

1.1 moves to amend H.F. No. 4328 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 **"ARTICLE 1**

1.4 **GENERAL EDUCATION**

1.5 Section 1. Minnesota Statutes 2017 Supplement, section 123B.41, subdivision 2, is amended
1.6 to read:

1.7 Subd. 2. **Textbook.** (a) "Textbook" means any book or book substitute, including
1.8 electronic books as well as other printed materials delivered electronically, which a pupil
1.9 uses as a text or text substitute in a particular class or program in the school regularly
1.10 attended and a copy of which is expected to be available for the individual use of each pupil
1.11 in this class or program. Textbook includes an online book with an annual subscription cost.
1.12 Textbook includes a teacher's edition or teacher's guide that accompanies a textbook that a
1.13 pupil uses.

1.14 (b) For purposes of calculating the annual nonpublic pupil aid entitlement for textbooks,
1.15 the term shall be limited to books, workbooks, or manuals, whether bound or in loose-leaf
1.16 form, as well as electronic books and other printed materials delivered electronically,
1.17 intended for use as a principal source of study material for a given class or a group of
1.18 students.

1.19 (c) For purposes of sections 123B.40 to 123B.48, the terms "textbook" and "software
1.20 or other educational technology" include only such secular, neutral, and nonideological
1.21 materials as are available, used by, or of benefit to Minnesota public school pupils.

1.22 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2019 and later.

2.1 Sec. 2. Minnesota Statutes 2016, section 123B.41, subdivision 5, is amended to read:

2.2 Subd. 5. **Individualized instructional or cooperative learning materials.**

2.3 "Individualized instructional or cooperative learning materials" means educational materials
2.4 which:

2.5 ~~(a)~~ (1) are designed primarily for individual pupil use or use by pupils in a cooperative
2.6 learning group in a particular class or program in the school the pupil regularly attends,
2.7 including a teacher's edition or teacher's guide that accompanies materials that a pupil uses;

2.8 ~~(b)~~ (2) are secular, neutral, nonideological and not capable of diversion for religious
2.9 use; and

2.10 ~~(c)~~ (3) are available, used by, or of benefit to Minnesota public school pupils.

2.11 Subject to the requirements in clauses ~~(a)~~ (1), ~~(b)~~ (2), and ~~(c)~~ (3), "individualized
2.12 instructional or cooperative learning materials" include, but are not limited to, the following
2.13 if they do not fall within the definition of "textbook" in subdivision 2: published materials;
2.14 periodicals; documents; pamphlets; photographs; reproductions; pictorial or graphic works;
2.15 prerecorded video programs; prerecorded tapes, cassettes and other sound recordings;
2.16 manipulative materials; desk charts; games; study prints and pictures; desk maps; models;
2.17 learning kits; blocks or cubes; flash cards; individualized multimedia systems; prepared
2.18 instructional computer software programs; choral and band sheet music; electronic books
2.19 and other printed materials delivered electronically; and CD-Rom.

2.20 "Individualized instructional or cooperative learning materials" do not include
2.21 instructional equipment, instructional hardware, or ordinary daily consumable classroom
2.22 supplies.

2.23 Sec. 3. Minnesota Statutes 2017 Supplement, section 124D.09, subdivision 3, is amended
2.24 to read:

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

2.27 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,
2.28 nonprofit two-year trade and technical school granting associate degrees, an accredited
2.29 opportunities industrialization center ~~accredited by the North Central Association of Colleges~~
2.30 ~~and Schools~~, or a private, residential, two-year or four-year, liberal arts, degree-granting
2.31 college or university located in Minnesota.

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

3.1 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under
 3.2 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by
 3.3 a secondary teacher or a postsecondary faculty member, and are offered at a high school
 3.4 for which the district is eligible to receive concurrent enrollment program aid under section
 3.5 124D.091.

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

3.7 Sec. 4. Minnesota Statutes 2016, section 124D.09, subdivision 4, is amended to read:

3.8 Subd. 4. **Alternative pupil.** (a) "Alternative pupil" means ~~an~~ a 10th, 11th, or 12th grade
 3.9 student, subject to paragraph (b), who is not enrolled in a public school district, and includes.
 3.10 Alternative pupil includes students attending nonpublic schools and students who are home
 3.11 schooled. An alternative pupil is considered a pupil for purposes of this section only. An
 3.12 alternative pupil must register with the commissioner of education before participating in
 3.13 the postsecondary enrollment options program. The commissioner ~~shall~~ must prescribe the
 3.14 form and manner of the registration, in consultation with the Nonpublic Education Council
 3.15 under section 123B.445, and may request any necessary information from the alternative
 3.16 pupil.

3.17 (b) A 10th grade student qualifies as an alternative pupil if the student (1) is enrolled in
 3.18 a career or technical education course offered by an eligible institution and (2) received a
 3.19 passing score on the 8th grade Minnesota Comprehensive Assessment, or another reading
 3.20 assessment accepted by the enrolling postsecondary institution. A career or technical
 3.21 education course must meet the requirements under subdivision 5a. If an alternative pupil
 3.22 in 10th grade receives a grade of "C" or better in the career or technical education course
 3.23 taken under this subdivision, the postsecondary institution must allow the student to take
 3.24 additional postsecondary courses for credit at that institution, not to exceed the limits in
 3.25 subdivision 8.

3.26 **EFFECTIVE DATE.** This section is effective for applications submitted on or after
 3.27 July 1, 2018.

3.28 Sec. 5. Minnesota Statutes 2016, section 126C.15, subdivision 5, is amended to read:

3.29 Subd. 5. **Annual expenditure report.** (a) Each year a district that receives basic skills
 3.30 revenue must submit a report to the commissioner of education identifying the expenditures
 3.31 it incurred to meet the needs of eligible learners under subdivision 1.

3.32 (b) The report must:

- 4.1 (1) conform to uniform financial and reporting standards established for this purpose;
 4.2 (2) categorize expenditures by each of the permitted uses authorized in subdivision 1,
 4.3 in the form and manner specified by the commissioner; and
 4.4 (3) using valid and reliable data and measurement criteria, ~~the~~ a report also ~~must~~
 4.5 determine that determines whether increased expenditures raised student achievement levels
 4.6 must be reported under section 120B.11.

