for the state breakfast program.

198.16 Subd. 3. **Program reimbursement.** Each school year, the state must reimburse each
 198.17 participating school 30 cents for each reduced-price breakfast, 55 cents for each fully paid
 198.18 breakfast served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served
 198.19 to a prekindergarten student enrolled in an approved voluntary prekindergarten program
 198.20 under section 124D.151, early childhood special education students participating in a program
 198.21 authorized under section 124D.151, or a kindergarten student.

198.22 Subd. 4. **No fees.** A school that receives school breakfast aid under this section must
 198.23 make breakfast available without charge to all participating students in grades 1 to 12 who
 198.24 qualify for free or reduced-price meals and to all prekindergarten students enrolled in an
 198.25 approved voluntary prekindergarten program under section 124D.151, early childhood
 198.26 special education students participating in a program authorized under section 124D.151,
 198.27 and all kindergarten students.

98.18 graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities
 98.19 or access to materials, technology, or other items provided to students due to an unpaid
 98.20 student meal balance.

98.21 (b) If the commissioner or the commissioner's designee determines a participant has
 98.22 violated the requirement to provide meals to participating students in a respectful manner,
 98.23 the commissioner or the commissioner's designee must send a letter of noncompliance to
 98.24 the participant. The participant is required to respond and, if applicable, remedy the practice
 98.25 within 60 days.

198.28 Sec. 3. [124D.901] SCHOOL LIBRARIES AND MEDIA CENTERS.

198.29 A school district or charter school library or school library media center provides equitable
198.30 and free access to students, teachers, and administrators. A school library or school library
198.31 media center is defined as having the following characteristics:

199.1 (1) ensures every student has equitable access to resources and is able to locate, access,
199.2 and use on-site resources that are organized and cataloged;

199.3 (2) has a collection development policy that includes but is not limited to materials
199.4 selection and de-selection, a challenged materials procedure, and an intellectual and academic
199.5 freedom statement;

199.6 (3) is housed in a central location that provides an environment for expanded learning
199.7 to meet the unique needs and interests of individual students;

199.8 (4) has technology tools and broadband access; and

199.9 (5) employs a licensed school library media specialist or licensed school librarian.

199.10 Sec. 4. [134.191] DIGITAL AND ONLINE LIBRARY DATABASE RESOURCES
199.11 FOR K-12 STUDENTS.

199.12 Subdivision 1. **Digital and online library database resources.** A school district, public
199.13 charter school, state agency, public library, or university may offer digital or online library
199.14 database resources to students in kindergarten through grade 12 only if the vendor or other
199.15 person or entity providing the resources verifies that all the resources will comply with the
199.16 provisions of subdivision 2.

199.17 Subd. 2. **Safety policies.** Digital or online library database resources offered by school
199.18 districts, public charter schools, state agencies, public libraries, or universities to students
199.19 in kindergarten through grade 12 must have safety policies and technology protection
199.20 measures that:

199.21 (1) prohibit and prevent a user of the resource from sending, receiving, viewing, or
199.22 downloading materials that are deemed to be harmful to minors, as defined in section
199.23 617.291; and

199.24 (2) filter or block access to obscene materials, materials harmful to minors, and materials
199.25 that depict the sexual exploitation of a minor, as defined in section 617.241, subdivision 1.

199.26 Subd. 3. **Payments.** Notwithstanding any contract provision to the contrary, if a provider
199.27 of digital or online library resources fails to comply with the requirements of subdivision
199.28 2, the school district, public charter school, state agency, public library, or university shall
199.29 withhold further payments, if any, to the provider pending verification of compliance.

199.30 Subd. 4. **Noncompliance.** If a provider of digital or online library database resources
199.31 fails to timely verify that the provider is in compliance with the safety policies and

200.1 requirements of subdivision 2, the school district, public charter school, state agency, public
 200.2 library, or university shall consider the provider's act of noncompliance a breach of contract.

200.3 Subd. 5. **Report.** No later than December 1 of each year, libraries shall submit to the
 200.4 legislative committees with jurisdiction over education an aggregate written report on any
 200.5 issues related to provider compliance with technology protection measures required by
 200.6 subdivision 2.

200.7 Sec. 5. Minnesota Statutes 2020, section 134.34, subdivision 1, is amended to read:

200.8 Subdivision 1. **Local support levels.** (a) Regional library basic system support aid shall
 200.9 be provided to any regional public library system where there are at least three participating
 200.10 counties and where each participating city and county is providing for public library service
 200.11 support the lesser of (a) an amount equivalent to .82 percent of the average of the adjusted
 200.12 net tax capacity of the taxable property of that city or county, as determined by the
 200.13 commissioner of revenue for the second, third, and fourth year preceding that calendar year
 200.14 or (b) a per capita amount calculated under the provisions of this subdivision. The per capita
 200.15 amount is established for calendar year 1993 as \$7.62. In succeeding calendar years, the
 200.16 per capita amount shall be increased by a percentage equal to one-half of the percentage by
 200.17 which the total state adjusted net tax capacity of property as determined by the commissioner
 200.18 of revenue for the second year preceding that calendar year increases over that total adjusted
 200.19 net tax capacity for the third year preceding that calendar year.

200.20 (b) The minimum level of support specified under this subdivision or subdivision 4 shall
 200.21 be certified annually to the participating cities and counties by the Department of Education.
 200.22 If a city or county chooses to reduce its local support in accordance with subdivision 4,
 200.23 paragraph (b) or (c), it shall notify its regional public library system. The regional public
 200.24 library system shall notify the Department of Education that a revised certification is required.
 200.25 The revised minimum level of support shall be certified to the city or county by the
 200.26 Department of Education.

200.27 (c) A city which is a part of a regional public library system shall not be required to
 200.28 provide this level of support if the property of that city is already taxable by the county for
 200.29 the support of that regional public library system. In no event shall the Department of
 200.30 Education require any city or county to provide a higher level of support than the level of
 200.31 support specified in this section in order for a system to qualify for regional library basic
 200.32 system support aid. This section shall not be construed to prohibit a city or county from
 200.33 providing a higher level of support for public libraries than the level of support specified
 200.34 in this section.

201.1 (d) The amounts required to be expended under this section are subject to the reduced
 201.2 maintenance of effort requirements in section 275.761.

201.3 Sec. 6. Minnesota Statutes 2020, section 134.355, subdivision 5, is amended to read:

201.4 Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be
 201.5 paid to each system as base aid for basic system services.

98.26 Sec. 2. Minnesota Statutes 2020, section 134.355, subdivision 5, is amended to read:

98.27 Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be
 98.28 paid to each system as base aid for basic system services.

201.6 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
 201.7 later.

201.8 Sec. 7. Minnesota Statutes 2020, section 134.355, subdivision 6, is amended to read:

201.9 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent
 201.10 of the available aid funds shall be distributed to regional public library systems based upon
 201.11 the adjusted net tax capacity per capita for each member county or participating portion of
 201.12 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is
 201.13 provided. Each system's entitlement shall be calculated as follows:

201.14 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating
 201.15 portion of a county by .0082;

201.16 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the
 201.17 amount of the county or participating portion of a county with the lowest value calculated
 201.18 according to ~~paragraph (a) clause (1)~~ to the amount of the county or participating portion
 201.19 of a county with the next highest value calculated according to ~~paragraph (a) clause (1)~~.
 201.20 Multiply the amount of the additional aid funds by the population of the county or
 201.21 participating portion of a county;

201.22 ~~(c)~~ (3) continue the process described in ~~paragraph (b) clause (2)~~ by adding sufficient
 201.23 aid funds that are available under this subdivision to the amount of a county or participating
 201.24 portion of a county with the next highest value calculated in ~~paragraph (a) clause (1)~~ to raise
 201.25 it and the amount of counties and participating portions of counties with lower values
 201.26 calculated in ~~paragraph (a) clause (1)~~ up to the amount of the county or participating portion
 201.27 of a county with the next highest value, until reaching an amount where funds available
 201.28 under this subdivision are no longer sufficient to raise the amount of a county or participating
 201.29 portion of a county and the amount of counties and participating portions of counties with
 201.30 lower values up to the amount of the next highest county or participating portion of a county;
 201.31 and

202.1 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (c) clauses (2) and~~
 202.2 ~~(3)~~ at which the remaining aid funds under this subdivision are not adequate for raising the
 202.3 amount of a county or participating portion of a county and all counties and participating
 202.4 portions of counties with amounts of lower value to the amount of the county or participating
 202.5 portion of a county with the next highest value, those funds are to be divided on a per capita
 202.6 basis for all counties or participating portions of counties that received aid funds under the
 202.7 calculation in ~~paragraphs (b) and (c) clauses (2) and (3)~~.

202.8 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
 202.9 later.

202.10 Sec. 8. Minnesota Statutes 2020, section 134.355, subdivision 7, is amended to read:

202.11 Subd. 7. **Population determination.** A regional public library system's population ~~shall~~
 202.12 be determined according to must be calculated using the most recent estimate available

98.29 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
 98.30 later.

99.1 Sec. 3. Minnesota Statutes 2020, section 134.355, subdivision 6, is amended to read:

99.2 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent
 99.3 of the available aid funds shall be distributed to regional public library systems based upon
 99.4 the adjusted net tax capacity per capita for each member county or participating portion of
 99.5 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is
 99.6 provided. Each system's entitlement shall be calculated as follows:

99.7 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating
 99.8 portion of a county by .0082;

99.9 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the
 99.10 amount of the county or participating portion of a county with the lowest value calculated
 99.11 according to ~~paragraph (a) clause (1)~~ to the amount of the county or participating portion
 99.12 of a county with the next highest value calculated according to ~~paragraph (a) clause (1)~~.
 99.13 Multiply the amount of the additional aid funds by the population of the county or
 99.14 participating portion of a county;

99.15 ~~(c)~~ (3) continue the process described in ~~paragraph (b) clause (2)~~ by adding sufficient
 99.16 aid funds that are available under this subdivision to the amount of a county or participating
 99.17 portion of a county with the next highest value calculated in ~~paragraph (a) clause (1)~~ to raise
 99.18 it and the amount of counties and participating portions of counties with lower values
 99.19 calculated in ~~paragraph (a) clause (1)~~ up to the amount of the county or participating portion
 99.20 of a county with the next highest value, until reaching an amount where funds available
 99.21 under this subdivision are no longer sufficient to raise the amount of a county or participating
 99.22 portion of a county and the amount of counties and participating portions of counties with
 99.23 lower values up to the amount of the next highest county or participating portion of a county;
 99.24 and

99.25 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (c) clauses (2) and~~
 99.26 ~~(3)~~ at which the remaining aid funds under this subdivision are not adequate for raising the
 99.27 amount of a county or participating portion of a county and all counties and participating
 99.28 portions of counties with amounts of lower value to the amount of the county or participating
 99.29 portion of a county with the next highest value, those funds are to be divided on a per capita
 99.30 basis for all counties or participating portions of counties that received aid funds under the
 99.31 calculation in ~~paragraphs (b) and (c) clauses (2) and (3)~~.

99.32 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
 99.33 later.

100.1 Sec. 4. Minnesota Statutes 2020, section 134.355, subdivision 7, is amended to read:

100.2 Subd. 7. **Population determination.** A regional public library system's population ~~shall~~
 100.3 be determined according to must be calculated using the most recent estimate available

202.13 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which
202.14 must be by April 1 in the year the calculation is made.

202.15 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
202.16 later.

202.17 Sec. 9. **COMMUNITY ELIGIBILITY PROVISION SCHOOL SITES;**
202.18 **SUPPLEMENTAL STATE FUNDING.**

202.19 (a) For fiscal year 2023 only, a school site that participates in the federal community
202.20 eligibility provision program is eligible for aid under this section.

202.21 (b) A district's community eligibility provision aid equals the greater of zero or the
202.22 difference between the federal funds under the community eligibility provision program
202.23 for lunch and breakfast for that site and the amount necessary for full reimbursement for
202.24 breakfast and lunch for that site times the proration factor.

202.25 (c) The annual community eligibility provision aid entitlement equals \$2,500,000.

202.26 (d) If aid under paragraph (c) is insufficient to cover the full cost of paragraph (b), the
202.27 amount in paragraph (b) must be proportionately reduced for each school site.

202.28 Sec. 10. **APPROPRIATIONS.**

202.29 Subdivision 1. **Department of Education.** The sums indicated in this section are
202.30 appropriated from the general fund to the Department of Education for the fiscal years
202.31 designated. Any balance in the first year does not cancel but is available in the second year.

203.1 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
203.2 and Code of Federal Regulations, title 7, section 210.17:

203.3 \$ 16,661,000 2022

203.4 \$ 16,954,000 2023

203.5 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
203.6 section 124D.1158:

203.7 \$ 12,133,000 2022

203.8 \$ 12,485,000 2023

203.9 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
203.10 section 124D.118:

100.4 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which
100.5 must be by April 1 in the year the calculation is made.

100.6 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
100.7 later.

100.8 Sec. 5. **APPROPRIATIONS.**

100.9 Subdivision 1. **Department of Education.** The sums indicated in this section are
100.10 appropriated from the general fund to the Department of Education for the fiscal years
100.11 designated. Any balance in the first year does not cancel but is available in the second year.

100.12 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
100.13 and Code of Federal Regulations, title 7, section 210.17:

100.14 \$ 16,635,000 2022

100.15 \$ 16,917,000 2023

100.16 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
100.17 section 124D.1158:

100.18 \$ 11,745,000 2022

100.19 \$ 12,090,000 2023

100.20 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
100.21 section 124D.118:

203.11 \$ 656,000 2022

203.12 \$ 658,000 2023

203.13 Subd. 5. **Summer school food service replacement.** For summer school food service
203.14 replacement aid under Minnesota Statutes, section 124D.119:

203.15 \$ 150,000 2022

203.16 \$ 150,000 2023

203.17 Subd. 6. **Community eligibility provision aid.** (a) For community eligibility provision
203.18 aid under section 8:

203.19 \$ 2,500,000 2023

203.20 (b) This is a onetime appropriation.

203.21 Subd. 7. **Basic system support.** For basic system support aid under Minnesota Statutes,
203.22 section 134.355:

203.23 \$ 15,370,000 2022

203.24 \$ 15,570,000 2023

203.25 The 2022 appropriation includes \$1,357,000 for 2021 and \$14,013,000 for 2022.

203.26 The 2023 appropriation includes \$1,557,000 for 2022 and \$14,013,000 for 2023.

203.27 Subd. 8. **Multicounty, multitype library systems.** For aid under Minnesota Statutes,
203.28 sections 134.353 and 134.354, to multicounty, multitype library systems:

203.29 \$ 1,300,000 2022

203.30 \$ 1,300,000 2023

203.31 The 2022 appropriation includes \$130,000 for 2021 and \$1,170,000 for 2022.

204.1 The 2023 appropriation includes \$130,000 for 2022 and \$1,170,000 for 2023.

204.2 Subd. 9. **Electronic library for Minnesota.** For statewide licenses to online databases
204.3 selected in cooperation with the Minnesota Office of Higher Education for school media
204.4 centers, public libraries, state government agency libraries, and public or private college or
204.5 university libraries:

100.22 \$ 656,000 2022

100.23 \$ 658,000 2023

100.24 Subd. 5. **Summer school food service replacement.** For summer school food service
100.25 replacement aid under Minnesota Statutes, section 124D.119:

100.26 \$ 150,000 2022

100.27 \$ 150,000 2023

100.28 Subd. 6. **Basic system support.** For basic system support aid under Minnesota Statutes,
100.29 section 134.355:

100.30 \$ 15,010,000 2022

100.31 \$ 15,170,000 2023

101.1 The 2022 appropriation includes \$1,357,000 for 2021 and \$13,653,000 for 2022.

101.2 The 2023 appropriation includes \$1,517,000 for 2022 and \$13,653,000 for 2023.

101.3 Subd. 7. **Multicounty, multitype library systems.** For aid under Minnesota Statutes,
101.4 sections 134.353 and 134.354, to multicounty, multitype library systems:

101.5 \$ 1,300,000 2022

101.6 \$ 1,300,000 2023

101.7 The 2022 appropriation includes \$130,000 for 2021 and \$1,170,000 for 2022.

101.8 The 2023 appropriation includes \$130,000 for 2022 and \$1,170,000 for 2023.

101.9 Subd. 8. **Electronic library for Minnesota.** For statewide licenses to online databases
101.10 selected in cooperation with the Minnesota Office of Higher Education for school media
101.11 centers, public libraries, state government agency libraries, and public or private college or
101.12 university libraries:

204.6 \$ 900,000 2022

204.7 \$ 900,000 2023

204.8 Subd. 10. Regional library telecommunications. For regional library
204.9 telecommunications aid under Minnesota Statutes, section 134.355:

204.10 \$ 2,300,000 2022

204.11 \$ 2,300,000 2023

204.12 The 2022 appropriation includes \$230,000 for 2021 and \$2,070,000 for 2022.

204.13 The 2023 appropriation includes \$230,000 for 2022 and \$2,070,000 for 2023.

101.13 \$ 900,000 2022

101.14 \$ 900,000 2023

101.15 Subd. 9. Regional library telecommunications. For regional library telecommunications
101.16 aid under Minnesota Statutes, section 134.355:

101.17 \$ 2,300,000 2022

101.18 \$ 2,300,000 2023

101.19 The 2022 appropriation includes \$230,000 for 2021 and \$2,070,000 for 2022.

101.20 The 2023 appropriation includes \$230,000 for 2022 and \$2,070,000 for 2023.

204.14

ARTICLE 9

101.21

ARTICLE 8

204.15

EARLY CHILDHOOD

101.22

EARLY CHILDHOOD

204.16 Section 1. Minnesota Statutes 2020, section 119A.52, is amended to read:

204.17 **119A.52 DISTRIBUTION OF APPROPRIATION.**

204.18 (a) The commissioner of education must distribute money appropriated for that purpose
 204.19 to federally designated Head Start programs to expand services and to serve additional
 204.20 low-income children. ~~Migrant and Indian reservation programs must be initially allocated~~
 204.21 ~~money based on the programs' share of federal funds.~~ in the following order: (1) 10.72
 204.22 percent of the total Head Start appropriation shall be allocated to federally designated Tribal
 204.23 Head Start programs; (2) the Tribal Head Start portion of the appropriation shall be allocated
 204.24 to Tribal Head Start programs based on the programs' share of federal funds; and (3) migrant
 204.25 programs must then be initially allocated funding based on the programs' share of federal
 204.26 funds. The remaining money must be initially allocated to the remaining local agencies
 204.27 based equally on the agencies' share of federal funds and on the proportion of eligible
 204.28 children in the agencies' service area who are not currently being served. A Head Start
 204.29 program must be funded at a per child rate equal to its contracted, federally funded base
 204.30 level at the start of the fiscal year. For all agencies without a federal Early Head Start rate,
 204.31 the state average federal cost per child for Early Head Start applies. In allocating funds
 204.32 under this paragraph, the commissioner of education must assure that each Head Start
 205.1 program in existence in 1993 is allocated no less funding in any fiscal year than was allocated
 205.2 to that program in fiscal year 1993. Before paying money to the programs, the commissioner
 205.3 must notify each program of its initial allocation and how the money must be used. Each
 205.4 program must present a plan under section 119A.535. For any program that cannot utilize
 205.5 its full allocation at the beginning of the fiscal year, the commissioner must reduce the
 205.6 allocation proportionately. Money available after the initial allocations are reduced must
 205.7 be redistributed to eligible programs.

205.8 (b) The commissioner must develop procedures to make payments to programs based
 205.9 upon the number of children reported to be enrolled during the required time period of
 205.10 program operations. Enrollment is defined by federal Head Start regulations. The procedures
 205.11 must include a reporting schedule, corrective action plan requirements, and financial
 205.12 consequences to be imposed on programs that do not meet full enrollment after the period
 205.13 of corrective action. Programs reporting chronic underenrollment, as defined by the
 205.14 commissioner, will have their subsequent program year allocation reduced proportionately.
 205.15 Funds made available by prorating payments and allocations to programs with reported
 205.16 underenrollment will be made available to the extent funds exist to fully enrolled Head Start
 205.17 programs through a form and manner prescribed by the department.

205.18 (c) Programs with approved innovative initiatives that target services to high-risk
 205.19 populations, including homeless families and families living in homeless shelters and
 205.20 transitional housing, are exempt from the procedures in paragraph (b). This exemption does
 205.21 not apply to entire programs. The exemption applies only to approved innovative initiatives

205.22 that target services to high-risk populations, including homeless families and families living
205.23 in homeless shelters, transitional housing, and permanent supportive housing.

205.24 Sec. 2. [122A.261] PREKINDERGARTEN, SCHOOL READINESS, PRESCHOOL,
205.25 AND EARLY EDUCATION PROGRAMS; LICENSURE REQUIREMENT.

205.26 Subdivision 1. **Licensure requirement.** A school district or charter school must employ
205.27 a qualified teacher, as defined in section 122A.16, to provide instruction in a preschool,
205.28 school readiness, school readiness plus, prekindergarten, or other school district or charter
205.29 school-based early education program.

205.30 Subd. 2. **Exemptions.** A person employed by a school district or charter school as a
205.31 teacher in an early education program during the 2020-2021 school year who does not have
205.32 a Minnesota teaching license is exempt from the licensure requirement until July 1, 2026,
205.33 or until such time as the teacher is able to obtain a Minnesota teaching license, whichever
206.1 occurs first. Notwithstanding this exemption from the licensure requirement, these individuals
206.2 are teachers under section 179A.03, subdivision 18.