4.7 **EFFECTIVE DATE.** This section is effective for reports issued after July 1, 2018.

4.8 Sec. 6. Minnesota Statutes 2016, section 126C.15, is amended by adding a subdivision to
 4.9 read:

4.10 **Subd. 6. Commissioner's report.** By February 15th of each year, the commissioner
 4.11 shall compile the district data submitted under subdivision 5, report the results to the
 4.12 education committees of the house of representatives and the senate, and file the report
 4.13 according to section 3.195.

4.14 **EFFECTIVE DATE.** This section is effective July 1, 2018.

4.15 Sec. 7. Minnesota Statutes 2016, section 127A.41, as amended by Laws 2017, First Special
 4.16 Session chapter 5, article 1, section 15, and Laws 2017, chapter 40, article 1, section 16, is
 4.17 amended to read:

4.18 **127A.41 DISTRIBUTION OF SCHOOL AIDS; APPROPRIATION.**

4.19 Subdivision 1. **Commissioner duties.** The commissioner shall supervise distribution of
 4.20 school aids and grants in accordance with law. The commissioner may make rules consistent
 4.21 with law for the distribution to enable districts to perform efficiently the services required
 4.22 by law and further education in the state, including reasonable requirements for the reports
 4.23 and accounts to it as will assure accurate and lawful apportionment of aids. State and federal
 4.24 aids and discretionary or entitlement grants distributed by the commissioner shall not be
 4.25 subject to the contract approval procedures of the commissioner of administration or to
 4.26 chapter 16A, 16B, or 16C. The commissioner shall adopt internal procedures for
 4.27 administration and monitoring of aids and grants.

4.28 Subd. 2. **Errors in distribution.** On determining that the amount of state aid distributed
 4.29 to a school district is in error or has been spent contrary to statutorily established revenue
 4.30 uses, the commissioner is authorized to adjust the amount of aid consistent with this
 4.31 subdivision. On determining that the amount of aid is in excess of the school district's
 4.32 entitlement, the commissioner is authorized to recover the amount of the excess by any

5.1 appropriate means. Notwithstanding the fiscal years designated by the appropriation, the
5.2 excess may be recovered by reducing future aid payments to the district. Notwithstanding
5.3 any law to the contrary, if the aid reduced is not of the same type as that overpaid, the district
5.4 must adjust all necessary financial accounts to properly reflect all revenues earned in
5.5 accordance with the uniform financial accounting and reporting standards pursuant to
5.6 sections 123B.75 to 123B.83. Notwithstanding the fiscal years designated by the
5.7 appropriation, on determining that the amount of an aid paid is less than the school district's
5.8 entitlement, the commissioner is authorized to increase such aid from the current
5.9 appropriation. If the aid program has been discontinued and has no appropriation, the
5.10 appropriation for general education shall be used for recovery or payment of the aid decrease
5.11 or increase. Any excess of aid recovery over aid payment shall be canceled to the state
5.12 general fund.

5.13 Subd. 3. **Audits.** The commissioner shall establish procedures for conducting and shall
5.14 conduct audits of district records and files for the purpose of verifying district pupil counts,
5.15 levy limitations, ~~and~~ aid entitlements, and appropriate revenue uses. The commissioner
5.16 shall establish procedures for selecting and shall select districts to be audited. Disparities,
5.17 if any, between pupil counts, levy limitations, ~~or~~ aid entitlements, or revenue uses determined
5.18 by audit of district records and files and data reported by districts in reports, claims and
5.19 other documents shall be reviewed by the commissioner who shall order increases or
5.20 decreases accordingly. The commissioner may reduce an allocation to a district or charter
5.21 school if the statutorily prescribed uses of the revenue are not being met. Whenever possible,
5.22 the commissioner shall audit at least ~~25~~ 50 districts each year pursuant to this subdivision.
5.23 Procedures adopted under this subdivision are not subject to chapter 14, including section
5.24 14.386, and may differ from the procedures under section 127A.42.

5.25 Subd. 4. **Less than ~~25~~ 50 districts audited.** If the commissioner audits fewer than ~~25~~
5.26 50 districts in a fiscal year pursuant to subdivision 3, the commissioner shall report the
5.27 reasons for the number audited to the following legislative committees: house of
5.28 representatives education, house of representatives appropriations, senate education, and
5.29 senate finance.

5.30 Subd. 5. **District appeal of aid reduction; inspection of district schools and accounts**
5.31 **and records.** Public schools shall at all times be open to the inspection of the commissioner.
5.32 The accounts and records of any district must be open to inspection by the state auditor, or
5.33 the commissioner for the purpose of audits conducted under this section. Each district shall
5.34 keep for a minimum of three years at least the following: (1) identification of the annual
5.35 session days held, together with a record of the length of each session day, (2) a record of

6.1 each pupil's daily attendance, with entrance and withdrawal dates, and (3) identification of
6.2 the to-and-from school transportation category for each pupil as defined in section 123B.92,
6.3 subdivision 1.

6.4 Subd. 7. **Schedule adjustments.** (a) It is the intention of the legislature to encourage
6.5 efficient and effective use of staff and facilities by districts. Districts are encouraged to
6.6 consider both cost and energy saving measures.

6.7 (b) Any district operating a program pursuant to sections 124D.12 to 124D.127 or
6.8 124D.128, or operating a commissioner-designated area learning center program under
6.9 section 123A.09, or that otherwise receives the approval of the commissioner to operate its
6.10 instructional program to avoid an aid reduction in any year, may adjust the annual school
6.11 schedule for that program throughout the calendar year.

6.12 Subd. 8. **Appropriation transfers.** (a) If a direct appropriation from the general fund
6.13 to the department for any education aid or grant authorized in this chapter and chapters
6.14 122A, 123A, 123B, 124D, 124E, 125A, 126C, and 134, excluding appropriations under
6.15 sections 124D.135, 124D.16, 124D.20, 124D.22, 124D.52, 124D.531, 124D.55, and 124D.56,
6.16 exceeds the amount required, the commissioner may transfer the excess to any education
6.17 aid or grant appropriation that is insufficient. However, section 126C.20 applies to a
6.18 deficiency in the direct appropriation for general education aid. Excess appropriations must
6.19 be allocated proportionately among aids or grants that have insufficient appropriations. The
6.20 commissioner of management and budget shall make the necessary transfers among
6.21 appropriations according to the determinations of the commissioner. If the amount of the
6.22 direct appropriation for the aid or grant plus the amount transferred according to this
6.23 subdivision is insufficient, the commissioner shall prorate the available amount among
6.24 eligible districts. The state is not obligated for any additional amounts.

6.25 (b) Transfers for aids paid under section 127A.45, subdivisions 12 and 13, shall be made
6.26 during the fiscal year after the fiscal year of the entitlement. Transfers for aids paid under
6.27 section 127A.45, subdivisions 11 and 12a, shall be made during the fiscal year of the
6.28 appropriation.

6.29 Subd. 9. **Appropriation transfers for community education programs.** If a direct
6.30 appropriation from the general fund to the Department of Education for an education aid
6.31 or grant authorized under section 124D.135, 124D.16, 124D.20, 124D.22, 124D.52,
6.32 124D.531, 124D.55, or 124D.56 exceeds the amount required, the commissioner of education
6.33 may transfer the excess to any education aid or grant appropriation that is insufficiently
6.34 funded under these sections. Excess appropriations shall be allocated proportionately among

7.1 aids or grants that have insufficient appropriations. The commissioner of management and
 7.2 budget shall make the necessary transfers among appropriations according to the
 7.3 determinations of the commissioner of education. If the amount of the direct appropriation
 7.4 for the aid or grant plus the amount transferred according to this subdivision is insufficient,
 7.5 the commissioner shall prorate the available amount among eligible districts. The state is
 7.6 not obligated for any additional amounts.

7.7 ~~Subd. 10. **Health and safety aid transfer.** The commissioner, with the approval of the~~
 7.8 ~~commissioner of management and budget, annually may transfer an amount from the~~
 7.9 ~~appropriation for health and safety aid to the appropriation for debt service aid for the same~~
 7.10 ~~fiscal year. The amount of the transfer equals the amount necessary to fund any shortage~~
 7.11 ~~in the debt service aid appropriation created by a data correction that occurs between~~
 7.12 ~~November 1 and June 30 of the preceding fiscal year.~~

7.13 **EFFECTIVE DATE.** This section is effective for fiscal year 2019 and later.

7.14 Sec. 8. Minnesota Statutes 2016, section 127A.45, subdivision 11, is amended to read:

7.15 Subd. 11. **Payment percentage for reimbursement aids.** One hundred percent of the
 7.16 aid for the previous fiscal year must be paid in the current year for the following aids:
 7.17 telecommunications/Internet access equity and according to section 125B.26, special
 7.18 education special pupil aid according to section 125A.75, subdivision 3, ~~aid for litigation~~
 7.19 ~~costs according to section 125A.75, subdivision 9,~~ aid for court-placed special education
 7.20 expenses according to section 125A.79, subdivision 4, and aid for special education
 7.21 out-of-state tuition according to section 125A.79, subdivision 8, and shared time aid
 7.22 according to section 126C.01, subdivision 7.

7.23 Sec. 9. Minnesota Statutes 2016, section 127A.45, subdivision 16, is amended to read:

7.24 Subd. 16. **Payments to third parties.** Notwithstanding subdivision 3, the current year
 7.25 aid payment percentage of the ~~amounts~~ amount under ~~sections 123A.26, subdivision 3, and~~
 7.26 section 124D.041; shall be paid in equal installments on August 30, December 30, and
 7.27 March 30, with a final adjustment payment on October 30 of the next fiscal year of the
 7.28 remaining amount.

7.29 Sec. 10. Minnesota Statutes 2016, section 471.59, subdivision 1, is amended to read:

7.30 Subdivision 1. **Agreement.** (a) Two or more governmental units, by agreement entered
 7.31 into through action of their governing bodies, may jointly or cooperatively exercise any
 7.32 power common to the contracting parties or any similar powers, including those which are

8.1 the same except for the territorial limits within which they may be exercised. The agreement
8.2 may provide for the exercise of such powers by one or more of the participating governmental
8.3 units on behalf of the other participating units.

8.4 (b) The term "governmental unit" as used in this section includes every city, county,
8.5 town, school district, service cooperative under section 123A.21, independent nonprofit
8.6 firefighting corporation, other political subdivision of this or another state, another state,
8.7 federally recognized Indian tribe, the University of Minnesota, the Minnesota Historical
8.8 Society, nonprofit hospitals licensed under sections 144.50 to 144.56, rehabilitation facilities
8.9 and extended employment providers that are certified by the commissioner of employment
8.10 and economic development, day and supported employment services licensed under chapter
8.11 245D, and any agency of the state of Minnesota or the United States, and includes any
8.12 instrumentality of a governmental unit. For the purpose of this section, an instrumentality
8.13 of a governmental unit means an instrumentality having independent policy-making and
8.14 appropriating authority.

8.15 Sec. 11. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 2,
8.16 is amended to read:

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

8.19		7,032,051,000		
8.20	\$	<u>7,078,769,000</u>	.....	2018
8.21		7,227,809,000		
8.22	\$	<u>7,239,221,000</u>	.....	2019

8.23 The 2018 appropriation includes \$686,828,000 for 2017 and ~~\$6,345,223,000~~
8.24 \$6,391,941,000 for 2018.

8.25 The 2019 appropriation includes ~~\$705,024,000~~ \$683,110,000 for 2018 and
8.26 ~~\$6,522,785,000~~ \$6,556,111,000 for 2019.