206.3 Sec. 3. Minnesota Statutes 2020, section 124D.13, subdivision 2, is amended to read:

206.4 Subd. 2. **Program requirements.** (a) Early childhood family education programs are
206.5 programs for children in the period of life from birth to kindergarten, for the parents and
206.6 other relatives of these children, ~~and~~ for expectant parents, and for alloparents. To the extent
206.7 that funds are insufficient to provide programs for all children, early childhood family
206.8 education programs should emphasize programming for a child from birth to age three and
206.9 encourage parents and other relatives to involve four- and five-year-old children in school
206.10 readiness programs, and other public and nonpublic early learning programs. A district may
206.11 not limit participation to school district residents. Early childhood family education programs
206.12 must provide:

206.13 (1) programs to educate parents and other relatives about the physical, cognitive, social,
206.14 and emotional development of children and to enhance the skills of parents and other relatives
206.15 in providing for their children's learning and development;

206.16 (2) structured learning activities requiring interaction between children and their parents
206.17 or relatives;

206.18 (3) structured learning activities for children that promote children's development and
206.19 positive interaction with peers, which are held while parents or relatives attend parent
206.20 education classes;

206.21 (4) information on related community resources;

206.22 (5) information, materials, and activities that support the safety of children, including
206.23 prevention of child abuse and neglect;

- 206.24 (6) a community needs assessment that identifies new and underserved populations,
206.25 identifies child and family risk factors, particularly those that impact children's learning and
206.26 development, and assesses family and parenting education needs in the community;
- 206.27 (7) programming and services that are tailored to the needs of families and parents
206.28 prioritized in the community needs assessment; and
- 206.29 (8) information about and, if needed, assist in making arrangements for an early childhood
206.30 health and developmental screening under sections 121A.16 and 121A.17, when the child
206.31 nears the third birthday.
- 207.1 Early childhood family education programs should prioritize programming and services
207.2 for families and parents identified in the community needs assessment, particularly those
207.3 families and parents with children with the most risk factors birth to age three.
- 207.4 Early childhood family education programs are encouraged to provide parents of English
207.5 learners with translated oral and written information to monitor the program's impact on
207.6 their children's English language development, to know whether their children are progressing
207.7 in developing their English and native language proficiency, and to actively engage with
207.8 and support their children in developing their English and native language proficiency.
- 207.9 The programs must include learning experiences for children, parents, and other relatives
207.10 that promote children's early literacy and, where practicable, their native language skills
207.11 and activities for children that require substantial involvement of the children's parents or
207.12 other relatives. The program may provide parenting education programming or services to
207.13 anyone identified in the community needs assessment. Providers must review the program
207.14 periodically to assure the instruction and materials are not racially, culturally, or sexually
207.15 biased. The programs must encourage parents to be aware of practices that may affect
207.16 equitable development of children.
- 207.17 (b) For the purposes of this section, "relative" or "relatives" means noncustodial
207.18 grandparents or other persons related to a child by blood, marriage, adoption, or foster
207.19 placement, excluding parents.
- 207.20 Sec. 4. Minnesota Statutes 2020, section 124D.142, is amended to read:
- 207.21 **124D.142 QUALITY RATING AND IMPROVEMENT SYSTEM.**
- 207.22 Subdivision 1. System established. ~~(a)~~ There is established a quality rating and
207.23 improvement system (QRIS) framework, known as Parent Aware, to ensure that Minnesota's
207.24 children have access to high-quality early learning and care programs in a range of settings
207.25 so that they are fully ready for kindergarten by 2020. ~~Creation of a standards-based voluntary~~
207.26 ~~quality rating and improvement system includes:~~
- 207.27 Subd. 2. System components. The standards-based, voluntary quality rating and
207.28 improvement system includes:

- 207.29 (1) quality opportunities in order to improve the educational outcomes of children so
 207.30 that they are ready for school. ~~The;~~
- 207.31 (2) a framework ~~shall be~~ based on the Minnesota quality rating system rating tool and
 207.32 a common set of child outcome and program standards and informed by evaluation results;
- 208.1 ~~(2)~~ (3) a tool to increase the number of publicly funded and regulated early learning and
 208.2 care services in both public and private market programs that are high quality;
- 208.3 (4) voluntary participation that ensures that if a program or provider chooses to participate,
 208.4 the program or provider will be rated and may receive public funding associated with the
 208.5 rating. ~~The state shall develop a plan to link future early learning and care state funding to~~
 208.6 ~~the framework in a manner that complies with federal requirements;~~ and
- 208.7 ~~(3)~~ (5) tracking progress toward statewide access to high-quality early learning and care
 208.8 programs, progress toward the number of low-income children whose parents can access
 208.9 quality programs, and progress toward increasing the number of children who are fully
 208.10 prepared to enter kindergarten.
- 208.11 ~~(b) In planning a statewide quality rating and improvement system framework in~~
 208.12 ~~paragraph (a), the state shall use evaluation results of the Minnesota quality rating system~~
 208.13 ~~rating tool in use in fiscal year 2008 to recommend:~~
- 208.14 (1) a framework of a common set of child outcome and program standards for a voluntary
 208.15 statewide quality rating and improvement system;
- 208.16 (2) a plan to link future funding to the framework described in paragraph (a), clause (2);
 208.17 ~~and~~
- 208.18 (3) a plan for how the state will realign existing state and federal administrative resources
 208.19 to implement the voluntary quality rating and improvement system framework. The state
 208.20 shall provide the recommendation in this paragraph to the early childhood education finance
 208.21 committees of the legislature by March 15, 2011.
- 208.22 ~~(e) Prior to the creation of a statewide quality rating and improvement system in paragraph~~
 208.23 ~~(a), the state shall employ the Minnesota quality rating system rating tool in use in fiscal~~
 208.24 ~~year 2008 in the original Minnesota Early Learning Foundation pilot areas and additional~~
 208.25 ~~pilot areas supported by private or public funds with its modification as a result of the~~
 208.26 ~~evaluation results of the pilot project.~~
- 208.27 Subd. 3. **Evaluation.** (a) By February 1, 2022, the commissioner of human services
 208.28 must arrange an independent evaluation of the quality rating and improvement system's
 208.29 effectiveness and impact on:
- 208.30 (1) children's progress toward school readiness;
- 208.31 (2) the quality of the early learning and care system supply and workforce;

- 209.1 (3) parents' ability to access and use meaningful information about early learning and
209.2 care program quality; and
- 209.3 (4) providers' ability to serve children and families, particularly those from racially,
209.4 ethnically, or culturally diverse backgrounds.
- 209.5 (b) The evaluation must be performed by a staff member from another agency or a
209.6 consultant. An evaluator must have experience in program evaluation and must not be
209.7 regularly involved in implementation of the quality rating and improvement system.
- 209.8 (c) The evaluation findings, along with the commissioner's recommendations for
209.9 revisions, potential future evaluations, and plans for continuous improvement, must be
209.10 reported to the chairs and ranking members of the legislative committees with jurisdiction
209.11 over early childhood programs by December 31, 2024.
- 209.12 (d) At a minimum, the evaluation must:
- 209.13 (1) analyze the effectiveness of the quality rating and improvement system, including
209.14 but not limited to reviewing:
- 209.15 (i) whether quality indicators and measures used in the quality rating and improvement
209.16 system are consistent with evidence and research findings on early learning and care program
209.17 quality; and
- 209.18 (ii) patterns or differences in observed quality of participating early learning and care
209.19 programs in comparison to programs at other quality rating and improvement system star
209.20 rating levels and accounting for other factors;
- 209.21 (2) perform evidence-based assessments of children's developmental gains in ways that
209.22 are appropriate for children's linguistic and cultural backgrounds and are aligned with the
209.23 state early childhood indicators of progress;
- 209.24 (3) analyze the extent to which differences in developmental gains among children
209.25 correspond to the star ratings of the early learning and care programs, providing disaggregated
209.26 findings by:
- 209.27 (i) children's demographic factors, including geographic area, family income level, and
209.28 racial and ethnic groups;
- 209.29 (ii) type of provider, including family child care providers, child care centers, Head Start
209.30 and Early Head Start, and school-based early childhood providers; and
- 209.31 (iii) any other categories identified by the commissioner, in consultation with the
209.32 commissioners of health and education or entity performing the evaluation;
- 210.1 (4) analyze the accessibility for providers to participate in the quality rating and
210.2 improvement system, including ease of application and supports for a provider to receive

- 210.3 or improve a rating, and provide disaggregated findings by children's demographic factors
210.4 and type of provider, as each is defined in clause (3);
- 210.5 (5) analyze the availability of providers participating in the quality rating and
210.6 improvement system to families, and provide disaggregated findings by children's
210.7 demographic factors and type of provider, as each is defined in clause (3);
- 210.8 (6) analyze the degree to which the quality rating and improvement system does or does
210.9 not account for racial, cultural, linguistic, and ethnic diversity when measuring quality; and
- 210.10 (7) analyze the impact of financial or administrative requirements of the quality rating
210.11 and improvement system on family child care providers and child care providers serving
210.12 racially, ethnically, and culturally diverse communities.
- 210.13 (e) The evaluation must include a comparison of the quality rating and improvement
210.14 system with at least three other quality metric systems used in other states. The other metric
210.15 systems chosen must incorporate methods of assessing and monitoring developmental and
210.16 achievement benchmarks in early care and education settings to assess kindergarten readiness,
210.17 including for racially, ethnically, and culturally diverse populations.
- 210.18 Subd. 4. **Equity report.** The Department of Human Services shall conduct outreach to
210.19 a racially, ethnically, and geographically diverse group of early learning and care providers
210.20 to identify any barriers that prevent them from pursuing a Parent Aware rating. The
210.21 department shall summarize and submit the results of the outreach, along with a plan for
210.22 reducing those barriers, to the legislative committees with jurisdiction over early learning
210.23 and care programs by February 1, 2022.
- 210.24 Sec. 5. Minnesota Statutes 2020, section 124D.151, subdivision 2, is amended to read:
- 210.25 Subd. 2. **Program requirements.** (a) A voluntary prekindergarten program provider
210.26 must:
- 210.27 (1) provide instruction through play-based learning to foster children's social and
210.28 emotional development, cognitive development, physical and motor development, and
210.29 language and literacy skills, including the native language and literacy skills of English
210.30 learners, to the extent practicable;
- 210.31 (2) measure each child's cognitive and social skills using a formative measure aligned
210.32 to the state's early learning standards when the child enters and again before the child leaves
211.1 the program, screening and progress monitoring measures, and other age-appropriate versions
211.2 from the state-approved menu of kindergarten entry profile measures;
- 211.3 (3) provide comprehensive program content including the implementation of curriculum,
211.4 assessment, and instructional strategies aligned with the state early learning standards, and
211.5 kindergarten through grade 3 academic standards;

- 211.6 (4) provide instructional content and activities that are of sufficient length and intensity
 211.7 to address learning needs including offering a program with at least 350 hours of instruction
 211.8 per school year for a prekindergarten student;
- 211.9 (5) provide voluntary prekindergarten instructional staff salaries comparable to the
 211.10 salaries of local kindergarten through grade 12 instructional staff;
- 211.11 (6) coordinate appropriate kindergarten transition with families, community-based
 211.12 prekindergarten programs, and school district kindergarten programs;
- 211.13 (7) involve parents in program planning and transition planning by implementing parent
 211.14 engagement strategies that include culturally and linguistically responsive activities in
 211.15 prekindergarten through third grade that are aligned with early childhood family education
 211.16 under section 124D.13;
- 211.17 (8) coordinate with relevant community-based services, including health and social
 211.18 service agencies, to ensure children have access to comprehensive services;
- 211.19 (9) coordinate with all relevant school district programs and services including early
 211.20 childhood special education, homeless students, and English learners;
- 211.21 (10) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children
 211.22 with at least one licensed teacher;
- 211.23 (11) provide high-quality coordinated professional development, training, and coaching
 211.24 for both school district and community-based early learning providers that is informed by
 211.25 a measure of adult-child interactions and enables teachers to be highly knowledgeable in
 211.26 early childhood curriculum content, assessment, native and English language development
 211.27 programs, and instruction; and
- 211.28 (12) implement strategies that support the alignment of professional development,
 211.29 instruction, assessments, and prekindergarten through grade 3 curricula.
- 211.30 (b) A voluntary prekindergarten program must have teachers knowledgeable in early
 211.31 childhood curriculum content, assessment, native and English language programs, and
 211.32 instruction.
- 212.1 (c) Districts and charter schools must include their strategy for implementing and
 212.2 measuring the impact of their voluntary prekindergarten program under section 120B.11
 212.3 and provide results in their world's best workforce annual summary to the commissioner of
 212.4 education.
- 212.5 Sec. 6. Minnesota Statutes 2020, section 124D.151, subdivision 5, is amended to read:
- 212.6 Subd. 5. **Application process; priority for high poverty schools.** (a) ~~To qualify for~~
 212.7 ~~program approval for fiscal year 2017, a district or charter school must submit an application~~
 212.8 ~~to the commissioner by July 1, 2016. To qualify for program approval for fiscal year 2018~~
 212.9 ~~and later, a district or charter school must submit an application to the commissioner by~~

- 212.10 January 30 of the fiscal year prior to the fiscal year in which the program will be
212.11 implemented. The application must include:
- 212.12 (1) a description of the proposed program, including the number of hours per week the
212.13 program will be offered at each school site or mixed-delivery location;
- 212.14 (2) an estimate of the number of eligible children to be served in the program at each
212.15 school site or mixed-delivery location; and
- 212.16 (3) a statement of assurances signed by the superintendent or charter school director that
212.17 the proposed program meets the requirements of subdivision 2.
- 212.18 (b) The commissioner ~~must review all applications submitted for fiscal year 2017 by~~
212.19 ~~August 1, 2016, and~~ must review all applications submitted for fiscal year 2018 and later
212.20 by March 1 of the fiscal year in which the applications are received and determine whether
212.21 each application meets the requirements of paragraph (a).
- 212.22 (c) The commissioner must divide all applications for new or expanded voluntary
212.23 prekindergarten programs under this section meeting the requirements of paragraph (a) ~~and~~
212.24 ~~school readiness plus programs~~ into four groups as follows: the Minneapolis and St. Paul
212.25 school districts; other school districts located in the metropolitan equity region as defined
212.26 in section 126C.10, subdivision 28; school districts located in the rural equity region as
212.27 defined in section 126C.10, subdivision 28; and charter schools. Within each group, the
212.28 applications must be ordered by rank using a sliding scale based on the following criteria:
- 212.29 (1) concentration of kindergarten students eligible for free or reduced-price lunches by
212.30 school site on October 1 of the previous school year. A school site may contract to partner
212.31 with a community-based provider or Head Start under subdivision 3 or establish an early
212.32 childhood center and use the concentration of kindergarten students eligible for free or
212.33 reduced-price meals from a specific school site as long as those eligible children are
213.1 prioritized and guaranteed services at the mixed-delivery site or early education center. For
213.2 school district programs to be operated at locations that do not have free and reduced-price
213.3 lunch concentration data for kindergarten programs for October 1 of the previous school
213.4 year, including mixed-delivery programs, the school district average concentration of
213.5 kindergarten students eligible for free or reduced-price lunches must be used for the rank
213.6 ordering;
- 213.7 (2) presence or absence of a three- or four-star Parent Aware rated program within the
213.8 school district or close proximity of the district. School sites with the highest concentration
213.9 of kindergarten students eligible for free or reduced-price lunches that do not have a three-
213.10 or four-star Parent Aware program within the district or close proximity of the district shall
213.11 receive the highest priority, and school sites with the lowest concentration of kindergarten
213.12 students eligible for free or reduced-price lunches that have a three- or four-star Parent
213.13 Aware rated program within the district or close proximity of the district shall receive the
213.14 lowest priority; and
- 213.15 (3) whether the district has implemented a mixed delivery system.

213.16 (d) The limit on participation for the programs as specified in subdivision 6 must initially
213.17 be allocated among the four groups based on each group's percentage share of the statewide
213.18 kindergarten enrollment on October 1 of the previous school year. Within each group, the
213.19 participation limit for fiscal years 2018 and 2019 must first be allocated to school sites
213.20 approved for aid in the previous year to ensure that those sites are funded for the same
213.21 number of participants as approved for the previous year. The remainder of the participation
213.22 limit for each group must be allocated among school sites in priority order until that region's
213.23 share of the participation limit is reached. If the participation limit is not reached for all
213.24 groups, the remaining amount must be allocated to the highest priority school sites, as
213.25 designated under this section, not funded in the initial allocation on a statewide basis. For
213.26 fiscal year 2020 and later, the participation limit must first be allocated to school sites
213.27 approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year
213.28 2018 based on the statewide rankings under paragraph (c).

213.29 (e) ~~One~~ A school site or a mixed delivery site under subdivision 3 is offering a voluntary
213.30 prekindergarten or a school readiness plus program approved for aid under this subdivision;
213.31 ~~it in fiscal year 2021~~ shall remain eligible for aid if it continues to meet program
213.32 requirements, regardless of changes in the concentration of students eligible for free or
213.33 reduced-price lunches.

214.1 (f) If the total number of participants approved based on applications submitted under
214.2 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
214.3 notify all school districts and charter schools of the amount that remains available within
214.4 30 days of the initial application deadline under paragraph (a), and complete a second round
214.5 of allocations based on applications received within 60 days of the initial application deadline.

214.6 (g) Procedures for approving applications submitted under paragraph (f) shall be the
214.7 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the
214.8 highest priority school sites not funded in the initial allocation on a statewide basis.

214.9 Sec. 7. Minnesota Statutes 2020, section 124D.151, subdivision 6, is amended to read:

214.10 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
214.11 paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school
214.12 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
214.13 school district or charter school under section 126C.05, subdivision 1, paragraph (e).

214.14 (b) In reviewing applications under subdivision 5, the commissioner must limit the total
214.15 number of participants in the voluntary prekindergarten ~~and school readiness plus programs~~
214.16 ~~under Laws 2017, First Special Session chapter 5, article 8, section 9, program~~ to not more
214.17 than 7,160 participants for fiscal years 2019, 2020, and 2021, and 3,160 participants for
214.18 ~~fiscal years 2022 and later.~~

214.19 Sec. 8. Minnesota Statutes 2020, section 124D.162, is amended to read:

214.20 **124D.162 KINDERGARTEN READINESS ASSESSMENT.**

214.21 Subdivision 1. **Implementation.** (a) The commissioner of education ~~may~~ must implement
214.22 a kindergarten readiness assessment ~~representative~~ of incoming kindergartners. to:

214.23 (1) identify preparedness of a child for success in school;

214.24 (2) inform instructional decision making;

214.25 (3) improve understanding of connections between kindergarten readiness and later
214.26 academic achievement; and

214.27 (4) produce data that can assist in evaluation of the effectiveness of early childhood
214.28 programs.

214.29 (b) The commissioner must provide districts and charter schools with a process for
214.30 measuring the kindergarten readiness of incoming kindergartners on a comparable basis.

215.1 The commissioner must approve one or more measurement tools for district and charter
215.2 school use.

215.3 Subd. 2. **Assessment development.** The measurement tools used for assessment must
215.4 be based on the Department of Education Kindergarten Readiness Assessment at kindergarten
215.5 entrance study research-based, developmentally appropriate, valid and reliable, and aligned
215.6 to the state early childhood indicators of progress and kindergarten academic standards.

215.7 Subd. 3. **Reporting.** Beginning in the 2022-2023 school year, every district and charter
215.8 school must use the commissioner-provided process. Every district and charter school must
215.9 annually report kindergarten readiness results under this section to the department in the
215.10 form and manner determined by the commissioner concurrent with the district's and charter
215.11 school's world's best workforce report under section 120B.11. The commissioner must
215.12 publicly report kindergarten readiness results as part of the performance reports required
215.13 under section 120B.36 and consistent with section 120B.35, subdivision 3, paragraph (a),
215.14 clause (2).

215.15 Subd. 4. **Longitudinal data system.** Beginning with data reported on incoming
215.16 kindergartners in the 2022-2023 school year, the commissioner must integrate kindergarten
215.17 readiness data under this section into statewide longitudinal educational data systems.

215.18 Sec. 9. Minnesota Statutes 2020, section 124D.165, subdivision 2, is amended to read:

215.19 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
215.20 parents or guardians must meet the following eligibility requirements:

215.21 (1) have an eligible child; and

215.22 (2) have income equal to or less than 185 percent of federal poverty level income in the
215.23 current calendar year, or be able to document their child's current participation in the free

215.24 and reduced-price lunch program or Child and Adult Care Food Program, National School
 215.25 Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution
 215.26 Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections
 215.27 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act
 215.28 of 2007; Minnesota family investment program under chapter 256J; child care assistance
 215.29 programs under chapter 119B; the supplemental nutrition assistance program; or placement
 215.30 in foster care under section 260C.212.

215.31 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is;
 215.32 not yet five years of age on September 1 of the current school year.

215.33 ~~(1) at least three but not yet five years of age on September 1 of the current school year;~~

216.1 ~~(2) a sibling from birth to age five of a child who has been awarded a scholarship under~~
 216.2 ~~this section provided the sibling attends the same program as long as funds are available;~~

216.3 ~~(3) the child of a parent under age 21 who is pursuing a high school degree or a course~~
 216.4 ~~of study for a high school equivalency test; or~~

216.5 ~~(4) homeless, in foster care, or in need of child protective services.~~

216.6 (c) Notwithstanding the priorities outlined in subdivision 3 of this section, a child who
 216.7 has received a scholarship under this section must continue to receive a scholarship each
 216.8 year until that child is eligible for kindergarten under section 120A.20 and as long as funds
 216.9 are available.

216.10 (d) Early learning scholarships may not be counted as earned income for the purposes
 216.11 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
 216.12 family investment program under chapter 256J, child care assistance programs under chapter
 216.13 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
 216.14 2007.

216.15 (e) A child from an adjoining state whose family resides at a Minnesota address as
 216.16 assigned by the United States Postal Service, who has received developmental screening
 216.17 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
 216.18 and whose family meets the criteria of paragraph (a) is eligible for an early learning
 216.19 scholarship under this section.

216.20 Sec. 10. Minnesota Statutes 2020, section 124D.165, subdivision 3, is amended to read:

216.21 Subd. 3. **Administration.** (a) The commissioner shall establish application timelines
 216.22 and determine the schedule for awarding scholarships that meets operational needs of eligible
 216.23 families and programs. The commissioner must give highest priority to prioritize applications
 216.24 from children who as follows:

216.25 (1) first priority is children who have a parent under age 21 who is pursuing a high school
 216.26 diploma or a course of study for a high school equivalency test, are in foster care or otherwise
 216.27 in need of protection or services, or have experienced homelessness in the last 24 months,

216.28 as defined under the federal McKinney-Vento Homeless Assistance Act, United States
216.29 Code, title 42, section 11434a;

216.30 ~~(2) are in foster care or otherwise in need of protection or services; or second priority~~
216.31 is children who are from birth through age two; and

217.1 ~~(3) have experienced homelessness in the last 24 months, as defined under the federal~~
217.2 ~~McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a~~
217.3 third priority is children who are age three or four.

217.4 The commissioner may prioritize applications on additional factors including family
217.5 income, geographic location, and whether the child's family is on a waiting list for a publicly
217.6 funded program providing early education or child care services.

217.7 (b) The commissioner shall establish a target for the average scholarship amount per
217.8 child based on the results of the rate survey conducted under section 119B.02.

217.9 (c) A four-star rated program that has children eligible for a scholarship enrolled in or
217.10 on a waiting list for a program beginning in July, August, or September may notify the
217.11 commissioner, in the form and manner prescribed by the commissioner, each year of the
217.12 program's desire to enhance program services or to serve more children than current funding
217.13 provides. The commissioner may designate a predetermined number of scholarship slots
217.14 for that program and notify the program of that number. ~~For fiscal year 2018 and later, the~~
217.15 ~~statewide amount of funding directly designated by the commissioner must not exceed the~~
217.16 ~~funding directly designated for fiscal year 2017. Beginning July 1, 2016, A school district~~
217.17 ~~or Head Start program qualifying under this paragraph may use its established registration~~
217.18 ~~process to enroll scholarship recipients and may verify a scholarship recipient's family~~
217.19 ~~income in the same manner as for other program participants.~~

217.20 (d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not
217.21 been accepted and subsequently enrolled in a rated program within ~~ten~~ three months of the
217.22 awarding of the scholarship, the scholarship cancels and the recipient must reapply in order
217.23 to be eligible for another scholarship. If a family is unable to enroll in an eligible program
217.24 within three months, they may request an extension based on an established set of criteria
217.25 that would be developed under the commissioner's authority. A child may not be awarded
217.26 more than one scholarship in a 12-month period.