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

8.28 Sec. 12. **FUND TRANSFER; MINNETONKA SCHOOL DISTRICT.**

8.29 Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 124D.20, subdivision
8.30 10, on June 30, 2018, Independent School District No. 276, Minnetonka, may permanently
8.31 transfer up to \$2,400,000 from its community education reserve fund balance to its reserved
8.32 for operating capital account in the general fund. The transferred funds must be used only
8.33 to design, construct, furnish, and equip an early childhood classroom addition.

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

9.2 Sec. 13. **SCHOOL REVENUE GENERATION AND SPENDING; LEGISLATIVE**
9.3 **AUDITOR STUDY.**

9.4 (a) The legislative auditor is requested to conduct a study of how students in
9.5 prekindergarten through grade 12 generate revenue and compare how that revenue is spent
9.6 and reported at the school level for a sample of school districts.

9.7 (b) The study shall focus on a sample of school districts, and include the following
9.8 topics:

9.9 (1) the extent to which the funding generated by students is spent at the school sites
9.10 those students attend;

9.11 (2) how district calculations of actual salaries for teachers and staff compare to average
9.12 salaries, and how those calculations may impact per pupil expenditures at the school level;

9.13 (3) how per pupil expenditures within a given school district compare across school
9.14 sites, including expenditures to reduce class sizes, hire additional support staff, and support
9.15 other resources;

9.16 (4) the extent to which revenue sources for a given school district vary by school site,
9.17 including state and local funding and philanthropic and parent association funds;

9.18 (5) whether there is currently variation in reporting across schools in the Uniform
9.19 Financial Accounting and Reporting Standards (UFARS) system; and

9.20 (6) what steps the Department of Education can take to ensure consistent and accurate
9.21 UFARS reporting from schools and districts on school-level revenue and expenditures.

9.22 (c) The legislative auditor must deliver the study findings to the chairs and ranking
9.23 minority members of the legislative committees with primary jurisdiction over kindergarten
9.24 through grade 12 education no later than February 1, 2019.

9.25 Sec. 14. **APPROPRIATION; ENGLISH LANGUAGE SUMMER PROGRAM.**

9.26 Subdivision 1. **Commissioner of education.** The sum indicated in this section is
9.27 appropriated from the general fund to the commissioner of education in the fiscal year
9.28 designated.

9.29 Subd. 2. **St. Cloud English language learner summer program.** (a) For a grant to
9.30 Independent School District No. 742, St. Cloud, for a summer language academy providing
9.31 targeted services and extended year programming for English language learners:

10.1 \$ 420,000 2019

10.2 (b) A program funded under this subdivision must:

10.3 (1) provide a research-based language summer instructional program to help English
10.4 learners, as defined in Minnesota Statutes, section 124D.59, subdivision 2, acquire English
10.5 and achieve academic excellence;

10.6 (2) be consistent with English language development standards under Minnesota Rules,
10.7 part 3501.1200; and

10.8 (3) provide instruction by a highly qualified teacher of English as a second language.

10.9 (c) Independent School District No. 742, St. Cloud, must report to the education
10.10 committees of the legislature by January 15, 2021, on the program's design, student
10.11 participation levels, and any measurable outcomes of the program.

10.12 (d) This is a onetime appropriation.

10.13 (e) This appropriation does not cancel and is available until June 30, 2021.

10.14 Subd. 3. **School bus safety campaign.** (a) For transfer to the commissioner of public
10.15 safety for an education and awareness campaign on passing school buses:

10.16 \$ 50,000 2019

10.17 (b) This is a onetime appropriation.

10.18 (c) The campaign must be designed to: (1) help reduce occurrences of motor vehicles
10.19 unlawfully passing school buses; and (2) inform drivers about the safety of pupils boarding
10.20 and unloading from school buses, including (i) laws requiring a motor vehicle to stop when
10.21 a school bus has extended the stop-signal arm and is flashing red lights, and (ii) penalties
10.22 for violations. When developing the campaign, the commissioner must identify best practices,
10.23 review effective communication methods to educate drivers, and consider multiple forms
10.24 of media to convey the information.

10.25 Sec. 15. **APPROPRIATION; SCHOOL REVENUE GENERATION AND**
10.26 **SPENDING; LEGISLATIVE AUDITOR STUDY.**

10.27 \$200,000 in fiscal year 2019 is appropriated from the general fund to the Office of the
10.28 Legislative Auditor for the legislative auditor to study and report on school revenue
10.29 generation and spending outlined in section 13.

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

11.1

ARTICLE 2

11.2

STUDENT AND SCHOOL SAFETY

11.3

Section 1. **[121A.35] SCHOOL THREAT ASSESSMENTS.**

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Subdivision 1. **School threat assessment.** "School threat assessment" means a fact-based process using an integrated team approach that helps schools evaluate and assess potentially threatening situations or students whose behavior may pose a threat to the safety of school staff or students.

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Subd. 2. **Policy.** A school board must adopt a policy to establish threat assessment teams to conduct school threat assessments consistent with subdivision 1. A threat assessment policy must be consistent with district policies developed in accordance with sections 121A.031 and 121A.035, and with any guidance provided by the Department of Public Safety's School Safety Center. A threat assessment policy must include procedures for referrals to mental health centers or health care providers for evaluation or treatment, when appropriate.

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Subd. 3. **Oversight committees.** The superintendent of a school district must establish a committee charged with oversight of the threat assessment teams operating within the district, which may be an existing committee established by the school board.

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Subd. 4. **Threat assessment teams.** (a) The superintendent of a school district must establish, for each school, a threat assessment team that includes, to the extent practicable, school officials with expertise in counseling, school administration, students with disabilities, and law enforcement. A threat assessment team may serve one or more schools, as determined by the superintendent.

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(b) A threat assessment team must:

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(1) provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self;

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(2) consider whether there is sufficient information to determine whether or not a student poses a threat;

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(3) identify members of the community to whom threatening behavior should be reported;

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(4) implement a policy adopted by the school board under subdivision 2; and

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(5) report summary data on its activities according to guidance developed by the School Safety Center.

12.1 (c) Upon a preliminary determination that a student poses a threat of violence or physical
 12.2 harm to self or others, a threat assessment team must immediately report its determination
 12.3 to the district superintendent or the superintendent's designee, who must immediately attempt
 12.4 to notify the student's parent or legal guardian. The threat assessment team must consider
 12.5 services to address the student's underlying issues, which may include counseling, social
 12.6 work services, character education consistent with section 120B.232, evidence-based
 12.7 academic and positive behavioral interventions and supports, mental health services, and
 12.8 referrals for special education or section 504 evaluations.

12.9 (d) Upon determining that a student exhibits suicidal ideation or self-harm, a school
 12.10 threat assessment team must follow the district's suicide prevention policy or protocol, or
 12.11 to refer the student to an appropriate school-linked mental health professional or other
 12.12 support personnel.

12.13 (e) Nothing in this section precludes a school district official or employee from acting
 12.14 immediately to address an imminent threat.

12.15 Subd. 5. **Redisclosure.** (a) A threat assessment team member must not redisclose
 12.16 educational records or use any record of an individual beyond the purpose for which the
 12.17 disclosure was made to the threat assessment team.

12.18 (b) Nothing in this section prohibits the disclosure of educational records in health,
 12.19 including mental health, and safety emergencies in accordance with state and federal law.

12.20 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

12.21 Sec. 2. Minnesota Statutes 2016, section 121A.41, is amended by adding a subdivision to
 12.22 read:

12.23 Subd. 12. **Nonexclusionary disciplinary policies and practices; alternatives to pupil**
 12.24 **dismissal.** "Nonexclusionary disciplinary policies and practices" means policies and practices
 12.25 that require school officials to intervene in, redirect, and support a pupil's behavior before
 12.26 dismissing a pupil from school. Nonexclusionary disciplinary policies and practices include
 12.27 evidence-based positive behavioral interventions and supports, social and emotional learning,
 12.28 character education consistent with section 120B.232, school-linked mental health services,
 12.29 counseling services, social work services, referrals for special education or 504 evaluations,
 12.30 academic screening for Title I services or reading interventions, and alternative education
 12.31 services.

12.32 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

13.1 Sec. 3. [121A.441] EXPULSION FOR MAKING A THREAT OF VIOLENCE.

13.2 Notwithstanding the time limitation in section 121A.41, subdivision 5, a school board
13.3 must expel for a period of at least one year a pupil who makes a threat of gun violence
13.4 against another person or makes a threat of violence with the intent to cause evacuation of
13.5 a school site or school administration building. A school board may modify this expulsion
13.6 requirement for a pupil on a case-by-case basis.

13.7 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

13.8 Sec. 4. Minnesota Statutes 2016, section 121A.45, subdivision 1, is amended to read:

13.9 Subdivision 1. **Provision of alternative programs.** ~~No school shall dismiss any pupil~~
13.10 ~~without attempting to provide alternative educational services~~ Schools must consider, where
13.11 appropriate, using nonexclusionary disciplinary policies and practices before dismissal
13.12 proceedings, except where it appears that the pupil will create an immediate and substantial
13.13 danger to self or to surrounding persons or property.

13.14 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

13.15 Sec. 5. Minnesota Statutes 2016, section 121A.46, is amended by adding a subdivision to
13.16 read:

13.17 Subd. 5. **Suspensions exceeding five consecutive school days.** The school administrator
13.18 must ensure that alternative education services are provided when a pupil is suspended for
13.19 more than five consecutive school days.

13.20 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

13.21 Sec. 6. Minnesota Statutes 2016, section 121A.46, is amended by adding a subdivision to
13.22 read:

13.23 Subd. 6. **Minimum education services.** School officials must give a suspended pupil
13.24 the opportunity to complete all school work assigned during the pupil's suspension and to
13.25 receive full credit for satisfactorily completing the assignments. The school principal or
13.26 other person having administrative control of the school building or program is encouraged
13.27 to designate a district or school employee as a liaison to work with the pupil's teachers to
13.28 allow the suspended pupil to (1) receive timely course materials and other information, and
13.29 (2) complete daily and weekly assignments and receive teachers' feedback.

13.30 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

14.1 Sec. 7. Minnesota Statutes 2016, section 121A.47, subdivision 2, is amended to read:

14.2 Subd. 2. **Written notice.** Written notice of intent to take action ~~shall~~ must:

14.3 ~~(a)~~ (1) be served upon the pupil and the pupil's parent or guardian personally or by mail;

14.4 ~~(b)~~ (2) contain a complete statement of the facts, a list of the witnesses and a description
14.5 of their testimony;

14.6 (3) explain the grounds for expelling the pupil instead of imposing nonexclusionary
14.7 disciplinary policies and practices under section 121A.41, subdivision 12;

14.8 ~~(c)~~ (4) state the date, time, and place of the hearing;

14.9 ~~(d)~~ (5) be accompanied by a copy of sections 121A.40 to 121A.56;

14.10 ~~(e)~~ (6) describe ~~alternative educational services~~ the nonexclusionary disciplinary policies
14.11 and practices accorded the pupil in an attempt to avoid the expulsion proceedings; and

14.12 ~~(f)~~ (7) inform the pupil and parent or guardian of the right to:

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

14.17 ~~(2)~~ (ii) examine the pupil's records before the hearing;

14.18 ~~(3)~~ (iii) present evidence; and

14.19 ~~(4)~~ (iv) confront and cross-examine witnesses.

14.20 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

14.21 Sec. 8. Minnesota Statutes 2016, section 121A.47, subdivision 14, is amended to read:

14.22 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare
14.23 and enforce an admission or readmission plan for any pupil who is excluded or expelled
14.24 from school. The plan ~~may~~ must include measures to improve the pupil's behavior, ~~including~~
14.25 which may include completing a character education program; consistent with section
14.26 120B.232, subdivision 1, ~~and~~ social and emotional learning, counseling, social work services,
14.27 mental health services, referrals for special education or 504 evaluation, and evidence-based
14.28 academic interventions. The plan must require parental involvement in the admission or
14.29 readmission process, and may indicate the consequences to the pupil of not improving the
14.30 pupil's behavior.