217.27 (e) A child who receives a scholarship who has not completed development screening
217.28 under sections 121A.16 to 121A.19 must complete that screening within 90 days of first
217.29 attending an eligible program or within 90 days after the child's third birthday if awarded
217.30 a scholarship under the age of three.

217.31 (f) For fiscal year 2017 and later, a school district or Head Start program enrolling
217.32 scholarship recipients under paragraph (c) may apply to the commissioner, in the form and
217.33 manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of
217.34 the application, the commissioner must pay each program directly for each approved

218.1 scholarship recipient enrolled under paragraph (c) according to the metered payment system
218.2 or another schedule established by the commissioner.

218.3 **Sec. 11. [124D.166] LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL**
218.4 **AND KINDERGARTEN.**

218.5 A child in a publicly funded preschool or kindergarten program may not use an
218.6 individual-use screen, such as a tablet, smartphone, or other digital media, without
218.7 engagement from a teacher or other students. This section does not apply to a child for
218.8 whom the school has in effect an individualized family service plan or an individualized
218.9 education program.

218.10 Sec. 12. Minnesota Statutes 2020, section 126C.05, subdivision 1, is amended to read:

218.11 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
218.12 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
218.13 average daily membership enrolled in the district of residence, in another district under
218.14 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
218.15 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
218.16 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
218.17 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

218.18 (a) A prekindergarten pupil with a disability who is enrolled in a program approved by
218.19 the commissioner and has an individualized education program is counted as the ratio of
218.20 the number of hours of assessment and education service to 825 times 1.0 with a minimum
218.21 average daily membership of 0.28, but not more than 1.0 pupil unit.

218.22 (b) A prekindergarten pupil who is assessed but determined not to be disabled is counted
218.23 as the ratio of the number of hours of assessment service to 825 times 1.0.

218.24 (c) A kindergarten pupil with a disability who is enrolled in a program approved by the
218.25 commissioner is counted as the ratio of the number of hours of assessment and education
218.26 services required in the fiscal year by the pupil's individualized education program to 875,
218.27 but not more than one.

218.28 (d) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled
218.29 in an approved voluntary prekindergarten program under section 124D.151 is counted as
218.30 the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil
218.31 units.

219.1 (e) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil
219.2 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
219.3 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in
219.4 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
219.5 every day kindergarten program available to all kindergarten pupils at the pupil's school.

219.6 (f) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

101.23 Section 1. **[124D.166] LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL**
101.24 **AND KINDERGARTEN.**

101.25 A child in a publicly funded preschool or kindergarten program may not use an
101.26 individual-use screen, such as a tablet, smartphone, or other digital media, without
101.27 engagement from a teacher or other students. This section does not apply to a child for
101.28 whom the school has an individualized family service plan or an individualized education
101.29 program in effect.

- 219.7 (g) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.
- 219.8 (h) A pupil who is in the postsecondary enrollment options program is counted as 1.2
219.9 pupil units.
- 219.10 ~~(i) For fiscal years 2018 through 2021, A prekindergarten pupil who:~~
- 219.11 ~~(1) is not included in paragraph (a), (b), or (d);~~
- 219.12 ~~(2) is enrolled in a school readiness plus program under Laws 2017, First Special Session~~
219.13 ~~chapter 5, article 8, section 9; and~~
- 219.14 ~~(3) has one or more of the risk factors specified by the eligibility requirements for a~~
219.15 ~~school readiness plus program;~~
- 219.16 ~~is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more~~
219.17 ~~than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same~~
219.18 ~~manner as a voluntary prekindergarten student for all general education and other school~~
219.19 ~~funding formulas.~~
- 219.20 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.
- 219.21 Sec. 13. Minnesota Statutes 2020, section 126C.05, subdivision 3, is amended to read:
- 219.22 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units for
219.23 fiscal year 1998 and thereafter must be computed according to this subdivision.
- 219.24 (a) The compensation revenue concentration percentage for each building in a district
219.25 equals the product of 100 times the ratio of:
- 219.26 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
219.27 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
219.28 previous fiscal year; to
- 219.29 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal
219.30 year.
- 220.1 (b) The compensation revenue pupil weighting factor for a building equals the lesser of
220.2 one or the quotient obtained by dividing the building's compensation revenue concentration
220.3 percentage by 80.0.
- 220.4 (c) The compensation revenue pupil units for a building equals the product of:
- 220.5 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
220.6 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
220.7 previous fiscal year; times
- 220.8 (2) the compensation revenue pupil weighting factor for the building; times
- 220.9 (3) .60.

220.10 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under
220.11 section 124D.151, charter schools, and contracted alternative programs in the first year of
220.12 operation, compensation revenue pupil units shall be computed using data for the current
220.13 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative
220.14 program begins operation after October 1, compensatory revenue pupil units shall be
220.15 computed based on pupils enrolled on an alternate date determined by the commissioner,
220.16 and the compensation revenue pupil units shall be prorated based on the ratio of the number
220.17 of days of student instruction to 170 days.

220.18 ~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued~~
220.19 ~~in fiscal year 2022 due to the reduction in the participation limit under section 124D.151,~~
220.20 ~~subdivision 6, those discontinued seats must not be used to calculate compensation revenue~~
220.21 ~~pupil units for fiscal year 2022.~~

220.22 ~~(e)~~ (e) The percentages in this subdivision must be based on the count of individual
220.23 pupils and not on a building average or minimum.

220.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

220.25 Sec. 14. **AFFORDABLE, HIGH-QUALITY EARLY CARE AND EDUCATION**
220.26 **FOR ALL FAMILIES.**

220.27 It is the goal of the state for all families to have access to affordable, high-quality early
220.28 care and education, for children from birth up to age five, that enriches, nurtures, and supports
220.29 children and their families. The goal will be achieved by:

220.30 (1) creating a system under which no family pays more than seven percent of its income
220.31 for early care and education;

221.1 (2) ensuring that a child's access to high-quality early care and education is not determined
221.2 by the child's race, income, or zip code; and

221.3 (3) increasing compensation, credentials, and professional development opportunities
221.4 for the early care and education workforce.

221.5 Sec. 15. **GREAT START FOR ALL MINNESOTA CHILDREN TASK FORCE.**

221.6 Subdivision 1. **Establishment.** The Great Start for All Minnesota Children Task Force
221.7 is established to develop strategies that will meet the goal of all families in the state having
221.8 access to affordable, high-quality early care and education, for children from birth up to
221.9 age five, that enriches, nurtures, and supports children and their families.

221.10 Subd. 2. **Membership.** (a) The task force shall consist of the following 21 voting
221.11 members, appointed by the governor or governor's designee, except as otherwise specified:

221.12 (1) two members of the house of representatives, appointed first from the majority party
221.13 by the speaker of the house and second from the minority party by the minority leader. One
221.14 of the members must represent a district outside of the seven-county metropolitan area, and

221.15 one member must represent a district that includes the seven-county metropolitan area. The
221.16 appointment by the minority leader must ensure that the requirement for geographic diversity
221.17 in appointments is met;

221.18 (2) two members of the senate, appointed first from the majority party by the majority
221.19 leader and second from the minority party by the minority leader. One of the members must
221.20 represent a district outside of the seven-county metropolitan area, and one member must
221.21 represent a district that includes the seven-county metropolitan area. The appointment by
221.22 the minority leader must ensure that the requirement for geographic diversity in appointments
221.23 is met;

221.24 (3) one individual who is the director of a licensed child care center with at least 50
221.25 percent of its enrolled children eligible for or currently receiving public assistance for early
221.26 care and education;

221.27 (4) two individuals who are license holders of family child care programs, one from
221.28 greater Minnesota and one from the seven-county metropolitan area;

221.29 (5) one individual who is both a licensed early childhood teacher and a member of a
221.30 licensed early childhood educator union;

222.1 (6) two parents of children under the age of five who are enrolled in early care and
222.2 education programs, one parent from greater Minnesota and one parent from the seven-county
222.3 metropolitan area;

222.4 (7) one representative of an organization that organizes licensed child care centers and
222.5 employees;

222.6 (8) one representative from the statewide child care resource and referral network, known
222.7 as Child Care Aware;

222.8 (9) one representative of a trade organization representing the interests of licensed child
222.9 care centers;

222.10 (10) one representative of a federally recognized Tribe;

222.11 (11) one representative from the Minnesota Association of County Social Service
222.12 Administrators;

222.13 (12) one nationally recognized expert in early care and education financing;

222.14 (13) one representative from an association representing small business interests;

222.15 (14) one representative of a statewide advocacy organization that supports and promotes
222.16 early childhood education and welfare;

222.17 (15) one representative from the Minnesota Head Start Association;

- 222.18 (16) one representative from an organization representing community education directors;
222.19 and
- 222.20 (17) one representative from the Children's Cabinet.
- 222.21 (b) One representative from each of the following state agencies shall serve as a nonvoting
222.22 member of the task force who participates in meetings and provides data and information
222.23 to the task force upon request:
- 222.24 (1) the Department of Education;
- 222.25 (2) the Department of Employment and Economic Development;
- 222.26 (3) the Department of Health;
- 222.27 (4) the Department of Human Services;
- 222.28 (5) the Department of Labor and Industry;
- 222.29 (6) the Department of Management and Budget; and
- 222.30 (7) the Department of Revenue.
- 223.1 Subd. 3. **Administration.** (a) The governor must select a chair or cochairst for the task
223.2 force from among the voting members. The first task force meeting shall be convened by
223.3 the chair or cochairst and held no later than September 1, 2021. Thereafter, the chair or
223.4 cochairst shall convene the task force at least monthly and may convene other meetings as
223.5 necessary. The chair or cochairst shall convene meetings in a manner to allow for access
223.6 from diverse geographic locations in Minnesota.
- 223.7 (b) Members of the task force shall serve without compensation.
- 223.8 (c) The commissioner of management and budget shall provide staff and administrative
223.9 services for the task force.
- 223.10 (d) The task force shall expire upon submission of the final report required under
223.11 subdivision 8.
- 223.12 (e) The duties of the task force in this section shall be transferred to an applicable state
223.13 agency if specifically authorized under law to carry out such duties.
- 223.14 (f) The task force is subject to Minnesota Statutes, chapter 13D.
- 223.15 Subd. 4. **Plan development.** (a) The task force must develop a plan to achieve the goal
223.16 outlined in subdivision 1 by 2031. The plan must incorporate strategies that:
- 223.17 (1) create a system under which no family pays more than seven percent of its income
223.18 for early care and education;

- 223.19 (2) ensure that a child's access to high-quality early care and education is not determined
223.20 by the child's race, income, or zip code; and
- 223.21 (3) increase compensation to at least a livable wage and increase professional development
223.22 and credentialing opportunities for the early care and education workforce, which includes
223.23 but is not limited to early educators working in Head Start, family child care programs,
223.24 child care centers, school-based programs, and early childhood special education.
- 223.25 (b) Development of the strategies must incorporate or otherwise take into account the
223.26 factors identified in subdivisions 5 and 6.
- 223.27 Subd. 5. **Affordable, high-quality early care and education.** In developing the plan
223.28 under subdivision 4, the task force must:
- 223.29 (1) identify the benefit mechanisms, financing mechanisms, and infrastructure under
223.30 which families will access financial assistance so early care and education is affordable;
- 223.31 (2) describe how the plan will be administered, including the roles for state agencies,
223.32 local government agencies, and community-based organizations;
- 224.1 (3) describe how the plan will maintain and encourage the further development of
224.2 Minnesota's mixed-delivery system for early care and education;
- 224.3 (4) consider the recommendations from previous work including the Transforming
224.4 Minnesota's Early Childhood Workforce project;
- 224.5 (5) consider how provider payment rates will be determined and updated under a seven
224.6 percent cap; and
- 224.7 (6) consider how the state can develop and implement diverse methods of assessing and
224.8 monitoring developmental and achievement benchmarks in early care and education settings
224.9 to assess kindergarten readiness.
- 224.10 Subd. 6. **Workforce compensation.** In developing the plan under subdivision 4, the
224.11 task force must:
- 224.12 (1) endeavor to preserve and increase racial and ethnic equity and diversity in the early
224.13 care and education workforce and recognize the value of cultural competency and
224.14 multilingualism;
- 224.15 (2) include a salary floor that supports recruitment and retention of a qualified workforce
224.16 in every early care and education setting;
- 224.17 (3) consider the need for and development of a mechanism that ties provider
224.18 reimbursement rates to employee compensation;
- 224.19 (4) consider how compensation standards for early educators will apply at both child
224.20 care centers and family child care programs;

- 224.21 (5) increase compensation to incentivize advancements in relevant higher education
224.22 credentials, training, years of experience, and credential equivalencies, including certified
224.23 demonstrations of competencies developed through apprenticeships, peer learning models,
224.24 and community-based training; and
- 224.25 (6) set compensation for the early care and education workforce by reference to
224.26 compensation for licensed elementary school teachers, and consider differentiating base
224.27 compensation for:
- 224.28 (i) varying levels of responsibility, including but not limited to center directors, assistant
224.29 directors, lead teachers, assistant teachers, paraprofessionals, family child care license
224.30 holders, second adult caregivers, substitutes, and helpers; and
- 224.31 (ii) different geographic areas of the state.
- 225.1 Subd. 7. **Implementation timeline.** The task force must develop an implementation
225.2 timeline for the plan developed under subdivision 4 that phases in the plan over a period of
225.3 no more than six years, beginning in July 2025 and finishing no later than July 2031. In
225.4 developing the implementation timeline, the task force must consider:
- 225.5 (1) how to simultaneously apply the seven percent cap to as many families as possible
225.6 while minimizing disruptions in the availability and cost of currently available early care
225.7 and education arrangements;
- 225.8 (2) the capacity for the state to increase the availability of different types of early care
225.9 and education settings from which a family may choose;
- 225.10 (3) how the inability to afford and access early care and education settings
225.11 disproportionately affects certain populations; and
- 225.12 (4) how to provide additional targeted investments for early care and education providers
225.13 serving a high proportion of families currently eligible for or receiving public assistance
225.14 for early care and education.
- 225.15 Subd. 8. **Required reports.** By July 1, 2022, the task force must submit to the governor
225.16 and legislative committees with jurisdiction over early childhood programs preliminary
225.17 findings and draft implementation plans pursuant to the plan required under subdivision 4.
225.18 By February 1, 2023, the task force must submit to the governor and legislative committees
225.19 with jurisdiction over early childhood programs final recommendations and implementation
225.20 plans pursuant to subdivision 4.
- 225.21 Sec. 16. **DIRECTION TO THE CHILDREN'S CABINET; EARLY CHILDHOOD**
225.22 GOVERNANCE REPORT.
- 225.23 Subdivision 1. **Recommendations.** The Children's Cabinet shall develop
225.24 recommendations on the governance of programs relating to early childhood development,
225.25 care, and learning, including how such programs could be consolidated into an existing

- 225.26 state agency or a new state Department of Early Childhood. The recommendations shall
225.27 address the impact of such a consolidation on:
- 225.28 (1) state efforts to ensure that all Minnesota children are kindergarten-ready, with race,
225.29 income, and zip code no longer predictors of school readiness;
- 225.30 (2) coordination and alignment among programs;
- 225.31 (3) the effort required of families to receive services to which they are entitled;
- 225.32 (4) the effort required of service providers to participate in childhood programs; and
- 226.1 (5) the articulation between early care and education programs and the kindergarten
226.2 through grade 12 system.
- 226.3 Subd. 2. **Public input.** In developing the recommendations required under subdivision
226.4 1, the Children's Cabinet must provide for a community engagement process to seek input
226.5 from the public and stakeholders.
- 226.6 Subd. 3. **Report.** (a) The Children's Cabinet shall produce a report that includes:
- 226.7 (1) the recommendations required under subdivision 1;
- 226.8 (2) the explanations and reasoning behind such recommendations;
- 226.9 (3) a description of the community engagement process required under subdivision 2;
226.10 and
- 226.11 (4) a summary of the feedback received from the public and early care and education
226.12 stakeholders through the community engagement process.
- 226.13 (b) The Children's Cabinet may arrange for consultants to assist with the development
226.14 of the report.
- 226.15 (c) By February 1, 2022, the Children's Cabinet shall submit the report to the governor
226.16 and the legislative committees with jurisdiction over early childhood programs.
- 226.17 Sec. 17. **DIRECTION TO THE CHILDREN'S CABINET; EVALUATION OF THE**
226.18 **USE OF FEDERAL MONEY.**
- 226.19 (a) The Children's Cabinet, with the assistance of the commissioners of human services,
226.20 education, and employment and economic development, shall conduct an evaluation of the
226.21 use of federal money received pursuant to the American Rescue Plan Act of 2021 (Public
226.22 Law 117-2), the Coronavirus Response and Relief Supplemental Appropriations Act of
226.23 2020 (Public Law 116-260), and the Coronavirus Aid, Relief, and Economic Security Act
226.24 (Public Law 116-136) to address the state's needs in the area of early care and education.
226.25 The Children's Cabinet may arrange for consultants to assist with the evaluation.

226.26 (b) The evaluation shall address at least the following topics with results disaggregated,
226.27 to the extent practicable, by age, race, ethnicity, and geographic areas of the state:

226.28 (1) changes in the number of children who are able to access early care and education
226.29 programs, including children from the following categories: those from low-income families;
226.30 those who have disabilities or developmental delays; those who are English language
226.31 learners; those who are members of American Indian Tribes; and those who are migrant,
226.32 homeless, in foster care, or are in need of child protective services;

227.1 (2) changes in the supply of early care and education, particularly in areas of the state
227.2 with shortages of early care and education;

227.3 (3) changes in the quality of early care and education programs, as measured pursuant
227.4 to the state's quality rating and improvement system under Minnesota Statutes, section
227.5 124D.142; and

227.6 (4) changes in the average compensation and credentials of the early care and education
227.7 workforce.

227.8 (c) The Children's Cabinet shall submit interim findings of the evaluation to the governor
227.9 and the legislative committees with jurisdiction over early childhood programs by February
227.10 1 in each of calendar years 2022, 2023, and 2024. The Children's Cabinet shall submit a
227.11 final report to the governor and the legislative committees with jurisdiction over early
227.12 childhood programs by February 1, 2025.

227.13 Sec. 18. **APPROPRIATIONS; MINNESOTA MANAGEMENT AND BUDGET.**

227.14 (a) \$500,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
227.15 of management and budget for the Great Start for All Minnesota Children Task Force. This
227.16 is a onetime appropriation.

227.17 (b) \$250,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
227.18 of management budget for the early childhood governance report. This is a onetime
227.19 appropriation.

227.20 Sec. 19. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

227.21 Subdivision 1. **Department of Education.** The sums indicated in this section are
227.22 appropriated from the general fund to the Department of Education for the fiscal years
227.23 designated.

227.24 Subd. 2. **School readiness.** (a) For revenue for school readiness programs under
227.25 Minnesota Statutes, sections 124D.15 and 124D.16:

227.26 \$ 33,683,000 2022

227.27 \$ 33,683,000 2023

102.1 Sec. 2. **APPROPRIATIONS.**

102.2 Subdivision 1. **Department of Education.** The sums indicated in this section are
102.3 appropriated from the general fund to the Department of Education for the fiscal years
102.4 designated.

102.5 Subd. 2. **School readiness.** (a) For revenue for school readiness programs under
102.6 Minnesota Statutes, sections 124D.15 and 124D.16:

102.7 \$ 33,683,000 2022

102.8 \$ 33,683,000 2023

227.28 (b) The 2022 appropriation includes \$3,368,000 for fiscal year 2021 and \$30,315,000
 227.29 for fiscal year 2022.

227.30 (c) The 2023 appropriation includes \$3,368,000 for fiscal year 2022 and \$30,315,000
 227.31 for fiscal year 2023.

228.1 Subd. 3. **Early learning scholarships.** (a) For the early learning scholarship program
 228.2 under Minnesota Statutes, section 124D.165:

228.3 \$ 88,949,000 2022

228.4 \$ 88,949,000 2023

228.5 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
 228.6 124D.165, subdivision 6.

228.7 (c) The base for each of fiscal years 2024 and 2025 is \$89,997,000.

228.8 Subd. 4. **Head Start program.** For Head Start programs under Minnesota Statutes,
 228.9 section 119A.52:

228.10 \$ 25,100,000 2022

228.11 \$ 25,100,000 2023

228.12 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
 228.13 aid under Minnesota Statutes, section 124D.135:

228.14 \$ 34,380,000 2022

228.15 \$ 35,349,000 2023

228.16 (b) The 2022 appropriation includes \$3,341,000 for fiscal year 2021 and \$31,039,000
 228.17 for fiscal year 2022.

228.18 (c) The 2023 appropriation includes \$3,448,000 for fiscal year 2022 and \$31,901,000
 228.19 for fiscal year 2023.

228.20 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under
 228.21 Minnesota Statutes, sections 121A.17 and 121A.19:

228.22 \$ 3,582,000 2022

228.23 \$ 3,476,000 2023

102.9 (b) The 2022 appropriation includes \$3,368,000 for 2021 and \$30,315,000 for 2022.

102.10 (c) The 2023 appropriation includes \$3,368,000 for 2022 and \$30,315,000 for 2023.

102.11 Subd. 3. **Early learning scholarships.** (a) For the early learning scholarship program
 102.12 under Minnesota Statutes, section 124D.165:

102.13 \$ 70,709,000 2022

102.14 \$ 70,709,000 2023

102.15 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
 102.16 124D.165, subdivision 6.

102.17 Subd. 4. **Head Start program.** For Head Start programs under Minnesota Statutes,
 102.18 section 119A.52:

102.19 \$ 25,100,000 2022

102.20 \$ 25,100,000 2023

102.21 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
 102.22 aid under Minnesota Statutes, section 124D.135:

102.23 \$ 33,772,000 2022

102.24 \$ 34,055,000 2023

102.25 (b) The 2022 appropriation includes \$3,341,000 for 2021 and \$30,431,000 for 2022.

102.26 (c) The 2023 appropriation includes \$3,381,000 for 2022 and \$30,674,000 for 2023.

102.27 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under
 102.28 Minnesota Statutes, sections 121A.17 and 121A.19:

102.29 \$ 3,582,000 2022

102.30 \$ 3,476,000 2023

228.24 (b) The 2022 appropriation includes \$360,000 for fiscal year 2021 and \$3,222,000 for
228.25 fiscal year 2022.

228.26 (c) The 2023 appropriation includes \$358,000 for fiscal year 2022 and \$3,118,000 for
228.27 fiscal year 2023.

228.28 Subd. 7. **ParentChild+ program.** (a) For a grant to the ParentChild+ program:

228.29 \$ 1,500,000 2022

228.30 \$ 1,500,000 2023

229.1 (b) The ParentChild+ program must use the grant to implement its evidence-based and
229.2 research-validated early childhood literacy and school readiness program for children ages
229.3 16 months to four years. The program must be implemented at existing ParentChild+ program
229.4 locations, including Cass County, Hennepin County, and Rice County, and the cities of
229.5 Rochester and St. Cloud, or at any new rural, suburban, or urban locations.