15.1 (b) The definition of suspension under section 121A.41, subdivision 10, does not apply
 15.2 to a student's dismissal from school for one school day or less, except as provided under
 15.3 federal law for a student with a disability. Each suspension action may include a readmission
 15.4 plan. A readmission plan must provide, where appropriate, alternative education services,
 15.5 which must not be used to extend the student's current suspension period. Consistent with
 15.6 section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian
 15.7 to provide psychotropic drugs to their student as a condition of readmission. School officials
 15.8 must not use the refusal of a parent or guardian to consent to the administration of
 15.9 psychotropic drugs to their student or to consent to a psychiatric evaluation, screening or
 15.10 examination of the student as a ground, by itself, to prohibit the student from attending class
 15.11 or participating in a school-related activity, or as a basis of a charge of child abuse, child
 15.12 neglect or medical or educational neglect.

15.13 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

15.14 Sec. 9. Minnesota Statutes 2016, section 121A.53, subdivision 1, is amended to read:

15.15 Subdivision 1. **Exclusions and expulsions; physical assaults.** Consistent with
 15.16 subdivision 2, the school board must report through the department electronic reporting
 15.17 system each exclusion or expulsion ~~and,~~ each physical assault of a district employee by a
 15.18 ~~student~~ pupil, within 30 days of the effective date of the dismissal action₂ or assault to the
 15.19 commissioner of education. This report must include a statement of ~~alternative educational~~
 15.20 ~~services~~ nonexclusionary disciplinary policies and practices, or other sanction, intervention,
 15.21 or resolution in response to the assault given the pupil and the reason for, the effective date,
 15.22 and the duration of the exclusion or expulsion or other sanction, intervention, or resolution.
 15.23 The report must also include the ~~student's~~ pupil's age, grade, gender, race, and special
 15.24 education status.

15.25 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

15.26 Sec. 10. Minnesota Statutes 2016, section 121A.55, is amended to read:

15.27 **121A.55 POLICIES TO BE ESTABLISHED.**

15.28 (a) The commissioner of education shall promulgate guidelines to assist each school
 15.29 board. Each school board ~~shall~~ must establish uniform criteria for dismissal and adopt written
 15.30 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies
 15.31 ~~shall~~ must include nonexclusionary disciplinary policies and practices consistent with section
 15.32 121A.41, subdivision 12, and emphasize preventing dismissals through early detection of

16.1 problems ~~and shall~~. The policies must be designed to address students' inappropriate behavior
 16.2 from recurring.

16.3 (b) The policies shall recognize the continuing responsibility of the school for the
 16.4 education of the pupil during the dismissal period. The school is responsible to ensure that
 16.5 the alternative educational services, if to be provided to the pupil wishes to take advantage
 16.6 of them, must be adequate to allow the pupil to make progress towards meeting the graduation
 16.7 standards adopted under section 120B.02 and, help prepare the pupil for readmission, and
 16.8 are consistent with section 121A.46, subdivision 6.

16.9 (c) For expulsion and exclusion dismissals:

16.10 (1) the school district's continuing responsibility includes reviewing the pupil's school
 16.11 work and grades on a quarterly basis to ensure the pupil is on track for readmission with
 16.12 the pupil's peers until the student enrolls in a new district. School districts must communicate
 16.13 on a regular basis with the pupil's parent or guardian to ensure the pupil is completing the
 16.14 work assigned through the alternative educational services;

16.15 (2) a pupil remains eligible for school-linked mental health services under section
 16.16 245.4889 in the manner determined by the district until the pupil is enrolled in a new district;
 16.17 and

16.18 (3) the school district must provide to the pupil's parent or guardian a list of community
 16.19 mental health programs after expulsion.

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

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

16.27 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

16.28 Sec. 11. Minnesota Statutes 2016, section 121A.61, subdivision 2, is amended to read:

16.29 Subd. 2. **Grounds for removal from class.** The policy must establish the various grounds
 16.30 for which a ~~student~~ pupil may be removed from a class in the district for a period of time
 16.31 under the procedures specified in the policy. The policy must include a procedure for
 16.32 notifying and meeting with a ~~student's~~ pupil's parent or guardian to discuss the problem that

17.1 is causing the ~~student~~ pupil to be removed from class after the ~~student~~ pupil has been removed
 17.2 from class more than ~~ten~~ five times in one school year. The grounds in the policy must
 17.3 include at least the following provisions as well as other grounds determined appropriate
 17.4 by the board:

17.5 ~~(a)~~ (1) willful conduct that significantly disrupts the rights of others to an education,
 17.6 including conduct that interferes with a teacher's ability to teach or communicate effectively
 17.7 with ~~students~~ pupils in a class or with the ability of other ~~students~~ pupils to learn;

17.8 ~~(b)~~ (2) willful conduct that endangers surrounding persons, including school district
 17.9 employees, the ~~student~~ pupil, or other ~~students~~ pupils, or the property of the school; and

17.10 ~~(c)~~ (3) willful violation of any rule of conduct specified in the discipline policy adopted
 17.11 by the board.

17.12 Sec. 12. Minnesota Statutes 2016, section 121A.67, is amended by adding a subdivision
 17.13 to read:

17.14 Subd. 3. **Parent notification.** A school administrator must make and document efforts
 17.15 to immediately contact the parent or guardian of a pupil removed from a school building
 17.16 or school grounds by a peace officer unless such notice is specifically prohibited by law.

17.17 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

17.18 Sec. 13. Minnesota Statutes 2016, section 123B.595, as amended by Laws 2017, First
 17.19 Special Session chapter 5, article 5, sections 3 and 4, is amended to read:

17.20 **123B.595 LONG-TERM FACILITIES MAINTENANCE REVENUE.**

17.21 Subdivision 1. **Long-term facilities maintenance revenue.** ~~(a) For fiscal year 2017~~
 17.22 ~~only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$193~~
 17.23 ~~times the district's adjusted pupil units times the lesser of one or the ratio of the district's~~
 17.24 ~~average building age to 35 years, plus the cost approved by the commissioner for indoor~~
 17.25 ~~air quality, fire alarm and suppression, and asbestos abatement projects under section~~
 17.26 ~~123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (ii) for a~~
 17.27 ~~school district with an approved voluntary prekindergarten program under section 124D.151,~~
 17.28 ~~the cost approved by the commissioner for remodeling existing instructional space to~~
 17.29 ~~accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would~~
 17.30 ~~have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes~~
 17.31 ~~2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school~~
 17.32 ~~district with an approved voluntary prekindergarten program under section 124D.151, the~~

18.1 ~~cost approved by the commissioner for remodeling existing instructional space to~~
18.2 ~~accommodate prekindergarten instruction.~~

18.3 ~~(b)~~ (a) For fiscal year 2018 only, long-term facilities maintenance revenue equals the
18.4 greater of (1) the sum of (i) \$292 times the district's adjusted pupil units times the lesser of
18.5 one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved
18.6 by the commissioner for indoor air quality, fire alarm and suppression, and asbestos
18.7 abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000
18.8 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten
18.9 program under section 124D.151, the cost approved by the commissioner for remodeling
18.10 existing instructional space to accommodate prekindergarten instruction, or (2) the sum of
18.11 (i) the amount the district would have qualified for under Minnesota Statutes 2014, section
18.12 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section
18.13 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program
18.14 under section 124D.151, the cost approved by the commissioner for remodeling existing
18.15 instructional space to accommodate prekindergarten instruction.

18.16 ~~(e)~~ (b) For fiscal year 2019 and later, long-term facilities maintenance revenue equals
18.17 the greater of (1) the sum of (i) \$380 times the district's adjusted pupil units times the lesser
18.18 of one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved
18.19 by the commissioner for indoor air quality, fire alarm and suppression, and asbestos
18.20 abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000
18.21 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten
18.22 program under section 124D.151, the cost approved by the commissioner for remodeling
18.23 existing instructional space to accommodate prekindergarten instruction, or (2) the sum of
18.24 (i) the amount the district would have qualified for under Minnesota Statutes 2014, section
18.25 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section
18.26 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program
18.27 under section 124D.151, the cost approved by the commissioner for remodeling existing
18.28 instructional space to accommodate prekindergarten instruction.

18.29 ~~(d)~~ (c) Notwithstanding paragraphs ~~(a); and (b), and (e);~~ a school district that qualified
18.30 for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1, paragraph
18.31 (a), for fiscal year 2010 remains eligible for funding under this section as a district that
18.32 would have qualified for eligibility under Minnesota Statutes 2014, section 123B.59,
18.33 subdivision 1, paragraph (a), for fiscal year 2017 and later.

19.1 Subd. 2. **Long-term facilities maintenance revenue for a charter school.** ~~(a) For fiscal~~
19.2 ~~year 2017 only, long-term facilities maintenance revenue for a charter school equals \$34~~
19.3 ~~times the adjusted pupil units.~~

19.4 ~~(b)~~ (a) For fiscal year 2018 only, long-term facilities maintenance revenue for a charter
19.5 school equals \$85 times the adjusted pupil units.

19.6 ~~(c)~~ (b) For fiscal year 2019 and later, long-term facilities maintenance revenue for a
19.7 charter school equals \$132 times the adjusted pupil units.

19.8 Subd. 3. **Intermediate districts and other cooperative units.** Upon approval through
19.9 the adoption of a resolution by each member district school board of an intermediate district
19.10 or other cooperative units under section 123A.24, subdivision 2, and the approval of the
19.11 commissioner of education, a school district may include in its authority under this section
19.12 a proportionate share of the long-term maintenance costs of the intermediate district or
19.13 cooperative unit. The cooperative unit may issue bonds to finance the project costs or levy
19.14 for the costs, using long-term maintenance revenue transferred from member districts to
19.15 make debt service payments or pay project costs. Authority under this subdivision is in
19.16 addition to the authority for individual district projects under subdivision 1.

19.17 Subd. 4. **Facilities plans.** (a) To qualify for revenue under this section, a school district
19.18 or intermediate district, not including a charter school, must have a ten-year facility plan
19.19 adopted by the school board and approved by the commissioner. The plan must include
19.20 provisions for implementing a health and safety program that complies with health, safety,
19.21 and environmental regulations and best practices, including indoor air quality management
19.22 and remediation of lead hazards. The plan may include provisions for enhancing school
19.23 safety through physical modifications to school facilities as described in subdivision 4a.

19.24 (b) The district must annually update the plan, submit the plan to the commissioner for
19.25 approval by July 31, and indicate whether the district will issue bonds to finance the plan
19.26 or levy for the costs.

19.27 (c) For school districts issuing bonds to finance the plan, the plan must include a debt
19.28 service schedule demonstrating that the debt service revenue required to pay the principal
19.29 and interest on the bonds each year will not exceed the projected long-term facilities revenue
19.30 for that year.

19.31 Subd. 4a. **School safety facility enhancements.** A school district may include in its
19.32 facilities plan a school safety facilities plan. School safety projects may include remodeling
19.33 and new construction for school security enhancements, public announcement systems,

20.1 emergency communications devices, and equipment and facility modifications related to
20.2 violence prevention and facility security.

20.3 Subd. 5. **Bond authorization.** (a) A school district may issue general obligation bonds
20.4 under this section to finance facilities plans approved by its board and the commissioner.
20.5 Chapter 475, except sections 475.58 and 475.59, must be complied with. The authority to
20.6 issue bonds under this section is in addition to any bonding authority authorized by this
20.7 chapter or other law. The amount of bonding authority authorized under this section must
20.8 be disregarded in calculating the bonding or net debt limits of this chapter, or any other law
20.9 other than section 475.53, subdivision 4.

20.10 (b) At least 20 days before the earliest of solicitation of bids, the issuance of bonds, or
20.11 the final certification of levies under subdivision 6, the district must publish notice of the
20.12 intended projects, the amount of the bond issue, and the total amount of district indebtedness.

20.13 (c) The portion of revenue under this section for bonded debt must be recognized in the
20.14 debt service fund.