229.6 (c) Any balance in the first year does not cancel but is available in the second year.

229.7 Subd. 8. **Kindergarten readiness assessment.** (a) For the kindergarten readiness
229.8 assessment under Minnesota Statutes, section 124D.162:

229.9 \$ 2,516,000 2022

229.10 \$ 2,285,000 2023

229.11 (b) The base for fiscal year 2024 is \$2,204,000. The base for fiscal year 2025 is
229.12 \$2,004,000.

229.13 Subd. 9. **Quality rating and improvement system.** (a) For transfer to the commissioner
229.14 of human services for the purposes of expanding the quality rating and improvement system
229.15 under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports
229.16 for providers participating in the quality rating and improvement system:

229.17 \$ 1,750,000 2022

229.18 \$ 1,750,000 2023

229.19 (b) The amounts in paragraph (a) must be in addition to any federal funding under the
229.20 child care and development block grant authorized under Public Law 101-508 in that year
229.21 for the system under Minnesota Statutes, section 124D.142.

229.22 (c) Any balance in the first year does not cancel but is available in the second year.

102.31 (b) The 2022 appropriation includes \$360,000 for 2021 and \$3,222,000 for 2022.

103.1 (c) The 2023 appropriation includes \$357,000 for 2022 and \$3,119,000 for 2023.

103.2 Subd. 7. **ParentChild+ program.** For a grant to the ParentChild+ program:

103.3 \$ 900,000 2022

103.4 \$ 900,000 2023

103.5 The grant must be used for an evidence-based and research-validated early childhood literacy
103.6 and school readiness program for children ages 16 months to four years at its existing
103.7 suburban program location. The program must include urban and rural program locations
103.8 for fiscal years 2022 and 2023.

103.9 Subd. 8. **Kindergarten entrance assessment initiative and intervention program.** For
103.10 the kindergarten entrance assessment initiative and intervention program under Minnesota
103.11 Statutes, section 124D.162:

103.12 \$ 281,000 2022

103.13 \$ 281,000 2023

103.14 Subd. 9. **Quality rating and improvement system.** (a) For transfer to the commissioner
103.15 of human services for the purposes of expanding the quality rating and improvement system
103.16 under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports
103.17 for providers participating in the quality rating and improvement system:

103.18 \$ 1,750,000 2022

103.19 \$ 1,750,000 2023

103.20 (b) The amounts in paragraph (a) must be in addition to any federal funding under the
103.21 child care and development block grant authorized under Public Law 101-508 in that year
103.22 for the system under Minnesota Statutes, section 124D.142.

103.23 (c) Any balance in the first year does not cancel but is available in the second year.

229.23 Subd. 10. **Early childhood programs at Tribal contract schools.** For early childhood
 229.24 family education programs at Tribal contract schools under Minnesota Statutes, section
 229.25 124D.83, subdivision 4:

229.26 \$ 68,000 2022

229.27 \$ 68,000 2023

229.28 Subd. 11. **Educate parents partnership.** For the educate parents partnership under
 229.29 Minnesota Statutes, section 124D.129:

229.30 \$ 49,000 2022

229.31 \$ 49,000 2023

230.1 Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
 230.2 124D.135:

230.3 \$ 462,000 2022

230.4 \$ 444,000 2023

230.5 (b) The 2022 appropriation includes \$47,000 for fiscal year 2021 and \$415,000 for fiscal
 230.6 year 2022.

230.7 (c) The 2023 appropriation includes \$46,000 for fiscal year 2022 and \$398,000 for fiscal
 230.8 year 2023.

230.9 Subd. 13. **Reach Out and Read Minnesota.** (a) For a grant to support Reach Out and
 230.10 Read Minnesota to expand its statewide program that encourages early childhood
 230.11 development through a network of health care clinics:

230.12 \$ 150,000 2022

230.13 \$ 150,000 2023

230.14 (b) The grant recipient must implement a plan that includes:

230.15 (1) integrating children's books and parent education into well-child visits;

230.16 (2) creating literacy-rich environments at clinics, including books for visits outside of
 230.17 Reach Out and Read Minnesota parameters or for waiting room use or volunteer readers to
 230.18 model read-aloud techniques for parents where possible;

103.24 Subd. 10. **Early childhood programs at tribal contract schools.** For early childhood
 103.25 family education programs at tribal contract schools under Minnesota Statutes, section
 103.26 124D.83, subdivision 4:

103.27 \$ 68,000 2022

103.28 \$ 68,000 2023

103.29 Subd. 11. **Educate parents partnership.** For the educate parents partnership under
 103.30 Minnesota Statutes, section 124D.129:

103.31 \$ 49,000 2022

103.32 \$ 49,000 2023

104.1 Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
 104.2 124D.135:

104.3 \$ 462,000 2022

104.4 \$ 444,000 2023

104.5 (b) The 2022 appropriation includes \$47,000 for 2021 and \$415,000 for 2022.

104.6 (c) The 2023 appropriation includes \$46,000 for 2022 and \$398,000 for 2023.

- 230.19 (3) working with public health clinics, federally qualified health centers, Tribal sites,
 230.20 community health centers, and clinics that belong to health care systems, as well as
 230.21 independent clinics in underserved areas; and
- 230.22 (4) training medical professionals on speaking with parents of infants, toddlers, and
 230.23 preschoolers on the importance of early literacy.
- 230.24 (c) Any balance in the first year does not cancel but is available in the second year.
- 230.25 Subd. 14. **Early childhood Tribal education and engagement grants.** (a) For grants
 230.26 to the 11 Tribal Nations located in Minnesota to provide programming and services for
 230.27 parents and children who are enrolled or eligible for enrollment in a federally recognized
 230.28 Tribe. Admission may not be limited to those enrolled or eligible for enrollment in a federally
 230.29 recognized Tribe:
- 230.30 \$ 3,300,000 2022
- 230.31 \$ 3,300,000 2023
- 231.1 (b) Grant funds must be used to support programming and services in one or more of
 231.2 three focus areas:
- 231.3 (1) implementing strategies to support comprehensive, authentic family engagement
 231.4 and education;
- 231.5 (2) implementing strategies to increase language and literacy outcomes through language
 231.6 revitalization efforts; or
- 231.7 (3) implementing strategies supporting the recruitment and retention of prospective
 231.8 American Indian teachers and enhancing the practice of current American Indian teachers
 231.9 and adults who work in Tribal communities through deep pedagogical professional
 231.10 development.
- 231.11 (c) Each Tribal Nation may apply to the department for grants of up to \$100,000 per
 231.12 focus area for a maximum amount of \$285,000. Each Tribal Nation grant recipient must
 231.13 submit an annual proposal to the commissioner that outlines specific strategies for providing
 231.14 early childhood family engagement and education programs and outreach.
- 231.15 (d) The department will provide technical assistance to the grant recipients by designing,
 231.16 in collaboration with the 11 Tribal Nations, guidance that includes potential strategies and
 231.17 examples of comprehensive, coherent approaches.
- 231.18 (e) Each Tribe awarded a grant will submit an annual report to the commissioner on July
 231.19 1 on the numbers of families and children participating and measurable outcomes on
 231.20 engagement, language revitalization, and supporting American Indian teachers in Tribal
 231.21 communities.

231.22 (f) Up to five percent is reserved to the department for program and grant administration.

231.23 (g) Any balance in the first year does not cancel but is available in the second year.

231.24 Sec. 20. **REPEALER.**

231.25 Laws 2017, First Special Session chapter 5, article 8, section 9, is repealed.

231.26

ARTICLE 10

231.27

COMMUNITY EDUCATION AND LIFELONG LEARNING

104.7

ARTICLE 9

104.8

COMMUNITY EDUCATION AND LIFELONG LEARNING

104.9 Section 1. Minnesota Statutes 2020, section 124D.19, subdivision 2, is amended to read:

104.10 Subd. 2. **Advisory council.** (a) Each board must provide for an advisory council to
104.11 consist of members who represent: various service organizations; churches; public and
104.12 nonpublic schools; local government including elected officials; public and private nonprofit
104.13 agencies serving youth and families; parents; youth; park, recreation or forestry services of
104.14 municipal or local government units located in whole or in part within the boundaries of
104.15 the school district; and any other groups participating in the community education program
104.16 in the school district.

104.17 (b) The advisory council must create a system to receive and review feedback and input
104.18 on the use of general community education revenue under section 124D.20, subdivision 3.
104.19 The advisory council must make written recommendations to the community education
104.20 director and to the school board on the use of general community education revenue under
104.21 section 124D.20, subdivision 3.

104.22 Sec. 2. Minnesota Statutes 2020, section 124D.20, subdivision 3, is amended to read:

104.23 Subd. 3. **General community education revenue.** The general community education
104.24 revenue for a district equals \$5.23 for fiscal years 2005 and 2006 and \$5.42 for fiscal year
104.25 2007 through fiscal year 2022 and \$5.97 for fiscal year 2023 and later, times the greater of
104.26 1,335 or the population of the district. The population of the district is determined according
104.27 to section 275.14.

104.28 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

104.29 Sec. 3. Minnesota Statutes 2020, section 124D.20, subdivision 7, is amended to read:

104.30 Subd. 7. **Community education aid.** (a) A district's community education aid is the
104.31 difference between its community education revenue and the community education levy.
105.1 If the district does not levy the entire amount permitted, the community education aid must
105.2 be reduced in proportion to the actual amount levied.

105.3 (b) In addition to the community education aid under paragraph (a), a district's
105.4 supplemental community education aid equals \$3.90 for fiscal year 2023 and \$16.94 for
105.5 fiscal year 2024 and later, times the district's average daily membership for the school year.

105.6 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

105.7 Sec. 4. Minnesota Statutes 2020, section 124D.20, subdivision 8, is amended to read:

105.8 Subd. 8. **Uses of general revenue.** (a) General community education revenue may be
105.9 used for:

105.10 (1) nonvocational, recreational, and leisure time activities and programs;

231.28 Section 1. Minnesota Statutes 2020, section 124D.531, subdivision 1, is amended to read:

231.29 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic
231.30 education aid for fiscal year ~~2011~~ 2022 equals ~~\$44,419,000~~ \$51,781,000, plus any amount
231.31 that is not paid during the previous fiscal year as a result of adjustments under subdivision
232.1 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education
232.2 aid for later fiscal years equals:

232.3 (1) the state total adult basic education aid for the preceding fiscal year plus any amount
232.4 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision
232.5 4, paragraph (a), or section 124D.52, subdivision 3; times

232.6 (2) the lesser of 1.03, or the greater of:

105.11 (2) programs for adults with disabilities, if the programs and budgets are approved by
105.12 the department;

105.13 (3) adult basic education programs, according to section 124D.52;

105.14 (4) summer programs for elementary and secondary pupils;

105.15 (5) implementation of a youth development plan;

105.16 (6) implementation of a youth service program;

105.17 (7) early childhood family education programs, according to section 124D.13;

105.18 (8) school readiness programs, according to section 124D.15; ~~and~~

105.19 (9) school-age care programs, according to section 124D.19, subdivision 11; and

105.20 (10) other programs, including programs offered by other nonschool organizations,

105.21 consistent with the purpose of community education programs under section 124D.18.

105.22 (b) In addition to money from other sources, a district may use up to ten percent of its
105.23 community education revenue for equipment that is used exclusively in community education
105.24 programs. This revenue may be used only for the following purposes:

105.25 (1) to purchase or lease computers and related materials;

105.26 (2) to purchase or lease equipment for instructional programs; and

105.27 (3) to purchase textbooks and library books.

106.1 (c) General community education revenue must not be used to subsidize the direct activity
106.2 costs for adult enrichment programs. Direct activity costs include, but are not limited to,
106.3 the cost of the activity leader or instructor, cost of materials, or transportation costs.

106.4 **EFFECTIVE DATE.** This section is effective July 1, 2021.

106.5 Sec. 5. Minnesota Statutes 2020, section 124D.531, subdivision 1, is amended to read:

106.6 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic
106.7 education aid for fiscal year 2011 equals \$44,419,000, plus any amount that is not paid
106.8 during the previous fiscal year as a result of adjustments under subdivision 4, paragraph
106.9 (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later
106.10 fiscal years equals:

106.11 (1) the state total adult basic education aid for the preceding fiscal year plus any amount
106.12 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision
106.13 4, paragraph (a), or section 124D.52, subdivision 3; times

106.14 (2) the greater of 1.00 or the lesser of:

232.7 (i) ~~1.03~~ one plus the percent change in the formula allowance under section 126C.10,
232.8 subdivision 2, from the previous fiscal year to the current fiscal year; or

232.9 (ii) the average growth in state total contact hours over the prior ten program years.

232.10 Three percent of the state total adult basic education aid must be set aside for adult basic
232.11 education supplemental service grants under section 124D.522.

232.12 (b) The state total adult basic education aid, excluding basic population aid, equals the
232.13 difference between the amount computed in paragraph (a), and the state total basic population
232.14 aid under subdivision 2.

232.15 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

232.16 Sec. 2. Minnesota Statutes 2020, section 124D.55, is amended to read:

232.17 **124D.55 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST**
232.18 **FEES.**

232.19 (a) ~~The commissioner shall pay 60 percent of the fee that is charged to an eligible~~
232.20 ~~individual for the full battery of the commissioner-selected high school equivalency tests,~~
232.21 ~~but not more than \$40 for an eligible individual.~~

232.22 (b) ~~Notwithstanding paragraph (a), for fiscal years 2020 and 2021 only,~~ The commissioner
232.23 shall pay 100 percent of the fee charged to an eligible individual for the full battery of the
232.24 commissioner-selected high school equivalency tests, but not more than the cost of one full
232.25 battery of tests per year for any individual.

232.26 Sec. 3. **APPROPRIATIONS.**

232.27 Subdivision 1. Department of Education. The sums indicated in this section are
232.28 appropriated from the general fund to the Department of Education for the fiscal years
232.29 designated. Any balances in the first year do not cancel but are available in the second year.

233.1 Subd. 2. Community education aid. For community education aid under Minnesota
233.2 Statutes, section 124D.20:

233.3	\$	180,000	2022
233.4	\$	155,000	2023

233.5 The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

233.6 The 2023 appropriation includes \$17,000 for 2022 and \$138,000 for 2023.

233.7 Subd. 3. Adults with disabilities program aid. For adults with disabilities programs
233.8 under Minnesota Statutes, section 124D.56:

106.15 (i) 1.03; or

106.16 (ii) the average growth in state total contact hours over the prior ten program years.

106.17 Three percent of the state total adult basic education aid must be set aside for adult basic
106.18 education supplemental service grants under section 124D.522.

106.19 (b) The state total adult basic education aid, excluding basic population aid, equals the
106.20 difference between the amount computed in paragraph (a), and the state total basic population
106.21 aid under subdivision 2.

106.22 Sec. 6. **APPROPRIATIONS.**

106.23 Subdivision 1. Department of Education. The sums indicated in this section are
106.24 appropriated from the general fund to the Department of Education for the fiscal years
106.25 designated. Any balances in the first year do not cancel but are available in the second year.

106.26 Subd. 2. Community education aid. For community education aid under Minnesota
106.27 Statutes, section 124D.20:

106.28	\$	180,000	2022
106.29	\$	3,043,000	2023

106.30 The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

107.1 The 2023 appropriation includes \$17,000 for 2022 and \$3,026,000 for 2023.

107.2 Subd. 3. Adults with disabilities program aid. For adults with disabilities programs
107.3 under Minnesota Statutes, section 124D.56:

233.9 \$ 710,000 2022

233.10 \$ 710,000 2023

233.11 The 2022 appropriation includes \$71,000 for 2021 and \$639,000 for 2022.

233.12 The 2023 appropriation includes \$71,000 for 2022 and \$639,000 for 2023.

233.13 Subd. 4. **Hearing-impaired adults.** For programs for hearing-impaired adults under
233.14 Minnesota Statutes, section 124D.57:

233.15 \$ 70,000 2022

233.16 \$ 70,000 2023

233.17 Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section
233.18 124D.22:

233.19 \$ 1,000 2022

233.20 \$ 1,000 2023

233.21 The 2022 appropriation includes \$0 for 2021 and \$1,000 for 2022.

233.22 The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023.

233.23 Subd. 6. **Tier 1 grants.** (a) For education partnership program Tier 1 sustaining grants
233.24 under Minnesota Statutes, section 124D.99:

233.25 \$ 3,580,000 2022

233.26 \$ 3,580,000 2023

233.27 (b) Of the amounts in paragraph (a), \$1,790,000 each year is for the Northside
233.28 Achievement Zone and \$1,790,000 each year is for the St. Paul Promise Neighborhood.

233.29 (c) Any balance in the first year does not cancel but is available in the second year.

234.1 Subd. 7. **Tier 2 implementing grants.** (a) For Tier 2 implementing grants under
234.2 Minnesota Statutes, section 124D.99:

234.3 \$ 1,500,000 2022

234.4 \$ 1,500,000 2023

107.4 \$ 710,000 2022

107.5 \$ 710,000 2023

107.6 The 2022 appropriation includes \$71,000 for 2021 and \$639,000 for 2022.

107.7 The 2023 appropriation includes \$71,000 for 2022 and \$639,000 for 2023.

107.8 Subd. 4. **Hearing-impaired adults.** For programs for hearing-impaired adults under
107.9 Minnesota Statutes, section 124D.57:

107.10 \$ 70,000 2022

107.11 \$ 70,000 2023

107.12 Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section
107.13 124D.22:

107.14 \$ 1,000 2022

107.15 \$ 1,000 2023

107.16 The 2022 appropriation includes \$0 for 2021 and \$1,000 for 2022.

107.17 The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023.

107.18 Subd. 6. **Tier 1 grants.** (a) For education partnership program Tier 1 sustaining grants
107.19 under Minnesota Statutes, section 124D.99:

107.20 \$ 2,600,000 2022

107.21 \$ 2,600,000 2023

107.22 (b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside
107.23 Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

107.24 Subd. 7. **Tier 2 implementing grants.** For Tier 2 implementing grants under Minnesota
107.25 Statutes, section 124D.99:

107.26 \$ 480,000 2022

107.27 \$ 480,000 2023

- 234.5 (b) Of the amounts in paragraph (a), \$250,000 each year is for each of the following
234.6 programs:
- 234.7 (1) the Northfield Healthy Community Initiative in Northfield;
234.8 (2) the Jones Family Foundation for the Every Hand Joined program in Red Wing;
234.9 (3) the United Way of Central Minnesota for the Partners for Student Success program;
234.10 (4) Austin Aspires;
234.11 (5) Rochester Area Foundation as fiscal host for the Cradle 2 Career program; and
234.12 (6) Generation Next.
- 234.13 (c) Any balance in the first year does not cancel but is available in the second year.
234.14 (d) The 2024 base amount for each recipient listed in paragraph (b) is \$250,000.

234.15 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota
234.16 Statutes, section 124D.531:

234.17 \$ 53,191,000 2022

234.18 \$ 54,768,000 2023

234.19 The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

234.20 The 2023 appropriation includes \$5,334,000 for 2022 and \$49,434,000 for 2023.

234.21 Subd. 9. **High school equivalency tests.** For payment of the costs of the
234.22 commissioner-selected high school equivalency tests under Minnesota Statutes, section
234.23 124D.55:

234.24 \$ 250,000 2022

234.25 \$ 250,000 2023

107.28 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota
107.29 Statutes, section 124D.531:

107.30 \$ 53,191,000 2022

107.31 \$ 54,768,000 2023

108.1 The 2022 appropriation includes \$5,177,000 for 2021 and \$48,014,000 for 2022.

108.2 The 2023 appropriation includes \$5,334,000 for 2022 and \$49,434,000 for 2023.

108.3 Subd. 9. **High school equivalency tests.** For payment of the costs of the
108.4 commissioner-selected high school equivalency tests under Minnesota Statutes, section
108.5 124D.55:

108.6 \$ 125,000 2022

108.7 \$ 125,000 2023

235.1

ARTICLE 11

235.2

STATE AGENCIES

108.8

ARTICLE 10

108.9

STATE AGENCIES

108.10 Section 1. Minnesota Statutes 2020, section 12.21, subdivision 3, is amended to read:

108.11 Subd. 3. **Specific authority.** (a) In performing duties under this chapter and to effect its
108.12 policy and purpose, the governor may:

108.13 (1) make, amend, and rescind the necessary orders and rules to carry out the provisions
108.14 of this chapter and section 216C.15 within the limits of the authority conferred by this
108.15 section, with due consideration of the plans of the federal government and without complying
108.16 with sections 14.001 to 14.69, but no order or rule has the effect of law except as provided
108.17 by section 12.32;

108.18 (2) ensure that a comprehensive emergency operations plan and emergency management
108.19 program for this state are developed and maintained, and are integrated into and coordinated
108.20 with the emergency plans of the federal government and of other states to the fullest possible
108.21 extent;

108.22 (3) in accordance with the emergency operations plan and the emergency management
108.23 program of this state, procure supplies, equipment, and facilities; institute training programs
108.24 and public information programs; and take all other preparatory steps, including the partial
108.25 or full activation of emergency management organizations in advance of actual disaster to
108.26 ensure the furnishing of adequately trained and equipped forces of emergency management
108.27 personnel in time of need;

108.28 (4) make studies and surveys of the industries, resources, and facilities in this state as
108.29 may be necessary to ascertain the capabilities of the state for emergency management and
108.30 to plan for the most efficient emergency use of those industries, resources, and facilities;

109.1 (5) on behalf of this state, enter into mutual aid arrangements or cooperative agreements
109.2 with other states, tribal authorities, and Canadian provinces, and coordinate mutual aid plans
109.3 between political subdivisions of this state;

109.4 (6) delegate administrative authority vested in the governor under this chapter, except
109.5 the power to make rules, and provide for the subdelegation of that authority;

109.6 (7) cooperate with the president and the heads of the armed forces, the Emergency
109.7 Management Agency of the United States and other appropriate federal officers and agencies,
109.8 and with the officers and agencies of other states in matters pertaining to the emergency
109.9 management of the state and nation, including the direction or control of:

109.10 (i) emergency preparedness drills and exercises;

109.11 (ii) warnings and signals for drills or actual emergencies and the mechanical devices to
109.12 be used in connection with them;

109.13 (iii) shutting off water mains, gas mains, electric power connections and the suspension
109.14 of all other utility services;

109.15 (iv) the conduct of persons in the state, including entrance or exit from any stricken or
109.16 threatened public place, occupancy of facilities, and the movement and cessation of
109.17 movement of pedestrians, vehicular traffic, and all forms of private and public transportation
109.18 during, prior, and subsequent to drills or actual emergencies;

109.19 (v) public meetings or gatherings; and

109.20 (vi) the evacuation, reception, and sheltering of persons;

109.21 (8) contribute to a political subdivision, within the limits of the appropriation for that
109.22 purpose, not more than 25 percent of the cost of acquiring organizational equipment that
109.23 meets standards established by the governor;

109.24 (9) formulate and execute, with the approval of the Executive Council, plans and rules
109.25 for the control of traffic in order to provide for the rapid and safe movement over public
109.26 highways and streets of troops, vehicles of a military nature, and materials for national
109.27 defense and war or for use in any war industry, for the conservation of critical materials, or
109.28 for emergency management purposes; and coordinate the activities of the departments or
109.29 agencies of the state and its political subdivisions concerned directly or indirectly with
109.30 public highways and streets, in a manner that will best effectuate those plans;

109.31 (10) alter or adjust by executive order, without complying with sections 14.01 to 14.69,
109.32 the working hours, workdays and work week of, and annual and sick leave provisions and
110.1 payroll laws regarding all state employees in the executive branch as the governor deems
110.2 necessary to minimize the impact of the disaster or emergency, conforming the alterations
110.3 or adjustments to existing state laws, rules, and collective bargaining agreements to the
110.4 extent practicable; and

110.5 (11) ~~authorize the commissioner of education to alter school schedules, curtail school~~
110.6 ~~activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11, 13, and~~
110.7 ~~17, and including charter schools under chapter 124E, and elementary schools enrolling~~
110.8 ~~prekindergarten pupils in district programs; and~~

110.9 ~~(12)~~ transfer the direction, personnel, or functions of state agencies to perform or facilitate
110.10 response and recovery programs.

110.11 (b) The governor may not use any authority provided under this chapter to issue any
110.12 order or to authorize the commissioner of education to alter school schedules, curtail school
110.13 activities, or order schools closed. "School" as used in this section means a school as defined
110.14 in section 120A.05, subdivisions 9, 11, 13, and 17, and includes a charter school under
110.15 chapter 124E, and an elementary school enrolling prekindergarten pupils in district programs.
110.16 The governor may not use any authority provided under this chapter to prevent the typical

110.17 presence of students in school buildings. The governor may advise and consult with school
 110.18 leaders regarding any action needed for emergency management purposes.

110.19 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 110.20 applies to peacetime emergencies in effect or declared on or after that date.

110.21 Sec. 2. Minnesota Statutes 2020, section 43A.08, subdivision 1, is amended to read:

110.22 Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees
 110.23 who are:

110.24 (1) chosen by election or appointed to fill an elective office;

110.25 (2) heads of agencies required by law to be appointed by the governor or other elective
 110.26 officers, and the executive or administrative heads of departments, bureaus, divisions, and
 110.27 institutions specifically established by law in the unclassified service;

110.28 (3) deputy and assistant agency heads and one confidential secretary in the agencies
 110.29 listed in subdivision 1a and in the Office of Strategic and Long-Range Planning;

110.30 (4) the confidential secretary to each of the elective officers of this state and, for the
 110.31 secretary of state and state auditor, an additional deputy, clerk, or employee;

111.1 (5) intermittent help employed by the commissioner of public safety to assist in the
 111.2 issuance of vehicle licenses;

111.3 (6) employees in the offices of the governor and of the lieutenant governor and one
 111.4 confidential employee for the governor in the Office of the Adjutant General;

111.5 (7) employees of the Washington, D.C., office of the state of Minnesota;

111.6 (8) employees of the legislature and of legislative committees or commissions; provided
 111.7 that employees of the Legislative Audit Commission, except for the legislative auditor, the
 111.8 deputy legislative auditors, and their confidential secretaries, shall be employees in the
 111.9 classified service;

111.10 (9) presidents, vice-presidents, deans, other managers and professionals in academic
 111.11 and academic support programs, administrative or service faculty, teachers, research
 111.12 assistants, and student employees eligible under terms of the federal Economic Opportunity
 111.13 Act work study program in the ~~Perpich Center for Arts Education and the Minnesota State~~
 111.14 ~~Colleges and Universities~~, but not the custodial, clerical, or maintenance employees, or any
 111.15 professional or managerial employee performing duties in connection with the business
 111.16 administration of these institutions;

111.17 (10) officers and enlisted persons in the National Guard;

111.18 (11) attorneys, legal assistants, and three confidential employees appointed by the attorney
 111.19 general or employed with the attorney general's authorization;

- 111.20 (12) judges and all employees of the judicial branch, referees, receivers, jurors, and
 111.21 notaries public, except referees and adjusters employed by the Department of Labor and
 111.22 Industry;
- 111.23 (13) members of the State Patrol; provided that selection and appointment of State Patrol
 111.24 troopers must be made in accordance with applicable laws governing the classified service;
- 111.25 (14) examination monitors and intermittent training instructors employed by the
 111.26 Departments of Management and Budget and Commerce and by professional examining
 111.27 boards and intermittent staff employed by the technical colleges for the administration of
 111.28 practical skills tests and for the staging of instructional demonstrations;
- 111.29 (15) student workers;
- 111.30 (16) executive directors or executive secretaries appointed by and reporting to any
 111.31 policy-making board or commission established by statute;
- 111.32 (17) employees unclassified pursuant to other statutory authority;
- 112.1 (18) intermittent help employed by the commissioner of agriculture to perform duties
 112.2 relating to pesticides, fertilizer, and seed regulation;
- 112.3 (19) the administrators and the deputy administrators at the State Academies for the
 112.4 Deaf and the Blind; and
- 112.5 (20) chief executive officers in the Department of Human Services.
- 112.6 **EFFECTIVE DATE.** This section is effective June 30, 2022.
- 112.7 Sec. 3. Minnesota Statutes 2020, section 43A.08, subdivision 1a, is amended to read:
- 112.8 Subd. 1a. **Additional unclassified positions.** Appointing authorities for the following
 112.9 agencies may designate additional unclassified positions according to this subdivision: the
 112.10 Departments of Administration; Agriculture; Commerce; Corrections; Education;
 112.11 Employment and Economic Development; Explore Minnesota Tourism; Management and
 112.12 Budget; Health; Human Rights; Labor and Industry; Natural Resources; Public Safety;
 112.13 Human Services; Revenue; Transportation; and Veterans Affairs; the Housing Finance and
 112.14 Pollution Control Agencies; the State Lottery; the State Board of Investment; the Office of
 112.15 Administrative Hearings; the Office of MN.IT Services; the Offices of the Attorney General,
 112.16 Secretary of State, and State Auditor; the Minnesota State Colleges and Universities; the
 112.17 Minnesota Office of Higher Education; ~~the Perpich Center for Arts Education;~~ and the
 112.18 Minnesota Zoological Board.
- 112.19 A position designated by an appointing authority according to this subdivision must
 112.20 meet the following standards and criteria:
- 112.21 (1) the designation of the position would not be contrary to other law relating specifically
 112.22 to that agency;

- 112.23 (2) the person occupying the position would report directly to the agency head or deputy
112.24 agency head and would be designated as part of the agency head's management team;
- 112.25 (3) the duties of the position would involve significant discretion and substantial
112.26 involvement in the development, interpretation, and implementation of agency policy;
- 112.27 (4) the duties of the position would not require primarily personnel, accounting, or other
112.28 technical expertise where continuity in the position would be important;
- 112.29 (5) there would be a need for the person occupying the position to be accountable to,
112.30 loyal to, and compatible with, the governor and the agency head, the employing statutory
112.31 board or commission, or the employing constitutional officer;
- 113.1 (6) the position would be at the level of division or bureau director or assistant to the
113.2 agency head; and
- 113.3 (7) the commissioner has approved the designation as being consistent with the standards
113.4 and criteria in this subdivision.
- 113.5 **EFFECTIVE DATE.** This section is effective June 30, 2022.

235.3 Section 1. Minnesota Statutes 2020, section 122A.07, subdivision 1, is amended to read:

235.4 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and
235.5 Standards Board consists of ~~11~~ 13 members appointed by the governor, with the advice and
235.6 consent of the senate. Membership terms, compensation of members, removal of members,
235.7 the filling of membership vacancies, and fiscal year and reporting requirements are as
235.8 provided in sections 214.07 to 214.09. ~~No member may be reappointed for more than one~~
235.9 ~~additional term.~~ A member must not serve more than two consecutive terms.

235.10 Sec. 2. Minnesota Statutes 2020, section 122A.07, subdivision 2, is amended to read:

235.11 Subd. 2. **Eligibility; board composition.** Each ~~nominee~~ appointee, other than a public
235.12 nominee, must be selected on the basis of professional experience and knowledge of teacher
235.13 education, accreditation, and licensure. The board must be composed of:

235.14 (1) ~~six~~ seven teachers who are currently teaching in a Minnesota school ~~or who were~~
235.15 ~~teaching at the time of the appointment,~~ have at least five years of teaching experience, and
235.16 ~~were~~ are not serving in an administrative function at a school district or school when
235.17 ~~appointed~~ a position requiring an administrative license, pursuant to section 122A.14. The
235.18 ~~six~~ seven teachers must include the following:

235.19 (i) one teacher in a charter school;

235.20 (ii) one teacher from a school located in the seven-county metropolitan area, as defined
235.21 in section 473.121, subdivision 2;

235.22 (iii) one teacher from a school located outside the seven-county metropolitan area;

235.23 (iv) one teacher from a related service category licensed by the board;

- 235.24 (v) one special education teacher; and
- 235.25 (vi) ~~one teacher from a teacher preparation program~~ two teachers licensed in licensure
- 235.26 areas that represent current or emerging trends in education;
- 235.27 (2) one educator currently teaching in a Minnesota-approved teacher preparation program;
- 235.28 ~~(2)~~ (3) one superintendent that alternates, alternating each term between a superintendent
- 235.29 from a school district in the seven-county metropolitan area, as defined in section 473.121,
- 235.30 subdivision 2, and a superintendent from a school district outside the metropolitan area;
- 235.31 ~~(3)~~ (4) one school district human resources director;
- 236.1 ~~(4)~~ (5) one administrator of a cooperative unit under section 123A.24, subdivision 2,
- 236.2 who oversees a special education program and who works closely with a cooperative unit
- 236.3 under section 123A.24, subdivision 2;
- 236.4 ~~(5)~~ (6) one principal that alternates, alternating each term between an elementary and a
- 236.5 secondary school principal; and
- 236.6 ~~(6)~~ (7) one member of the public that may be a current or former school board member.
- 236.7 Sec. 3. Minnesota Statutes 2020, section 122A.07, subdivision 4a, is amended to read:
- 236.8 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief
- 236.9 administrative officer for the board but shall not be a member of the board. The executive
- 236.10 director shall maintain the records of the board, account for all fees received by the board,
- 236.11 supervise and direct employees servicing the board, and perform other services as directed
- 236.12 by the board.
- 236.13 (b) The Department of Administration must provide administrative support in accordance
- 236.14 with section 16B.371. The commissioner of administration must assess the board for services
- 236.15 it provides under this section.
- 236.16 ~~(c) The Department of Education must provide suitable offices and other space to the~~
- 236.17 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~
- 236.18 ~~either the Department of Education or the Department of Administration for the provision~~
- 236.19 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~
- 236.20 ~~rooms.~~
- 236.21 Sec. 4. Minnesota Statutes 2020, section 122A.09, subdivision 4, is amended to read:
- 236.22 Subd. 4. **Licensing.** (a) The Professional Educator Licensing and Standards Board must
- 236.23 license teachers, as defined in section 122A.15, subdivision 1, except for supervisory
- 236.24 personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its
- 236.25 authority to make all licensing decisions with respect to candidates for teacher licensure.
- 236.26 The board must evaluate candidates for compliance with statutory or rule requirements for
- 236.27 licensure and develop licensure verification requirements.

236.28 (b) The Professional Educator Licensing and Standards Board must approve teacher
236.29 preparation providers seeking to prepare candidates for teacher licensure in Minnesota.

237.1 Sec. 5. Minnesota Statutes 2020, section 122A.09, subdivision 6, is amended to read:

237.2 Subd. 6. **Register of persons licensed.** The ~~executive director of the~~ Professional
237.3 Educator Licensing and Standards Board must keep a record of the proceedings of and a
237.4 register of all persons licensed pursuant to the provisions of this chapter. The register must
237.5 show the name, ~~address, licenses and permissions held including renewals, and~~ license
237.6 number ~~and the renewal of the license. The board must on July 1, of each year or as soon~~
237.7 ~~thereafter as is practicable, compile a list of such duly licensed teachers. A copy of the~~
237.8 ~~register~~ This list must be available during business hours at the office of the board to any
237.9 interested person ~~on the board's website.~~

237.10 Sec. 6. Minnesota Statutes 2020, section 122A.09, subdivision 9, is amended to read:

237.11 Subd. 9. **Professional Educator Licensing and Standards Board must adopt and**
237.12 **revise rules.** (a) The Professional Educator Licensing and Standards Board must adopt and
237.13 revise rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05
237.14 to 122A.09, ~~122A.092~~ 122A.094, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182,
237.15 122A.183, 122A.184, 122A.185, 122A.187, 122A.188, 122A.19, 122A.20, 122A.21,
237.16 122A.23, 122A.26, 122A.28, and 122A.29.

237.17 (b) The board must adopt and revise rules relating to fields of licensure and grade levels
237.18 that a licensed teacher may teach, including a process for granting permission to a licensed
237.19 teacher to teach in a field that is different from the teacher's field of licensure without change
237.20 to the teacher's license tier level.

237.21 ~~(e) The board must adopt rules relating to the grade levels that a licensed teacher may~~
237.22 ~~teach.~~

237.23 ~~(c)~~ (c) If a rule adopted by the board is in conflict with a session law or statute, the law
237.24 or statute prevails. Terms adopted in rule must be clearly defined and must not be construed
237.25 to conflict with terms adopted in statute or session law.

237.26 ~~(d)~~ (d) The board must include a description of a proposed rule's probable effect on
237.27 teacher supply and demand in the board's statement of need and reasonableness under section
237.28 14.131.

237.29 ~~(e)~~ (e) The board must adopt rules only under the specific statutory authority.

237.30 Sec. 7. Minnesota Statutes 2020, section 122A.09, subdivision 10, is amended to read:

237.31 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
237.32 14.056, the Professional Educator Licensing and Standards Board may grant waivers to its
238.1 rules upon application by a school district or a charter school for purposes of implementing
238.2 experimental programs in learning or management.

238.3 (b) To enable a school district or a charter school to meet the needs of students enrolled
 238.4 in an alternative education program and to enable licensed teachers instructing those students
 238.5 to satisfy content area licensure requirements, the Professional Educator Licensing and
 238.6 Standards Board ~~annually~~ may permit a licensed teacher teaching in an alternative education
 238.7 program to instruct students in a content area for which the teacher is not licensed, consistent
 238.8 with paragraph (a).

238.9 (c) A special education license permission issued by the Professional Educator Licensing
 238.10 and Standards Board for a primary employer's low-incidence region is valid in all
 238.11 low-incidence regions.

238.12 (d) A candidate that has obtained career and technical education certification may apply
 238.13 for a Tier 1 license under section 122A.181. Consistent with section 136F.361, the
 238.14 Professional Educator Licensing and Standards Board must strongly encourage approved
 238.15 college or university-based teacher preparation programs throughout Minnesota to develop
 238.16 alternative pathways for certifying and licensing high school career and technical education
 238.17 instructors and teachers, allowing such candidates to meet certification and licensure
 238.18 standards that demonstrate their content knowledge, classroom experience, and pedagogical
 238.19 practices and their qualifications based on a combination of occupational testing, professional
 238.20 certification or licensure, and long-standing work experience.

238.21 Sec. 8. Minnesota Statutes 2020, section 122A.091, subdivision 1, is amended to read:

238.22 Subdivision 1. **Teacher and administrator preparation and performance data;**
 238.23 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of
 238.24 School Administrators, in cooperation with ~~board-adopted~~ board-approved teacher or
 238.25 administrator preparation programs, annually must collect and report summary data on
 238.26 teacher and administrator preparation and performance outcomes, consistent with this
 238.27 subdivision. The Professional Educator Licensing and Standards Board and the Board of
 238.28 School Administrators annually by ~~June~~ July 1 must update and post the reported summary
 238.29 preparation and performance data on teachers and administrators from the preceding school
 238.30 years on ~~a website hosted jointly by the boards~~ their respective websites.

238.31 (b) Publicly reported summary data on teacher preparation ~~programs~~ providers must
 238.32 include:

239.1 ~~(1) student entrance requirements for each Professional Educator Licensing and Standards~~
 239.2 ~~Board-approved program, including grade point average for enrolling students in the~~
 239.3 ~~preceding year;~~

239.4 ~~(2) the average board-adopted skills examination or ACT or SAT scores of students~~
 239.5 ~~entering the program in the preceding year;~~

239.6 ~~(3) (1) summary data on faculty~~ all full-time, part-time, and adjunct teacher educator
 239.7 qualifications, including at least the content areas of faculty teacher educator undergraduate
 239.8 and graduate degrees and their years of experience either as kindergarten birth through grade
 239.9 12 classroom teachers or school administrators;

- 239.10 ~~(4) the average time resident and nonresident program graduates in the preceding year~~
 239.11 ~~needed to complete the program;~~
- 239.12 (2) the current number and percentage of enrolled candidates who entered the program
 239.13 through a transfer pathway disaggregated by race, except when disaggregation would not
 239.14 yield statistically reliable results or would reveal personally identifiable information about
 239.15 an individual;
- 239.16 ~~(5) (3) the current number and percentage of students program completers by program~~
 239.17 ~~who graduated, received a standard Minnesota teaching license, and Tier 3 or Tier 4 license~~
 239.18 ~~disaggregated by race, except when disaggregation would not yield statistically reliable~~
 239.19 ~~results or would reveal personally identifiable information about an individual;~~
- 239.20 (4) the current number and percentage of program completers who entered the program
 239.21 through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race,
 239.22 except when disaggregation would not yield statistically reliable results or would reveal
 239.23 personally identifiable information about an individual;
- 239.24 (5) the current number and percentage of program completers who were hired to teach
 239.25 full time in their licensure field in a Minnesota district or school in the preceding year
 239.26 disaggregated by race, except when disaggregation would not yield statistically reliable
 239.27 results or would reveal personally identifiable information about an individual;
- 239.28 ~~(6) the number of content area credits and other credits by undergraduate program that~~
 239.29 ~~students in the preceding school year needed to complete to graduate; the current number~~
 239.30 ~~and percentage of program completers who entered the program through a transfer pathway~~
 239.31 ~~and who were hired to teach full time in their licensure field in a Minnesota district or school~~
 239.32 ~~in the preceding year disaggregated by race, except when disaggregation would not yield~~
 240.1 ~~statistically reliable results or would reveal personally identifiable information about an~~
 240.2 ~~individual;~~
- 240.3 (7) students' pass rates on skills pedagogy and subject matter exams required for
 240.4 graduation in each program and licensure area for program completers in the preceding
 240.5 school year;
- 240.6 (8) survey results measuring student and graduate satisfaction with the program how
 240.7 prepared program completers felt during their first year of teaching in the preceding school
 240.8 year disaggregated by race, except when disaggregation would not yield statistically reliable
 240.9 results or would reveal personally identifiable information about an individual;
- 240.10 (9) a standard measure of the satisfaction of survey results from school principals or
 240.11 supervising teachers with the student teachers assigned to a school or supervising teacher
 240.12 supervisors on how prepared they felt their first-year teachers were in the preceding school
 240.13 year; and

240.14 ~~(10) information under subdivision 3, paragraphs (a) and (b) the number and percentage~~
240.15 ~~of program completers who met or exceed the state threshold score on the board-adopted~~
240.16 ~~teacher performance assessment.~~

240.17 Program reporting must be consistent with subdivision 2.

240.18 (c) Publicly reported summary data on administrator preparation programs approved by
240.19 the Board of School Administrators must include:

240.20 (1) summary data on faculty qualifications, including at least the content areas of faculty
240.21 undergraduate and graduate degrees and the years of experience either as kindergarten
240.22 through grade 12 classroom teachers or school administrators;

240.23 (2) the average time program graduates in the preceding year needed to complete the
240.24 program;

240.25 (3) the current number and percentage of students who graduated, received a standard
240.26 Minnesota administrator license, and were employed as an administrator in a Minnesota
240.27 school district or school in the preceding year disaggregated by race, except when
240.28 disaggregation would not yield statistically reliable results or would reveal personally
240.29 identifiable information about an individual;

240.30 (4) the number of credits by graduate program that students in the preceding school year
240.31 needed to complete to graduate;

241.1 (5) survey results measuring student, graduate, and employer satisfaction with the
241.2 program in the preceding school year disaggregated by race, except when disaggregation
241.3 would not yield statistically reliable results or would reveal personally identifiable
241.4 information about an individual; and

241.5 (6) information under subdivision 3, paragraphs (c) and (d).

241.6 Program reporting must be consistent with section 122A.14, subdivision 10.

241.7 Sec. 9. Minnesota Statutes 2020, section 122A.091, subdivision 2, is amended to read:

241.8 Subd. 2. **Teacher preparation program reporting.** (a) By December 31, 2018, and
241.9 annually thereafter, the Professional Educator Licensing and Standards Board shall report
241.10 and publish on its website the cumulative summary results of at least three consecutive
241.11 years of data reported to the board under subdivision 1, paragraph (b). Where the data are
241.12 sufficient to yield statistically reliable information and the results would not reveal personally
241.13 identifiable information about an individual teacher, the board shall report the data by teacher
241.14 preparation program.

241.15 (b) The Professional Educator Licensing and Standards Board must report annually to
241.16 the chairs and ranking minority members of the legislative committees with jurisdiction
241.17 over kindergarten through grade 12 education, the following information:

241.18 (1) the total number of teacher candidates during the most recent school year taking a
241.19 board-adopted skills examination;

241.20 (2) the number who achieve a qualifying score on the examination;

241.21 (3) the number who do not achieve a qualifying score on the examination; and

241.22 (4) the number of candidates who have not passed a content or pedagogy exam.

241.23 The information reported under this paragraph must be disaggregated by categories of race,

241.24 ethnicity, and, if applicable, eligibility for financial aid. The report must be submitted in

241.25 accordance with section 3.195.

241.26 Sec. 10. Minnesota Statutes 2020, section 122A.21, is amended to read:

241.27 **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

241.28 Subdivision 1. **Licensure applications.** Each applicant submitting an application to the

241.29 Professional Educator Licensing and Standards Board to issue, renew, or extend a teaching

241.30 license, including applications for licensure via portfolio under subdivision 4, must include

241.31 a processing fee of ~~\$57~~ \$85. The processing fee for a teacher's license and for the licenses

242.1 of supervisory personnel must be paid to the executive ~~secretary~~ director of the appropriate

242.2 board and deposited in the state treasury. The fees as set by the board are nonrefundable

242.3 for applicants not qualifying for a license. However, the commissioner of management and

242.4 budget must refund a fee in any case in which the applicant already holds a valid unexpired

242.5 license. The board may waive or reduce fees for applicants who apply at the same time for

242.6 more than one license.

242.7 Subd. 4. **Licensure via portfolio.** ~~A candidate~~ An applicant must pay to the Professional

242.8 Educator Licensing and Standards Board a \$300 fee for ~~the first~~ a pedagogical portfolio

242.9 submitted for review and a \$200 fee for ~~any portfolio submitted subsequently~~ each content

242.10 portfolio. The Professional Educator Licensing and Standards Board executive ~~secretary~~

242.11 director must deposit the fee in the education licensure portfolio account in the special

242.12 revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The

242.13 Professional Educator Licensing and Standards Board may waive or reduce fees for

242.14 ~~candidates~~ applicants based on financial need.

242.15 Subd. 5. **Online licensing system and fees.** (a) The Professional Educator Licensing

242.16 and Standards Board executive director may charge applicants using the online licensing

242.17 system an \$8 fee per license. The fees are nonrefundable.

242.18 (b) An educator licensing technology account is established in the special revenue fund.

242.19 (c) The Professional Educator Licensing and Standards Board executive director must

242.20 deposit the fees for using the online licensing system into the educator licensing technology

242.21 account in the special revenue fund. Funds do not cancel and are available until spent.

242.22 (d) The Professional Educator Licensing and Standards Board executive director may
 242.23 use funds in the educator licensing technology account for information technology projects,
 242.24 services, and support.

242.25 Sec. 11. **[127A.20] EVIDENCE-BASED EDUCATION GRANTS.**

242.26 Subdivision 1. **Purpose; applicability.** The purpose of this section is to create a process
 242.27 to describe, measure, and report on the effectiveness of any prekindergarten through grade
 242.28 12 education program funded in whole or in part through funds appropriated by the legislature
 242.29 to the commissioner of education for grants to organizations. The evidence-based evaluation
 242.30 required by this section applies to all grants awarded by the commissioner of education on
 242.31 or after July 1, 2022.

242.32 Subd. 2. **Goals.** Each applicant for a grant awarded by the commissioner of education
 242.33 must include in the grant application a statement of the goals of the education program and
 243.1 grant funds. To the extent practicable, the goals must be aligned to the state of Minnesota's
 243.2 world's best workforce and the federally required Every Student Succeeds Act accountability
 243.3 systems.

243.4 Subd. 3. **Strategies; data.** Each applicant must include in the grant application a
 243.5 description of the strategies that will be used to meet the goals specified in the application.
 243.6 The applicant must also include a plan to collect data to measure the effectiveness of the
 243.7 strategies outlined in the grant application.

243.8 Subd. 4. **Reporting.** Within 180 days of the end of the grant period, each grant recipient
 243.9 must compile a report that describes the data that was collected and evaluate the effectiveness
 243.10 of the strategies. The evidence-based report may identify or propose alternative strategies
 243.11 based on the results of the data. The report must be submitted to the commissioner of
 243.12 education and to the chairs and ranking minority members of the legislative committees
 243.13 with jurisdiction over prekindergarten through grade 12 education. The report must be filed
 243.14 with the Legislative Reference Library according to section 3.195.

243.15 Subd. 5. **Grant defined.** For purposes of this section, "grant" means money appropriated
 243.16 from the state general fund to the commissioner of education for distribution to the grant
 243.17 recipients.

243.18 **EFFECTIVE DATE.** This section is effective July 1, 2022.

35.29 Sec. 32. **[127A.20] EVIDENCE-BASED EDUCATION GRANTS.**

35.30 Subdivision 1. **Purpose and applicability.** The purpose of this section is to create a
 35.31 process to describe, measure, and report on the effectiveness of any prekindergarten through
 35.32 grade 12 education program funded in whole or in part through funds appropriated by the
 35.33 legislature to the commissioner of education for grants to organizations. The evidence-based
 36.1 evaluation required by this section applies to all grants awarded by the commissioner of
 36.2 education on or after July 1, 2022.

36.3 Subd. 2. **Goals.** Each applicant for a grant awarded by the commissioner of education
 36.4 must include in the grant application a statement of the goals of the education program and
 36.5 grant funds. To the extent practicable, the goals must be aligned to the state of Minnesota's
 36.6 world's best workforce and the federally required Every Student Succeeds Act accountability
 36.7 systems.

36.8 Subd. 3. **Strategies and data.** Each applicant must include in the grant application a
 36.9 description of the strategies that will be used to meet the goals specified in the application.
 36.10 The applicant must also include a plan to collect data to measure the effectiveness of the
 36.11 strategies outlined in the grant application.

36.12 Subd. 4. **Reporting.** Within 180 days of the end of the grant period, each grant recipient
 36.13 must compile a report that describes the data that was collected and evaluate the effectiveness
 36.14 of the strategies. The evidence-based report may identify or propose alternative strategies
 36.15 based on the results of the data. The report must be submitted to the commissioner of
 36.16 education and to the chairs and ranking minority members of the legislative committees
 36.17 with jurisdiction over prekindergarten through grade 12 education. The report must be filed
 36.18 with the Legislative Reference Library according to section 3.195.

36.19 Subd. 5. **Grant defined.** For purposes of this section, "grant" means money appropriated
 36.20 from the state general fund to the commissioner of education for distribution to the grant
 36.21 recipients.

36.22 **EFFECTIVE DATE.** This section is effective July 1, 2022.

(NOTE: SENATE LANGUAGE ABOVE FROM ARTICLE 2, SECTION 32)

113.6 Sec. 4. Minnesota Statutes 2020, section 122A.416, is amended to read:

113.7 **122A.416 ALTERNATIVE TEACHER COMPENSATION REVENUE FOR**
 113.8 **~~PERPICH CENTER FOR ARTS EDUCATION AND MULTIDISTRICT~~**
 113.9 **INTEGRATION COLLABORATIVES.**

113.10 Notwithstanding sections 122A.414, 122A.415, and 126C.10, multidistrict integration
 113.11 collaboratives ~~and the Perpich Center for Arts Education~~ are eligible to receive alternative

113.12 teacher compensation revenue as if they were intermediate school districts. To qualify for
 113.13 alternative teacher compensation revenue, a multidistrict integration collaborative ~~or the~~
 113.14 ~~Perpich Center for Arts Education~~ must meet all of the requirements of sections 122A.414
 113.15 and 122A.415 that apply to intermediate school districts, must report its enrollment as of
 113.16 October 1 of each year to the department, and must annually report its expenditures for the
 113.17 alternative teacher professional pay system consistent with the uniform financial accounting
 113.18 and reporting standards to the department by November 30 of each year.

113.19 **EFFECTIVE DATE.** This section is effective June 30, 2022.

113.20 Sec. 5. Minnesota Statutes 2020, section 123A.30, subdivision 6, is amended to read:

113.21 Subd. 6. **Severance pay.** A district must pay severance pay to a teacher who is placed
 113.22 on unrequested leave of absence by the district as a result of the agreement. A teacher is
 113.23 eligible under this subdivision if the teacher:

113.24 (1) is a teacher, but not a superintendent;

113.25 (2) has a continuing contract with the district according to section 122A.40, subdivision
 113.26 7.

113.27 The amount of severance pay must be equal to the teacher's salary for the school year
 113.28 during which the teacher was placed on unrequested leave of absence minus the gross
 113.29 amount the teacher was paid during the 12 months following the teacher's termination of
 113.30 salary, by an entity whose teachers by statute or rule must possess a valid Minnesota teaching
 113.31 license, and minus the amount a teacher receives as severance or other similar pay according
 114.1 to a contract with the district or district policy. These entities requiring a valid Minnesota
 114.2 teaching license include, but are not limited to, the district that placed the teacher on
 114.3 unrequested leave of absence, another district in Minnesota, an education district, an
 114.4 intermediate school district, a service cooperative, a board formed under section 471.59, a
 114.5 state residential academy, ~~the Perpich Center for Arts Education~~, a vocational center, or a
 114.6 special education cooperative. These entities do not include a district in another state, a
 114.7 Minnesota public postsecondary institution, or a state agency. Only amounts earned by the
 114.8 teacher as a substitute teacher or in a position requiring a valid Minnesota teaching license
 114.9 shall be subtracted. A teacher may decline any offer of employment as a teacher without
 114.10 loss of rights to severance pay.

114.11 To determine the amount of severance pay that is due for the first six months following
 114.12 termination of the teacher's salary, the district may require the teacher to provide documented
 114.13 evidence of the teacher's employers and gross earnings during that period. The district must
 114.14 pay the teacher the amount of severance pay it determines to be due from the proceeds of
 114.15 the levy for this purpose. To determine the amount of severance pay that is due for the
 114.16 second six months of the 12 months following the termination of the teacher's salary, the
 114.17 district may require the teacher to provide documented evidence of the teacher's employers
 114.18 and gross earnings during that period. The district must pay the teacher the amount of
 114.19 severance pay it determines to be due from the proceeds of the levy for this purpose.

114.20 A teacher who receives severance pay under this subdivision waives all further
 114.21 reinstatement rights under section 122A.40, subdivision 10 or 11. If the teacher receives
 114.22 severance pay, the teacher shall not receive credit for any years of service in the district
 114.23 paying severance pay prior to the year in which the teacher becomes eligible to receive
 114.24 severance pay.

114.25 The severance pay is subject to section 465.72. The district may levy annually according
 114.26 to section 126C.43, for the severance pay.

114.27 **EFFECTIVE DATE.** This section is effective June 30, 2022.

114.28 Sec. 6. Minnesota Statutes 2020, section 124D.05, subdivision 3, is amended to read:

114.29 Subd. 3. **Severance pay.** A district must pay severance pay to a teacher who is placed
 114.30 on unrequested leave of absence by the district as a result of an agreement under this section.
 114.31 A teacher is eligible under this subdivision if the teacher:

- 114.32 (1) is a teacher, as defined in section 122A.40, subdivision 1, but not a superintendent;
- 115.1 (2) has a continuing contract with the district according to section 122A.40, subdivision
 115.2 7.

115.3 The amount of severance pay must be equal to the teacher's salary for the school year
 115.4 during which the teacher was placed on unrequested leave of absence minus the gross
 115.5 amount the teacher was paid during the 12 months following the teacher's termination of
 115.6 salary, by an entity whose teachers by statute or rule must possess a valid Minnesota teaching
 115.7 license, and minus the amount a teacher receives as severance or other similar pay according
 115.8 to a contract with the district or district policy. These entities include, but are not limited
 115.9 to, the district that placed the teacher on unrequested leave of absence, another district in
 115.10 Minnesota, an education district, an intermediate school district, a service cooperative, a
 115.11 board formed under section 471.59, a state residential academy, ~~the Perpich Center for Arts~~
 115.12 ~~Education~~, a vocational center, or a special education cooperative. These entities do not
 115.13 include a district in another state, a Minnesota public postsecondary institution, or a state
 115.14 agency. Only amounts earned by the teacher as a substitute teacher or in a position requiring
 115.15 a valid Minnesota teaching license shall be subtracted. A teacher may decline any offer of
 115.16 employment as a teacher without loss of rights to severance pay.

115.17 To determine the amount of severance pay that is due for the first six months following
 115.18 termination of the teacher's salary, the district may require the teacher to provide documented
 115.19 evidence of the teacher's employers and gross earnings during that period. The district must
 115.20 pay the teacher the amount of severance pay it determines to be due from the proceeds of
 115.21 the levy for this purpose. To determine the amount of severance pay that is due for the
 115.22 second six months of the 12 months following the termination of the teacher's salary, the
 115.23 district may require the teacher to provide documented evidence of the teacher's employers
 115.24 and gross earnings during that period. The district must pay the teacher the amount of
 115.25 severance pay it determines to be due from the proceeds of the levy for this purpose.

115.26 A teacher who receives severance pay under this subdivision waives all further
 115.27 reinstatement rights under section 122A.40, subdivision 10 or 11. If the teacher receives
 115.28 severance pay, the teacher must not receive credit for any years of service in the district
 115.29 paying severance pay prior to the year in which the teacher becomes eligible to receive
 115.30 severance pay.

115.31 The severance pay is subject to section 465.72. The district may levy annually according
 115.32 to section 126C.43 for the severance pay.

115.33 **EFFECTIVE DATE.** This section is effective June 30, 2022.

116.1 Sec. 7. **[127A.155] LOLA AND RUDY PERPICH ARTS EDUCATION SPECIALIST.**

116.2 **Subdivision 1. Establishment of arts education specialist position.** The department
 116.3 must provide arts support services to school districts throughout Minnesota through the
 116.4 establishment of the Lola and Rudy Perpich arts education specialist position in the
 116.5 unclassified service.

116.6 **Subd. 2. Specialist duties.** (a) The arts education specialist must offer resources and
 116.7 outreach services statewide to enhance arts education opportunities for pupils in elementary
 116.8 and secondary school. The arts education specialist must work with school districts across
 116.9 Minnesota to:

116.10 (1) gather and conduct research in arts education;

116.11 (2) develop exemplary curriculum, instructional practices, and assessment;

116.12 (3) disseminate information regarding arts education opportunities; and

116.13 (4) provide materials, training, and assistance to the arts education committees in school
 116.14 districts.

116.15 (b) The arts education specialist must collaborate with the commissioner of education
 116.16 to develop arts standards and strengthen state policies related to arts education.

116.17 (c) The arts education specialist must serve as liaison for the Department of Education
 116.18 to national organizations for arts education.

116.19 (d) The arts education specialist must collaborate with the MacPhail Center for Music
 116.20 to provide online learning instruction to students.

116.21 **EFFECTIVE DATE.** This section is effective June 30, 2022.

116.22 Sec. 8. Minnesota Statutes 2020, section 128C.01, subdivision 4, is amended to read:

116.23 **Subd. 4. Board.** (a) The league must have at least a 20-member governing board.

116.24 (1) The governor must appoint four members according to section 15.0597. Each of the
 116.25 four appointees must be a parent. At least one of them must be an American Indian, an
 116.26 Asian, a Black, or a Hispanic.

116.27 (2) The Minnesota Association of Secondary School Principals must appoint two of its
116.28 members.

116.29 (3) The remaining ~~14~~ members must be selected according to ~~league bylaws~~ the league's
116.30 constitution.

117.1 (b) The terms, compensation, removal of members, and the filling of membership
117.2 vacancies are governed by section 15.0575, except that the four-year terms begin on August
117.3 1 and end on July 31. As provided by section 15.0575, members who are full-time state
117.4 employees or full-time employees of school districts or other political subdivisions of the
117.5 state may not receive any per diem payment for service on the board.

117.6 Sec. 9. Minnesota Statutes 2020, section 297A.70, subdivision 2, is amended to read:

117.7 Subd. 2. **Sales to government.** (a) All sales, except those listed in paragraph (b), to the
117.8 following governments and political subdivisions, or to the listed agencies or instrumentalities
117.9 of governments and political subdivisions, are exempt:

117.10 (1) the United States and its agencies and instrumentalities;

117.11 (2) school districts, local governments, the University of Minnesota, state universities,
117.12 community colleges, technical colleges, state academies, ~~the Perpich Minnesota Center for~~
117.13 ~~Arts Education~~, and an instrumentality of a political subdivision that is accredited as an
117.14 optional/special function school by the North Central Association of Colleges and Schools;

117.15 (3) hospitals and nursing homes owned and operated by political subdivisions of the
117.16 state of tangible personal property and taxable services used at or by hospitals and nursing
117.17 homes;

117.18 (4) notwithstanding paragraph (d), the sales and purchases by the Metropolitan Council
117.19 of vehicles and repair parts to equip operations provided for in section 473.4051 are exempt
117.20 through December 31, 2016;

117.21 (5) other states or political subdivisions of other states, if the sale would be exempt from
117.22 taxation if it occurred in that state; and

117.23 (6) public libraries, public library systems, multicounty, multitype library systems as
117.24 defined in section 134.001, county law libraries under chapter 134A, state agency libraries,
117.25 the state library under section 480.09, and the Legislative Reference Library.

117.26 (b) This exemption does not apply to the sales of the following products and services:

117.27 (1) building, construction, or reconstruction materials purchased by a contractor or a
117.28 subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed
117.29 maximum price covering both labor and materials for use in the construction, alteration, or
117.30 repair of a building or facility;

- 118.1 (2) construction materials purchased by tax exempt entities or their contractors to be
 118.2 used in constructing buildings or facilities which will not be used principally by the tax
 118.3 exempt entities;
- 118.4 (3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except
 118.5 for leases entered into by the United States or its agencies or instrumentalities;
- 118.6 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),
 118.7 and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67,
 118.8 subdivision 2, except for lodging, prepared food, candy, soft drinks, and alcoholic beverages
 118.9 purchased directly by the United States or its agencies or instrumentalities; or
- 118.10 (5) goods or services purchased by a local government as inputs to a liquor store, gas
 118.11 or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf
 118.12 course, marina, campground, cafe, or laundromat.
- 118.13 (c) As used in this subdivision, "school districts" means public school entities and districts
 118.14 of every kind and nature organized under the laws of the state of Minnesota, and any
 118.15 instrumentality of a school district, as defined in section 471.59.
- 118.16 (d) For purposes of the exemption granted under this subdivision, "local governments"
 118.17 has the following meaning:
- 118.18 (1) for the period prior to January 1, 2017, local governments means statutory or home
 118.19 rule charter cities, counties, and townships; and
- 118.20 (2) beginning January 1, 2017, local governments means statutory or home rule charter
 118.21 cities, counties, and townships; special districts as defined under section 6.465; any
 118.22 instrumentality of a statutory or home rule charter city, county, or township as defined in
 118.23 section 471.59; and any joint powers board or organization created under section 471.59.
- 118.24 **EFFECTIVE DATE.** This section is effective June 30, 2022.
- 118.25 Sec. 10. Minnesota Statutes 2020, section 352.01, subdivision 2a, is amended to read:
- 118.26 Subd. 2a. **Included employees.** (a) "State employee" includes:
- 118.27 (1) employees of the Minnesota Historical Society;
- 118.28 (2) employees of the State Horticultural Society;
- 118.29 (3) employees of the Minnesota Crop Improvement Association;
- 118.30 (4) employees of the adjutant general whose salaries are paid from federal funds and
 118.31 who are not covered by any federal civilian employees retirement system;
- 119.1 (5) employees of the Minnesota State Colleges and Universities who are employed under
 119.2 the university or college activities program;

- 119.3 (6) currently contributing employees covered by the system who are temporarily
119.4 employed by the legislature during a legislative session or any currently contributing
119.5 employee employed for any special service as defined in subdivision 2b, clause (6);
- 119.6 (7) employees of the legislature who are appointed without a limit on the duration of
119.7 their employment;
- 119.8 (8) trainees who are employed on a full-time established training program performing
119.9 the duties of the classified position for which they will be eligible to receive immediate
119.10 appointment at the completion of the training period;
- 119.11 (9) employees of the Minnesota Safety Council;
- 119.12 (10) any employees who are on authorized leave of absence from the Transit Operating
119.13 Division of the former Metropolitan Transit Commission and who are employed by the
119.14 labor organization which is the exclusive bargaining agent representing employees of the
119.15 Transit Operating Division;
- 119.16 (11) employees of the Metropolitan Council, Metropolitan Parks and Open Space
119.17 Commission, Metropolitan Sports Facilities Commission, or Metropolitan Mosquito Control
119.18 Commission unless excluded under subdivision 2b or are covered by another public pension
119.19 fund or plan under section 473.415, subdivision 3;
- 119.20 (12) judges of the Tax Court;
- 119.21 (13) personnel who were employed on June 30, 1992, by the University of Minnesota
119.22 in the management, operation, or maintenance of its heating plant facilities, whose
119.23 employment transfers to an employer assuming operation of the heating plant facilities, so
119.24 long as the person is employed at the University of Minnesota heating plant by that employer
119.25 or by its successor organization;
- 119.26 (14) personnel who are employed as seasonal employees in the classified or unclassified
119.27 service;
- 119.28 (15) persons who are employed by the Department of Commerce as a peace officer in
119.29 the Commerce Fraud Bureau under section 45.0135 who have attained the mandatory
119.30 retirement age specified in section 43A.34, subdivision 4;
- 119.31 (16) employees of the University of Minnesota unless excluded under subdivision 2b,
119.32 clause (3);
- 120.1 (17) employees of the Middle Management Association whose employment began after
120.2 July 1, 2007, and to whom section 352.029 does not apply;
- 120.3 (18) employees of the Minnesota Government Engineers Council to whom section
120.4 352.029 does not apply;
- 120.5 (19) employees of the Minnesota Sports Facilities Authority;

- 120.6 (20) employees of the Minnesota Association of Professional Employees;
- 120.7 (21) employees of the Minnesota State Retirement System;
- 120.8 (22) employees of the State Agricultural Society;
- 120.9 (23) employees of the Gillette Children's Hospital Board who were employed in the
120.10 state unclassified service at the former Gillette Children's Hospital on March 28, 1974; and
- 120.11 (24) if approved for coverage by the Board of Directors of Conservation Corps Minnesota,
120.12 employees of Conservation Corps Minnesota so employed on June 30, 2003; ~~and~~
- 120.13 ~~(25) employees of the Perpich Center for Arts Education who are covered by the general~~
120.14 ~~state employees retirement plan of the Minnesota State Retirement System as of July 1,~~
120.15 ~~2016.~~
- 120.16 (b) Employees specified in paragraph (a), clause (13), are included employees under
120.17 paragraph (a) if employer and employee contributions are made in a timely manner in the
120.18 amounts required by section 352.04. Employee contributions must be deducted from salary.
120.19 Employer contributions are the sole obligation of the employer assuming operation of the
120.20 University of Minnesota heating plant facilities or any successor organizations to that
120.21 employer.
- 120.22 **EFFECTIVE DATE.** This section is effective June 30, 2022.
- 120.23 Sec. 11. Minnesota Statutes 2020, section 354.05, subdivision 2, is amended to read:
- 120.24 Subd. 2. **Teacher.** (a) "Teacher" means:
- 120.25 (1) a person who renders service as a teacher, supervisor, principal, superintendent,
120.26 librarian, nurse, counselor, social worker, therapist, or psychologist in:
- 120.27 (i) a public school of the state other than in Independent School District No. 625; or
120.28 (ii) a charter school; ~~or~~
- 120.29 ~~(iii) the Perpich Center for Arts Education, except that any employee of the Perpich~~
120.30 ~~Center for Arts Education who was covered by the Minnesota State Retirement System~~
121.1 ~~general state employees retirement plan as of July 1, 2018, shall continue to be covered by~~
121.2 ~~that plan and not by the Teachers Retirement Association;~~
- 121.3 (2) a person who is engaged in educational administration in connection with the state
121.4 public school system, whether the position be a public office or as employment;
- 121.5 (3) a person who renders service as a charter school director or chief administrative
121.6 officer; provided, however, that if the charter school director or chief administrative officer
121.7 is covered by the Public Employees Retirement Association general employees retirement
121.8 plan on July 1, 2018, the charter school director or chief administrative officer shall continue
121.9 to be covered by that plan and not by the Teachers Retirement Association;

243.19 Sec. 12. Minnesota Statutes 2020, section 609A.03, subdivision 7a, is amended to read:

243.20 Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance

243.21 of an expungement order related to a charge supported by probable cause, the DNA samples

243.22 and DNA records held by the Bureau of Criminal Apprehension and collected under authority

243.23 other than section 299C.105 shall not be sealed, returned to the subject of the record, or

243.24 destroyed.

243.25 (b) Notwithstanding the issuance of an expungement order:

121.10 (4) an employee of the Teachers Retirement Association;

121.11 (5) a person who renders teaching service on a part-time basis and who also renders

121.12 other services for a single employing unit where the teaching service comprises at least 50

121.13 percent of the combined employment salary is a member of the association for all services

121.14 with the single employing unit or, if less than 50 percent of the combined employment

121.15 salary, the executive director determines all of the combined service is covered by the

121.16 association; or

121.17 (6) a person who is not covered by the plans established under chapter 352D, 354A, or

121.18 354B and who is employed by the Board of Trustees of the Minnesota State Colleges and

121.19 Universities system in an unclassified position as:

121.20 (i) a president, vice-president, or dean;

121.21 (ii) a manager or a professional in an academic or an academic support program other

121.22 than specified in item (i);

121.23 (iii) an administrative or a service support faculty position; or

121.24 (iv) a teacher or a research assistant.

121.25 (b) "Teacher" does not mean:

121.26 (1) a person who works for a school or institution as an independent contractor as defined

121.27 by the Internal Revenue Service;

121.28 (2) annuitants of the teachers retirement plan who are employed after retirement by an

121.29 employing unit that participates in the teachers retirement plan during the course of that

121.30 reemployment;

121.31 (3) a person who is employed by the University of Minnesota;

122.1 (4) a member or an officer of any general governing or managing board or body of an

122.2 employing unit that participates in the teachers retirement plan; or

122.3 (5) a person employed by Independent School District No. 625 as a teacher as defined

122.4 in section 354A.011, subdivision 27.

122.5 **EFFECTIVE DATE.** This section is effective June 30, 2022.

122.6 Sec. 12. Minnesota Statutes 2020, section 609A.03, subdivision 7a, is amended to read:

122.7 Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance

122.8 of an expungement order related to a charge supported by probable cause, the DNA samples

122.9 and DNA records held by the Bureau of Criminal Apprehension and collected under authority

122.10 other than section 299C.105 shall not be sealed, returned to the subject of the record, or

122.11 destroyed.

122.12 (b) Notwithstanding the issuance of an expungement order:

243.26 (1) except as provided in clause (2), an expunged record may be opened, used, or
 243.27 exchanged between criminal justice agencies without a court order for the purposes of
 243.28 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing
 243.29 purposes or providing probation or other correctional services;

243.30 (2) when a criminal justice agency seeks access to a record that was sealed under section
 243.31 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing
 243.32 for lack of probable cause, for purposes of a criminal investigation, prosecution, or
 244.1 sentencing, the requesting agency must obtain an ex parte court order after stating a
 244.2 good-faith basis to believe that opening the record may lead to relevant information;

244.3 (3) an expunged record of a conviction may be opened for purposes of evaluating a
 244.4 prospective employee in a criminal justice agency without a court order;

244.5 (4) an expunged record of a conviction may be opened for purposes of a background
 244.6 study under section 245C.08 unless the commissioner had been properly served with notice
 244.7 of the petition for expungement and the court order for expungement is directed specifically
 244.8 to the commissioner of human services;

244.9 (5) an expunged record of a conviction may be opened for purposes of a background
 244.10 check required under section 122A.18, subdivision 8, unless the court order for expungement
 244.11 is directed specifically to the Professional Educator Licensing and Standards Board ~~or the~~
 244.12 ~~licensing division of the Department of Education;~~ and

244.13 (6) the court may order an expunged record opened upon request by the victim of the
 244.14 underlying offense if the court determines that the record is substantially related to a matter
 244.15 for which the victim is before the court.

244.16 (c) An agency or jurisdiction subject to an expungement order shall maintain the record
 244.17 in a manner that provides access to the record by a criminal justice agency under paragraph
 244.18 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau
 244.19 of Criminal Apprehension shall notify the commissioner of human services; ~~or the~~
 244.20 ~~Professional Educator Licensing and Standards Board, or the licensing division of the~~
 244.21 ~~Department of Education~~ of the existence of a sealed record and of the right to obtain access
 244.22 under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to
 244.23 the expungement order shall provide access to the record to the commissioner of human
 244.24 services; ~~or the Professional Educator Licensing and Standards Board, or the licensing~~
 244.25 ~~division of the Department of Education~~ under paragraph (b), clause (4) or (5).

244.26 (d) An expunged record that is opened or exchanged under this subdivision remains
 244.27 subject to the expungement order in the hands of the person receiving the record.

244.28 (e) A criminal justice agency that receives an expunged record under paragraph (b),
 244.29 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the
 244.30 record to the investigation, prosecution, or sentencing for which it was obtained.

122.13 (1) except as provided in clause (2), an expunged record may be opened, used, or
 122.14 exchanged between criminal justice agencies without a court order for the purposes of
 122.15 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing
 122.16 purposes or providing probation or other correctional services;

122.17 (2) when a criminal justice agency seeks access to a record that was sealed under section
 122.18 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing
 122.19 for lack of probable cause, for purposes of a criminal investigation, prosecution, or
 122.20 sentencing, the requesting agency must obtain an ex parte court order after stating a
 122.21 good-faith basis to believe that opening the record may lead to relevant information;

122.22 (3) an expunged record of a conviction may be opened for purposes of evaluating a
 122.23 prospective employee in a criminal justice agency without a court order;

122.24 (4) an expunged record of a conviction may be opened for purposes of a background
 122.25 study under section 245C.08 unless the commissioner had been properly served with notice
 122.26 of the petition for expungement and the court order for expungement is directed specifically
 122.27 to the commissioner of human services;

122.28 (5) an expunged record of a conviction may be opened for purposes of a background
 122.29 check required under section 122A.18, subdivision 8, unless the court order for expungement
 122.30 is directed specifically to the Professional Educator Licensing and Standards Board ~~or the~~
 122.31 ~~licensing division of the Department of Education;~~ and

123.1 (6) the court may order an expunged record opened upon request by the victim of the
 123.2 underlying offense if the court determines that the record is substantially related to a matter
 123.3 for which the victim is before the court.

123.4 (c) An agency or jurisdiction subject to an expungement order shall maintain the record
 123.5 in a manner that provides access to the record by a criminal justice agency under paragraph
 123.6 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau
 123.7 of Criminal Apprehension shall notify the commissioner of human services; ~~or the~~
 123.8 ~~Professional Educator Licensing and Standards Board, or the licensing division of the~~
 123.9 ~~Department of Education~~ of the existence of a sealed record and of the right to obtain access
 123.10 under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to
 123.11 the expungement order shall provide access to the record to the commissioner of human
 123.12 services; ~~or the Professional Educator Licensing and Standards Board, or the licensing~~
 123.13 ~~division of the Department of Education~~ under paragraph (b), clause (4) or (5).

123.14 (d) An expunged record that is opened or exchanged under this subdivision remains
 123.15 subject to the expungement order in the hands of the person receiving the record.

123.16 (e) A criminal justice agency that receives an expunged record under paragraph (b),
 123.17 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the
 123.18 record to the investigation, prosecution, or sentencing for which it was obtained.

244.31 (f) For purposes of this section, a "criminal justice agency" means a court or government
244.32 agency that performs the administration of criminal justice under statutory authority.

245.1 (g) This subdivision applies to expungement orders subject to its limitations and effective
245.2 on or after January 1, 2015.

245.3 Sec. 13. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2,
245.4 as amended by Laws 2020, chapter 116, article 5, section 4, is amended to read:

245.5 Subd. 2. **Department.** (a) For the Department of Education:

245.6 \$ 29,196,000 2020

245.7 \$ 24,911,000 2021

245.8 Of these amounts:

245.9 (1) \$319,000 each year is for the Board of School Administrators;

245.10 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
245.11 section 120B.115;

245.12 (3) \$250,000 each year is for the School Finance Division to enhance financial data
245.13 analysis;

245.14 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
245.15 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

245.16 (5) \$123,000 each year is for a dyslexia specialist;

245.17 (6) \$4,700,000 in fiscal year 2020 only is for legal fees and costs associated with
245.18 litigation; and

245.19 (7) \$400,000 in fiscal year 2020 and \$480,000 in fiscal year 2021 and later are for the
245.20 Department of Education's mainframe update.

245.21 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
245.22 Washington, D.C. office.

245.23 (c) The expenditures of federal grants and aids as shown in the biennial budget document
245.24 and its supplements are approved and appropriated and shall be spent as indicated.

245.25 (d) This appropriation includes funds for information technology project services and
245.26 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
245.27 information technology costs will be incorporated into the service level agreement and will
245.28 be paid to the Office of MN.IT Services by the Department of Education under the rates
245.29 and mechanism specified in that agreement.

123.19 (f) For purposes of this section, a "criminal justice agency" means a court or government
123.20 agency that performs the administration of criminal justice under statutory authority.

123.21 (g) This subdivision applies to expungement orders subject to its limitations and effective
123.22 on or after January 1, 2015.

123.23 Sec. 13. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2,
123.24 as amended by Laws 2020, chapter 116, article 5, section 4, is amended to read:

123.25 Subd. 2. **Department.** (a) For the Department of Education:

123.26 ~~29,196,000~~
123.27 \$ 27,196,000 2020

123.28 ~~24,911,000~~
123.29 \$ 23,659,000 2021

123.30 Of these amounts:

123.31 (1) \$319,000 each year is for the Board of School Administrators;

123.32 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
123.33 section 120B.115;

124.1 (3) \$250,000 each year is for the School Finance Division to enhance financial data
124.2 analysis;

124.3 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
124.4 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

124.5 (5) \$123,000 each year is for a dyslexia specialist;

124.6 (6) \$4,700,000 in fiscal year 2020 only is for legal fees and costs associated with
124.7 litigation; and

124.8 (7) \$400,000 in fiscal year 2020 and \$480,000 in fiscal year 2021 and later are for the
124.9 Department of Education's mainframe update.

124.10 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
124.11 Washington, D.C. office.

124.12 (c) The expenditures of federal grants and aids as shown in the biennial budget document
124.13 and its supplements are approved and appropriated and shall be spent as indicated.

124.14 (d) This appropriation includes funds for information technology project services and
124.15 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
124.16 information technology costs will be incorporated into the service level agreement and will
124.17 be paid to the Office of MN.IT Services by the Department of Education under the rates
124.18 and mechanism specified in that agreement.

245.30 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 245.31 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is
 246.1 \$24,591,000. The base for fiscal year 2023 is \$24,611,000. The base for fiscal year 2024 is
 246.2 \$24,629,000.

246.3 (f) On the effective date of this act, the commissioner of the Department of Education
 246.4 must cancel to the general fund \$2,000,000 from the fiscal year 2020 general fund
 246.5 appropriations for legal fees and costs associated with litigation.

246.6 (g) On the effective date of this act, the commissioner of the Department of Education
 246.7 must cancel to the general fund \$1,252,000 from the fiscal year 2021 general fund
 246.8 appropriations for agency operations.

246.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.

124.19 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 124.20 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is
 124.21 \$24,591,000. The base for fiscal year 2023 is \$24,611,000. The base for fiscal year 2024 is
 124.22 \$24,629,000.

124.23 (f) \$2,000,000 from the fiscal year 2020 appropriation for legal fees and costs associated
 124.24 with litigation is canceled to the general fund.

124.25 (g) \$1,252,000 from the fiscal year 2021 appropriation for agency operations is canceled
 124.26 to the general fund.

124.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

124.28 Sec. 14. **PERPICH CENTER FOR ARTS EDUCATION CLOSURE.**

124.29 Subdivision 1. **Perpich Center for Arts Education abolished.** (a) The Perpich Center
 124.30 for Arts Education (Perpich Center) is abolished effective June 30, 2022. Abolishment under
 125.1 this section does not reduce or otherwise limit the powers and authority of the Perpich Center
 125.2 during the concluding duration of its existence.

125.3 (b) Notwithstanding any other law, any unexpended and unencumbered appropriations
 125.4 to the Perpich Center lapse to the fund or account from which they were appropriated on
 125.5 June 30, 2022. All money in a dedicated fund or account of the Perpich Center on June 30,
 125.6 2022, must be transferred to the general fund.

125.7 Subd. 2. **Library.** All property in the Perpich Arts Library is transferred to the State
 125.8 Library Services Division of the Department of Education, in accordance with Minnesota
 125.9 Statutes, section 15.039, subdivisions 5 and 8, effective June 1, 2022.

125.10 Subd. 3. **Student enrollment.** Students enrolled in the Perpich Arts High School during
 125.11 the 2020-2021 school year may continue to enroll in the school for the 2021-2022 school
 125.12 year. No student may enroll in the Perpich Arts High School after the 2021-2022 school
 125.13 year.

125.14 Subd. 4. **Perpich Center property conveyance.** The Perpich Center must submit to the
 125.15 legislature by January 15, 2022, a proposal to convey or sell, for no less than fair market
 125.16 value, the real and personal property of the Perpich Arts High School to a school district or
 125.17 nonprofit institution organized under Minnesota Statutes, chapter 317A. If the Perpich
 125.18 Center does not submit a proposal to the legislature, all property of the Perpich Arts High
 125.19 School shall be transferred to the Department of Administration in accordance with Minnesota
 125.20 Statutes, section 15.039, subdivisions 5 and 8, effective June 30, 2022.

125.21 Subd. 5. **Education records.** The Perpich Center must transfer the education records
 125.22 of each student of the Perpich Arts High School according to Minnesota Statutes, section
 125.23 120A.22, subdivision 7.

246.10 Sec. 14. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

246.11 Subdivision 1. Department of Education. Unless otherwise indicated, the sums indicated
 246.12 in this section are appropriated from the general fund to the Department of Education for
 246.13 the fiscal years designated. Any balance in the first year does not cancel but is available in
 246.14 the second year.

246.15 Subd. 2. Department. (a) For the Department of Education:

246.16 \$ 36,684,000 2022

246.17 \$ 33,099,000 2023

246.18 Of these amounts:

246.19 (1) \$319,000 each year is for the Board of School Administrators;

246.20 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
 246.21 section 120B.115;

246.22 (3) \$250,000 each year is for the School Finance Division to enhance financial data
 246.23 analysis;

246.24 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
 246.25 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

246.26 (5) \$123,000 each year is for a dyslexia specialist;

246.27 (6) \$480,000 each year is for the Department of Education's mainframe update;

246.28 (7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with
 246.29 litigation;

247.1 (8) \$455,000 in fiscal year 2022 and \$865,000 in fiscal year 2023 are for data analytics
 247.2 for the state count of American Indian children. The base for this program is \$510,000 in
 247.3 fiscal year 2024, \$355,000 in fiscal year 2025, and \$133,000 in fiscal year 2026 and later;

247.4 (9) \$3,279,000 in fiscal year 2022 and \$3,384,000 in fiscal year 2023 are for modernizing
 247.5 district data submission to support students and educators. The base for this program is
 247.6 \$3,252,000 in fiscal year 2024 and beyond;

125.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

125.25 Sec. 15. **WAIVER REQUEST.**

125.26 The commissioner of education shall request the waivers from maintenance of effort
 125.27 requirements permitted under Section 317(b) of the Consolidated Appropriations Act, 2021,
 125.28 as provided by Public Law 116-260, and Section 2004(a)(2) of the American Rescue Plan
 125.29 Act, as provided by Public Law 117-2.

125.30 Sec. 16. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

125.31 Subdivision 1. Department of Education. (a) Unless otherwise indicated, the sums
 125.32 indicated in this section are appropriated from the general fund to the Department of
 126.1 Education for the fiscal years designated. Any balance in the first year does not cancel but
 126.2 is available in the second year.

126.3 Subd. 2. Department. (a) For the Department of Education:

126.4 \$ 25,427,000 2022

126.5 \$ 23,603,000 2023

126.6 Of these amounts:

126.7 (1) \$319,000 each year is for the Board of School Administrators;

126.8 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
 126.9 section 120B.115;

126.10 (3) \$250,000 each year is for the School Finance Division to enhance financial data
 126.11 analysis;

126.12 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
 126.13 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

126.14 (5) \$123,000 each year is for a dyslexia specialist;

126.15 (6) \$480,000 each year is for the Department of Education's mainframe update;

126.16 (7) \$2,000,000 in fiscal year 2022 only is for legal fees and costs associated with
 126.17 litigation; and

126.18 (8) \$169,000 in fiscal year 2023 and later is for an arts education specialist under
 126.19 Minnesota Statutes, section 127A.155.

247.7 (10) \$340,000 in fiscal year 2022 and \$340,000 in fiscal year 2023 are for voluntary
247.8 prekindergarten programs;

247.9 (11) \$3,000,000 each year is for translation services of which \$2,000,000 each year is
247.10 for grants to support school districts and charter schools with translation services; and

247.11 (12) \$144,000 in fiscal year 2022 and \$148,000 in fiscal year 2023 are for incorporating
247.12 ethnic studies into the curriculum standards.

247.13 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
247.14 Washington, D.C., office.

247.15 (c) The expenditures of federal grants and aids as shown in the biennial budget document
247.16 and its supplements are approved and appropriated and must be spent as indicated.

247.17 (d) This appropriation includes funds for information technology project services and
247.18 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
247.19 information technology costs will be incorporated into the service level agreement and will
247.20 be paid to the Office of MN.IT Services by the Department of Education under the rates
247.21 and mechanisms specified in that agreement.

247.22 (e) Eligible grantees for funds for translation services under clause (11) only include
247.23 school districts, charter schools, intermediate school districts, and cooperative units as
247.24 defined in Minnesota Statutes, section 123A.24, subdivision 2.

247.25 (f) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
247.26 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 is
247.27 \$32,630,000 and the base for fiscal year 2025 is \$32,475,000.

247.28 **Sec. 15. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

247.29 (a) The sums indicated in this section are appropriated from the general fund to the
247.30 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

247.31 \$ 14,056,000 2022

247.32 \$ 14,317,000 2023

248.1 (b) Any balance in the first year does not cancel but is available in the second year.

248.2 (c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
248.3 section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2024 is
248.4 \$14,323,000.

248.5 **Sec. 16. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

248.6 (a) The sums in this section are appropriated from the general fund to the Perpich Center
248.7 for Arts Education for the fiscal years designated:

126.20 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
126.21 Washington, D.C., office.

126.22 (c) This appropriation includes funds for information technology project services and
126.23 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
126.24 information technology costs will be incorporated into the service level agreement and will
126.25 be paid to the Office of MN.IT Services by the Department of Education under the rates
126.26 and mechanisms specified in that agreement.

126.27 (d) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
126.28 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 is
126.29 \$23,665,000 and the base for fiscal year 2025 is \$23,711,000.

127.1 **Sec. 17. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

127.2 (a) The sums indicated in this section are appropriated from the general fund to the
127.3 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

127.4 \$ 13,794,000 2022

127.5 \$ 13,801,000 2023

127.6 (b) Any balance in the first year does not cancel but is available in the second year.

127.7 (c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
127.8 section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2024 and later
127.9 is \$13,807,000.

127.10 **Sec. 18. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

127.11 (a) The sums in this section are appropriated from the general fund to the Perpich Center
127.12 for Arts Education for the fiscal years designated:

248.8 \$ 7,406,000 2022

248.9 \$ 7,527,000 2023

248.10 (b) Any balance in the first year does not cancel but is available in the second year.

248.11 (c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
248.12 section 1, paragraph (a), and section 3, paragraph (c), the base for fiscal year 2024 is
248.13 \$7,532,000.

248.14 Sec. 17. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
248.15 **STANDARDS BOARD.**

248.16 Subdivision 1. Professional Educator Licensing and Standards Board. (a) The sums
248.17 indicated in this section are appropriated from the general fund to the Professional Educator
248.18 Licensing and Standards Board for the fiscal years designated:

248.19 \$ 2,856,000 2022

248.20 \$ 2,843,000 2023

248.21 (b) Any balance in the first year does not cancel but is available in the second year.

248.22 (c) This appropriation includes funds for information technology project services and
248.23 support subject to Minnesota Statutes, section 16E.0466. Any ongoing information
248.24 technology costs will be incorporated into an interagency agreement and will be paid to the
248.25 Office of MN.IT Services by the Professional Educator Licensing and Standards Board
248.26 under the mechanism specified in that agreement.

248.27 Subd. 2. **Licensure by portfolio.** For licensure by portfolio:

248.28 \$ 34,000 2022

248.29 \$ 34,000 2023

127.13 \$ 7,344,000 2022

127.14 \$ 3,436,000 2023

127.15 (b) Any balance in the first year does not cancel but is available in the second year.

127.16 (c) \$56,000 in fiscal year 2022 and \$1,082,000 in fiscal year 2023 are for transfer to the
127.17 Department of Administration for costs associated with the closure and sale of Perpich
127.18 Center facilities.

127.19 (d) \$86,000 in fiscal year 2023 is for transfer to the Department of Education for
127.20 rehousing the Perpich Center library.

127.21 (e) \$2,268,000 in fiscal year 2023 is for severance payments and other costs related to
127.22 the closure of the Perpich Center.

127.23 (f) The base for fiscal year 2024 is \$989,000 for a transfer to the Department of
127.24 Administration for costs associated with the closure and sale of Perpich Center facilities.
127.25 The base for fiscal year 2025 and later is \$0.

127.26 Sec. 19. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
127.27 **STANDARDS BOARD.**

127.28 Subdivision 1. Professional Educator Licensing and Standards Board. (a) The sums
127.29 indicated in this section are appropriated from the general fund to the Professional Educator
127.30 Licensing and Standards Board for the fiscal years designated:

128.1 \$ 2,719,000 2022

128.2 \$ 2,719,000 2023

128.3 (b) Any balance in the first year does not cancel but is available in the second year.

128.4 (c) This appropriation includes funds for information technology project services and
128.5 support subject to Minnesota Statutes, section 16E.0466. Any ongoing information
128.6 technology costs will be incorporated into an interagency agreement and will be paid to the
128.7 Office of MN.IT Services by the Professional Educator Licensing and Standards Board
128.8 under the mechanism specified in that agreement.

128.9 Subd. 2. **Licensure by portfolio.** For licensure by portfolio:

128.10 \$ 34,000 2022

128.11 \$ 34,000 2023

248.30 This appropriation is from the education licensure portfolio account in the special revenue
248.31 fund.

128.12 This appropriation is from the education licensure portfolio account in the special revenue
128.13 fund.

128.14 Sec. 20. **REPEALER.**

128.15 (a) Minnesota Statutes 2020, sections 124D.8957, subdivision 30; 129C.10, subdivisions

128.16 1, 2, 3, 3a, 3b, 4, 4a, 6, 7, and 8; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; and

128.17 129C.27, are repealed.

128.18 (b) Minnesota Rules, parts 3600.0010, subparts 1, 2, 2a, 2b, 3, and 6; 3600.0020;

128.19 3600.0030, subparts 1, 2, 4, and 6; 3600.0045, subparts 1 and 2; 3600.0055; 3600.0065;

128.20 3600.0075; and 3600.0085, are repealed.

128.21 **EFFECTIVE DATE.** This section is effective June 30, 2022.

249.1 **ARTICLE 12**
249.2 **FORECAST ADJUSTMENTS**

249.3 Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision
249.4 3, as amended by Laws 2020, chapter 116, article 6, section 2, is amended to read:

249.5 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending
249.6 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation
249.7 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

249.8 \$ 19,000 2020

249.9 ~~20,000~~

249.10 \$ 11,000 2021

249.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

249.12 Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4,
249.13 as amended by Laws 2020, chapter 116, article 6, section 3, is amended to read:

249.14 Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

128.22 **ARTICLE 11**
128.23 **FORECAST**

128.25 Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision
128.26 2, as amended by Laws 2020, chapter 116, article 6, section 1, is amended to read:

128.27 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,
128.28 section 126C.13, subdivision 4:

128.29 \$ 7,347,424,000 2020

128.30 ~~7,509,639,000~~

128.31 \$ 7,408,986,000 2021

129.1 The 2020 appropriation includes \$700,383,000 for 2019 and \$6,647,041,000 for 2020.

129.2 The 2021 appropriation includes \$711,885,000 for 2020 and ~~\$6,797,754,000~~

129.3 \$6,697,100,000 for 2021.

129.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

129.5 Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 3,
129.6 as amended by Laws 2020, chapter 116, article 6, section 2, is amended to read:

129.7 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending
129.8 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation
129.9 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

129.10 \$ 19,000 2020

129.11 ~~20,000~~

129.12 \$ 11,000 2021

129.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

129.14 Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4,
129.15 as amended by Laws 2020, chapter 116, article 6, section 3, is amended to read:

129.16 Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

249.15 \$ 1,770,000 2020

249.16 ~~2,827,000~~

249.17 \$ 2,595,000 2021

249.18 The 2020 appropriation includes \$274,000 for 2019 and \$1,496,000 for 2020.

249.19 The 2021 appropriation includes \$166,000 for 2020 and ~~\$2,661,000~~ \$2,429,000 for

249.20 2021.

249.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

249.22 Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6,

249.23 as amended by Laws 2020, chapter 116, article 6, section 4, is amended to read:

249.24 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under

249.25 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

249.26 \$ 17,925,000 2020

249.27 ~~18,917,000~~

249.28 \$ 18,918,000 2021

249.29 The 2020 appropriation includes \$1,806,000 for 2019 and \$16,119,000 for 2020.

250.1 The 2021 appropriation includes \$1,790,000 for 2020 and ~~\$17,127,000~~ \$17,128,000 for

250.2 2021.

250.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

250.4 Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7,

250.5 as amended by Laws 2020, chapter 116, article 6, section 5, is amended to read:

250.6 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under

250.7 Minnesota Statutes, section 123B.92, subdivision 9:

250.8 \$ 19,168,000 2020

250.9 ~~20,100,000~~

250.10 \$ 19,106,000 2021

250.11 The 2020 appropriation includes \$1,961,000 for 2019 and \$17,207,000 for 2020.

250.12 The 2021 appropriation includes \$1,911,000 for 2020 and ~~\$18,189,000~~ \$17,195,000 for

250.13 2021.

250.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

129.17 \$ 1,770,000 2020

129.18 ~~2,827,000~~

129.19 \$ 2,595,000 2021

129.20 The 2020 appropriation includes \$274,000 for 2019 and \$1,496,000 for 2020.

129.21 The 2021 appropriation includes \$166,000 for 2020 and ~~\$2,661,000~~ \$2,429,000 for

129.22 2021.

129.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

129.24 Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6,

129.25 as amended by Laws 2020, chapter 116, article 6, section 4, is amended to read:

129.26 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under

129.27 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

129.28 \$ 17,925,000 2020

129.29 ~~18,917,000~~

129.30 \$ 18,918,000 2021

130.1 The 2020 appropriation includes \$1,806,000 for 2019 and \$16,119,000 for 2020.

130.2 The 2021 appropriation includes \$1,790,000 for 2020 and ~~\$17,127,000~~ \$17,128,000 for

130.3 2021.

130.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

130.5 Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7,

130.6 as amended by Laws 2020, chapter 116, article 6, section 5, is amended to read:

130.7 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under

130.8 Minnesota Statutes, section 123B.92, subdivision 9:

130.9 \$ 19,168,000 2020

130.10 ~~20,100,000~~

130.11 \$ 19,106,000 2021

130.12 The 2020 appropriation includes \$1,961,000 for 2019 and \$17,207,000 for 2020.

130.13 The 2021 appropriation includes \$1,911,000 for 2020 and ~~\$18,189,000~~ \$17,195,000 for

130.14 2021.

130.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

250.15 Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9,
250.16 as amended by Laws 2020, chapter 116, article 6, section 6, is amended to read:

250.17 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota
250.18 Statutes, section 124D.4531, subdivision 1b:

250.19 \$ 3,857,000 2020

250.20 ~~3,433,000~~

250.21 \$ 3,288,000 2021

250.22 The 2020 appropriation includes \$422,000 for 2019 and \$3,435,000 for 2020.

250.23 The 2021 appropriation includes \$378,000 for 2020 and ~~\$3,055,000~~ \$2,910,000 for
250.24 2021.

250.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

250.26 Sec. 6. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2,
250.27 as amended by Laws 2020, chapter 116, article 3, section 2, is amended to read:

250.28 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
250.29 Minnesota Statutes, section 124D.862:

251.1 \$ 77,247,000 2020

251.2 ~~81,233,000~~

251.3 \$ 87,574,000 2021

251.4 The 2020 appropriation includes \$7,058,000 for 2019 and \$70,189,000 for 2020.

251.5 The 2021 appropriation includes \$7,763,000 for 2020 and ~~\$73,470,000~~ \$79,811,000 for
251.6 2021.

251.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

251.8 Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3,
251.9 as amended by Laws 2020, chapter 116, article 6, section 7, is amended to read:

251.10 Subd. 3. **Interdistrict desegregation or integration transportation grants.** For
251.11 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
251.12 section 124D.87:

251.13 \$ 14,231,000 2020

251.14 ~~14,962,000~~

251.15 \$ 15,670,000 2021

130.16 Sec. 6. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9,
130.17 as amended by Laws 2020, chapter 116, article 6, section 6, is amended to read:

130.18 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota
130.19 Statutes, section 124D.4531, subdivision 1b:

130.20 \$ 3,857,000 2020

130.21 ~~3,433,000~~

130.22 \$ 3,288,000 2021

130.23 The 2020 appropriation includes \$422,000 for 2019 and \$3,435,000 for 2020.

130.24 The 2021 appropriation includes \$378,000 for 2020 and ~~\$3,055,000~~ \$2,910,000 for
130.25 2021.

130.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

131.2 Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2,
131.3 as amended by Laws 2020, chapter 116, article 3, section 2, is amended to read:

131.4 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
131.5 Minnesota Statutes, section 124D.862:

131.6 \$ 77,247,000 2020

131.7 ~~81,233,000~~

131.8 \$ 87,574,000 2021

131.9 The 2020 appropriation includes \$7,058,000 for 2019 and \$70,189,000 for 2020.

131.10 The 2021 appropriation includes \$7,763,000 for 2020 and ~~\$73,470,000~~ \$79,811,000 for
131.11 2021.

131.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

131.13 Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3,
131.14 as amended by Laws 2020, chapter 116, article 6, section 7, is amended to read:

131.15 Subd. 3. **Interdistrict desegregation or integration transportation grants.** For
131.16 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
131.17 section 124D.87:

131.18 \$ 14,231,000 2020

131.19 ~~14,962,000~~

131.20 \$ 15,670,000 2021

251.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

251.17 Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6,
251.18 as amended by Laws 2020, chapter 116, article 6, section 10, is amended to read:

251.19 Subd. 6. **American Indian education aid.** For American Indian education aid under
251.20 Minnesota Statutes, section 124D.81, subdivision 2a:

251.21 \$ 10,113,000 2020

251.22 ~~10,696,000~~

251.23 \$ 10,939,000 2021

251.24 The 2020 appropriation includes \$960,000 for 2019 and \$9,153,000 for 2020.

251.25 The 2021 appropriation includes \$1,016,000 for 2020 and ~~\$9,680,000~~ \$9,923,000 for
251.26 2021.

251.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

251.28 Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 16,
251.29 as amended by Laws 2020, chapter 116, article 6, section 11, is amended to read:

251.30 Subd. 16. **Charter school building lease aid.** For building lease aid under Minnesota
251.31 Statutes, section 124E.22:

131.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

131.22 Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5,
131.23 as amended by Laws 2020, chapter 116, article 6, section 9, is amended to read:

131.24 Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota
131.25 Statutes, section 124D.83:

131.26 \$ 2,766,000 2020

131.27 ~~3,106,000~~

131.28 \$ 2,435,000 2021

131.29 The 2020 appropriation includes \$299,000 for 2019 and \$2,467,000 for 2020.

131.30 The 2021 appropriation includes \$274,000 for 2020 and ~~\$2,832,000~~ \$2,161,000 for
131.31 2021.

132.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

132.2 Sec. 10. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6,
132.3 as amended by Laws 2020, chapter 116, article 6, section 10, is amended to read:

132.4 Subd. 6. **American Indian education aid.** For American Indian education aid under
132.5 Minnesota Statutes, section 124D.81, subdivision 2a:

132.6 \$ 10,113,000 2020

132.7 ~~10,696,000~~

132.8 \$ 10,939,000 2021

132.9 The 2020 appropriation includes \$960,000 for 2019 and \$9,153,000 for 2020.

132.10 The 2021 appropriation includes \$1,016,000 for 2020 and ~~\$9,680,000~~ \$9,923,000 for
132.11 2021.

132.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

132.13 Sec. 11. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision
132.14 16, as amended by Laws 2020, chapter 116, article 6, section 11, is amended to read:

132.15 Subd. 16. **Charter school building lease aid.** For building lease aid under Minnesota
132.16 Statutes, section 124E.22:

252.1 \$ 83,214,000 2020

252.2 ~~88,454,000~~

252.3 \$ 85,916,000 2021

252.4 The 2020 appropriation includes \$8,021,000 for 2019 and \$75,193,000 for 2020.

252.5 The 2021 appropriation includes \$8,354,000 for 2020 and ~~\$80,100,000~~ \$77,562,000 for

252.6 2021.

252.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

252.8 Sec. 10. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3,

252.9 as amended by Laws 2020, chapter 116, article 6, section 12, is amended to read:

252.10 Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation

252.11 aid under Minnesota Statutes, section 122A.415, subdivision 4:

252.12 \$ 89,166,000 2020

252.13 ~~88,851,000~~

252.14 \$ 88,788,000 2021

252.15 (b) The 2020 appropriation includes \$8,974,000 for 2019 and \$80,192,000 for 2020.

252.16 (c) The 2021 appropriation includes \$8,887,000 for 2020 and ~~\$79,964,000~~ \$79,901,000

252.17 for 2021.

252.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

252.19 Sec. 11. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2,

252.20 as amended by Laws 2020, chapter 116, article 6, section 13, is amended to read:

252.21 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,

252.22 section 125A.75:

252.23 \$ 1,600,889,000 2020

252.24 ~~1,747,701,000~~

252.25 \$ 1,727,596,000 2021

252.26 The 2020 appropriation includes \$184,363,000 for 2019 and \$1,416,526,000 for 2020.

252.27 The 2021 appropriation includes \$199,406,000 for 2020 and ~~\$1,548,295,000~~

252.28 \$1,528,190,000 for 2021.

252.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

132.17 \$ 83,214,000 2020

132.18 ~~88,454,000~~

132.19 \$ 85,916,000 2021

132.20 The 2020 appropriation includes \$8,021,000 for 2019 and \$75,193,000 for 2020.

132.21 The 2021 appropriation includes \$8,354,000 for 2020 and ~~\$80,100,000~~ \$77,562,000 for

132.22 2021.

132.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

132.24 Sec. 12. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3,

132.25 as amended by Laws 2020, chapter 116, article 6, section 12, is amended to read:

132.26 Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation

132.27 aid under Minnesota Statutes, section 122A.415, subdivision 4:

132.28 \$ 89,166,000 2020

132.29 ~~88,851,000~~

132.30 \$ 88,788,000 2021

132.31 (b) The 2020 appropriation includes \$8,974,000 for 2019 and \$80,192,000 for 2020.

133.1 (c) The 2021 appropriation includes \$8,887,000 for 2020 and ~~\$79,964,000~~ \$79,901,000

133.2 for 2021.

133.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

133.5 Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2,

133.6 as amended by Laws 2020, chapter 116, article 6, section 13, is amended to read:

133.7 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,

133.8 section 125A.75:

133.9 \$ 1,600,889,000 2020

133.10 ~~1,747,701,000~~

133.11 \$ 1,727,596,000 2021

133.12 The 2020 appropriation includes \$184,363,000 for 2019 and \$1,416,526,000 for 2020.

133.13 The 2021 appropriation includes \$199,406,000 for 2020 and ~~\$1,548,295,000~~

133.14 \$1,528,190,000 for 2021.

133.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

253.1 Sec. 12. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3,
253.2 as amended by Laws 2020, chapter 116, article 6, section 14, is amended to read:

253.3 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
253.4 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
253.5 the district boundaries for whom no district of residence can be determined:

253.6 \$ 1,109,000 2020

253.7 ~~1,267,000~~

253.8 \$ 1,644,000 2021

253.9 If the appropriation for either year is insufficient, the appropriation for the other year is
253.10 available.

253.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

253.12 Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4,
253.13 as amended by Laws 2020, chapter 116, article 6, section 15, is amended to read:

253.14 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
253.15 services under Minnesota Statutes, section 125A.75, subdivision 1:

253.16 \$ 445,000 2020

253.17 ~~467,000~~

253.18 \$ 254,000 2021

253.19 The 2020 appropriation includes \$40,000 for 2019 and \$405,000 for 2020.

253.20 The 2021 appropriation includes \$44,000 for 2020 and ~~\$423,000~~ \$210,000 for 2021.

253.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

253.22 Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5,
253.23 as amended by Laws 2020, chapter 116, article 6, section 16, is amended to read:

253.24 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
253.25 districts for unreimbursed eligible expenditures attributable to children placed in the serving
253.26 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

253.27 \$ -0- 2020

253.28 \$ ~~23,000~~ 2021

133.16 Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3,
133.17 as amended by Laws 2020, chapter 116, article 6, section 14, is amended to read:

133.18 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
133.19 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
133.20 the district boundaries for whom no district of residence can be determined:

133.21 \$ 1,109,000 2020

133.22 ~~1,267,000~~

133.23 \$ 1,644,000 2021

133.24 If the appropriation for either year is insufficient, the appropriation for the other year is
133.25 available.

133.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

133.27 Sec. 15. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4,
133.28 as amended by Laws 2020, chapter 116, article 6, section 15, is amended to read:

133.29 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
133.30 services under Minnesota Statutes, section 125A.75, subdivision 1:

134.1 \$ 445,000 2020

134.2 ~~467,000~~

134.3 \$ 254,000 2021

134.4 The 2020 appropriation includes \$40,000 for 2019 and \$405,000 for 2020.

134.5 The 2021 appropriation includes \$44,000 for 2020 and ~~\$423,000~~ \$210,000 for 2021.

134.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

134.7 Sec. 16. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5,
134.8 as amended by Laws 2020, chapter 116, article 6, section 16, is amended to read:

134.9 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
134.10 districts for unreimbursed eligible expenditures attributable to children placed in the serving
134.11 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

134.12 \$ -0- 2020

134.13 \$ ~~23,000~~ 2021

-0-

253.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

254.1 Sec. 15. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2,
254.2 as amended by Laws 2020, chapter 116, article 6, section 17, and Laws 2020, Fifth Special
254.3 Session chapter 3, article 5, section 36, is amended to read:

254.4 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
254.5 Minnesota Statutes, section 123B.53, subdivision 6:

254.6 \$ 20,684,000 2020

254.7 ~~25,380,000~~

254.8 \$ 25,335,000 2021

254.9 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

254.10 The 2021 appropriation includes \$2,043,000 for 2020 and ~~\$23,337,000~~ \$23,292,000 for
254.11 2021.

254.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

254.13 Sec. 16. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3,
254.14 as amended by Laws 2020, chapter 116, article 6, section 18, is amended to read:

254.15 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
254.16 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

254.17 \$ 104,690,000 2020

254.18 ~~107,820,000~~

254.19 \$ 106,356,000 2021

254.20 The 2020 appropriation includes \$10,464,000 for 2019 and \$94,226,000 for 2020.

254.21 The 2021 appropriation includes \$10,412,000 for 2020 and ~~\$97,408,000~~ \$95,944,000
254.22 for 2021.

254.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

254.24 Sec. 17. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2,
254.25 as amended by Laws 2020, chapter 116, article 6, section 20, is amended to read:

254.26 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
254.27 and Code of Federal Regulations, title 7, section 210.17:

-0-

134.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

134.17 Sec. 17. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2,
134.18 as amended by Laws 2020, chapter 116, article 6, section 17, and Laws 2020, Fifth Special
134.19 Session chapter 3, article 5, section 36, is amended to read:

134.20 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
134.21 Minnesota Statutes, section 123B.53, subdivision 6:

134.22 \$ 20,684,000 2020

134.23 ~~25,380,000~~

134.24 \$ 25,335,000 2021

134.25 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

134.26 The 2021 appropriation includes \$2,043,000 for 2020 and ~~\$23,337,000~~ \$23,292,000 for
134.27 2021.

134.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

135.1 Sec. 18. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3,
135.2 as amended by Laws 2020, chapter 116, article 6, section 18, is amended to read:

135.3 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
135.4 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

135.5 \$ 104,690,000 2020

135.6 ~~107,820,000~~

135.7 \$ 106,356,000 2021

135.8 The 2020 appropriation includes \$10,464,000 for 2019 and \$94,226,000 for 2020.

135.9 The 2021 appropriation includes \$10,412,000 for 2020 and ~~\$97,408,000~~ \$95,944,000
135.10 for 2021.

135.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

135.13 Sec. 19. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2,
135.14 as amended by Laws 2020, chapter 116, article 6, section 20, is amended to read:

135.15 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
135.16 and Code of Federal Regulations, title 7, section 210.17:

254.28 \$ 16,245,000 2020

254.29 ~~16,514,000~~

254.30 \$ 4,796,000 2021

254.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

255.1 Sec. 18. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3,
255.2 as amended by Laws 2020, chapter 116, article 6, section 21, is amended to read:

255.3 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
255.4 section 124D.1158:

255.5 \$ 11,428,000 2020

255.6 ~~11,846,000~~

255.7 \$ 3,242,000 2021

255.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

255.9 Sec. 19. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4,
255.10 as amended by Laws 2020, chapter 116, article 6, section 22, is amended to read:

255.11 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
255.12 section 124D.118:

255.13 \$ 658,000 2020

255.14 ~~658,000~~

255.15 \$ 494,000 2021

255.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

255.17 Sec. 20. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5,
255.18 as amended by Laws 2020, chapter 116, article 6, section 23, is amended to read:

255.19 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
255.20 aid under Minnesota Statutes, section 124D.135:

255.21 \$ 32,151,000 2020

255.22 ~~33,540,000~~

255.23 \$ 33,204,000 2021

255.24 (b) The 2020 appropriation includes \$3,098,000 for 2019 and \$29,053,000 for 2020.

135.17 \$ 16,245,000 2020

135.18 ~~16,514,000~~

135.19 \$ 4,796,000 2021

135.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

135.21 Sec. 20. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3,
135.22 as amended by Laws 2020, chapter 116, article 6, section 21, is amended to read:

135.23 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
135.24 section 124D.1158:

135.25 \$ 11,428,000 2020

135.26 ~~11,846,000~~

135.27 \$ 3,242,000 2021

135.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

136.1 Sec. 21. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4,
136.2 as amended by Laws 2020, chapter 116, article 6, section 22, is amended to read:

136.3 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
136.4 section 124D.118:

136.5 \$ 658,000 2020

136.6 ~~658,000~~

136.7 \$ 494,000 2021

136.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

136.10 Sec. 22. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5,
136.11 as amended by Laws 2020, chapter 116, article 6, section 23, is amended to read:

136.12 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
136.13 aid under Minnesota Statutes, section 124D.135:

136.14 \$ 32,151,000 2020

136.15 ~~33,540,000~~

136.16 \$ 33,204,000 2021

136.17 (b) The 2020 appropriation includes \$3,098,000 for 2019 and \$29,053,000 for 2020.

255.25 (c) The 2021 appropriation includes \$3,133,000 for 2020 and ~~\$30,407,000~~ \$30,071,000
255.26 for 2021.

255.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

255.28 Sec. 21. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision
255.29 14, as amended by Laws 2020, chapter 116, article 6, section 24, is amended to read:

255.30 Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
255.31 124D.135:

256.1 \$ 521,000 2020

256.2 ~~528,000~~

256.3 \$ 481,000 2021

256.4 (b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

256.5 (c) The 2021 appropriation includes \$51,000 for 2020 and ~~\$477,000~~ \$430,000 for 2021.

256.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

256.7 Sec. 22. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2,
256.8 as amended by Laws 2020, chapter 116, article 6, section 25, is amended to read:

256.9 Subd. 2. **Community education aid.** For community education aid under Minnesota
256.10 Statutes, section 124D.20:

256.11 \$ 327,000 2020

256.12 ~~249,000~~

256.13 \$ 236,000 2021

256.14 The 2020 appropriation includes \$40,000 for 2019 and \$287,000 for 2020.

256.15 The 2021 appropriation includes \$31,000 for 2020 and ~~\$218,000~~ \$205,000 for 2021.

256.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

136.18 (c) The 2021 appropriation includes \$3,133,000 for 2020 and ~~\$30,407,000~~ \$30,071,000
136.19 for 2021.

136.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

136.21 Sec. 23. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision
136.22 14, as amended by Laws 2020, chapter 116, article 6, section 24, is amended to read:

136.23 Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
136.24 124D.135:

136.25 \$ 521,000 2020

136.26 ~~528,000~~

136.27 \$ 481,000 2021

136.28 (b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

136.29 (c) The 2021 appropriation includes \$51,000 for 2020 and ~~\$477,000~~ \$430,000 for 2021.

136.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

137.2 Sec. 24. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2,
137.3 as amended by Laws 2020, chapter 116, article 6, section 25, is amended to read:

137.4 Subd. 2. **Community education aid.** For community education aid under Minnesota
137.5 Statutes, section 124D.20:

137.6 \$ 327,000 2020

137.7 ~~249,000~~

137.8 \$ 236,000 2021

137.9 The 2020 appropriation includes \$40,000 for 2019 and \$287,000 for 2020.

137.10 The 2021 appropriation includes \$31,000 for 2020 and ~~\$218,000~~ \$205,000 for 2021.

137.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.