20.15 Subd. 6. **Levy authorization.** A district may levy for costs related to an approved plan
20.16 under subdivision 4 as follows:

20.17 (1) if the district has indicated to the commissioner that bonds will be issued, the district
20.18 may levy for the principal and interest payments on outstanding bonds issued under
20.19 subdivision 5 after reduction for any aid receivable under subdivision 9;

20.20 (2) if the district has indicated to the commissioner that the plan will be funded through
20.21 levy, the district may levy according to the schedule approved in the plan after reduction
20.22 for any aid receivable under subdivision 9; or

20.23 (3) if the debt service revenue for a district required to pay the principal and interest on
20.24 bonds issued under subdivision 5 exceeds the district's long-term facilities maintenance
20.25 revenue for the same fiscal year, the district's general fund levy must be reduced by the
20.26 amount of the excess.

20.27 Subd. 7. **Long-term facilities maintenance equalization revenue.** ~~(a) For fiscal year~~
20.28 ~~2017 only, a district's long-term facilities maintenance equalization revenue equals the lesser~~
20.29 ~~of (1) \$193 times the adjusted pupil units or (2) the district's revenue under subdivision 1.~~

20.30 ~~(b)~~ (a) For fiscal year 2018 only, a district's long-term facilities maintenance equalization
20.31 revenue equals the lesser of (1) \$292 times the adjusted pupil units or (2) the district's
20.32 revenue under subdivision 1.

21.1 ~~(e)~~ (b) For fiscal year 2019 and later, a district's long-term facilities maintenance
 21.2 equalization revenue equals the lesser of (1) \$380 times the adjusted pupil units or (2) the
 21.3 district's revenue under subdivision 1.

21.4 ~~(d)~~ (c) Notwithstanding paragraphs (a) ~~to (e)~~ and (b), a district's long-term facilities
 21.5 maintenance equalization revenue must not be less than the lesser of the district's long-term
 21.6 facilities maintenance revenue or the amount of aid the district received for fiscal year 2015
 21.7 under Minnesota Statutes 2014, section 123B.59, subdivision 6.

21.8 Subd. 8. **Long-term facilities maintenance equalized levy.** ~~(a) For fiscal year 2017~~
 21.9 ~~and later~~, A district's long-term facilities maintenance equalized levy equals the district's
 21.10 long-term facilities maintenance equalization revenue minus the greater of:

21.11 (1) the lesser of the district's long-term facilities maintenance equalization revenue or
 21.12 the amount of aid the district received for fiscal year 2015 under Minnesota Statutes 2014,
 21.13 section 123B.59, subdivision 6; or

21.14 (2) the district's long-term facilities maintenance equalization revenue times the greater
 21.15 of (i) zero or (ii) one minus the ratio of its adjusted net tax capacity per adjusted pupil unit
 21.16 in the year preceding the year the levy is certified to 123 percent of the state average adjusted
 21.17 net tax capacity per adjusted pupil unit for all school districts in the year preceding the year
 21.18 the levy is certified.

21.19 (b) For purposes of this subdivision, "adjusted net tax capacity" means the value described
 21.20 in section 126C.01, subdivision 2, paragraph (b).

21.21 Subd. 8a. **Long-term facilities maintenance unequalized levy.** ~~For fiscal year 2017~~
 21.22 ~~and later~~, A district's long-term facilities maintenance unequalized levy equals the difference
 21.23 between the district's revenue under subdivision 1 and the district's equalization revenue
 21.24 under subdivision 7.

21.25 Subd. 9. **Long-term facilities maintenance equalized aid.** ~~For fiscal year 2017 and~~
 21.26 ~~later~~, A district's long-term facilities maintenance equalized aid equals its long-term facilities
 21.27 maintenance equalization revenue minus its long-term facilities maintenance equalized levy
 21.28 times the ratio of the actual equalized amount levied to the permitted equalized levy.

21.29 Subd. 10. **Allowed uses for long-term facilities maintenance revenue.** (a) A district
 21.30 may use revenue under this section for any of the following:

21.31 (1) deferred capital expenditures and maintenance projects necessary to prevent further
 21.32 erosion of facilities;

21.33 (2) increasing accessibility of school facilities;

22.1 (3) health and safety capital projects under section 123B.57;

22.2 (4) school safety facility enhancements authorized under subdivision 4a; or

22.3 ~~(4)~~ (5) by board resolution, to transfer money from the general fund reserve for long-term
22.4 facilities maintenance to the debt redemption fund to pay the amounts needed to meet, when
22.5 due, principal and interest on general obligation bonds issued under subdivision 5.

22.6 (b) A charter school may use revenue under this section for any purpose related to the
22.7 school, including school safety facility enhancements.

22.8 Subd. 11. **Restrictions on long-term facilities maintenance revenue.** Notwithstanding
22.9 subdivision 10, for projects other than school safety facility enhancements, long-term
22.10 facilities maintenance revenue may not be used:

22.11 (1) for the construction of new facilities, remodeling of existing facilities, or the purchase
22.12 of portable classrooms;

22.13 (2) to finance a lease purchase agreement, installment purchase agreement, or other
22.14 deferred payments agreement;

22.15 (3) for energy-efficiency projects under section 123B.65, for a building or property or
22.16 part of a building or property used for postsecondary instruction or administration, or for a
22.17 purpose unrelated to elementary and secondary education; or

22.18 (4) for ~~violence prevention and facility security, ergonomics, or emergency~~
22.19 ~~communication devices.~~

22.20 Subd. 12. **Reserve account.** The portion of long-term facilities maintenance revenue
22.21 not recognized under subdivision 5, paragraph (c), must be maintained in a reserve account
22.22 within the general fund.

22.23 Sec. 14. Minnesota Statutes 2016, section 123B.61, is amended to read:

22.24 **123B.61 PURCHASE OF CERTAIN EQUIPMENT.**

22.25 (a) The board of a district may issue general obligation certificates of indebtedness or
22.26 capital notes subject to the district debt limits to:

22.27 ~~(a)~~ (1) purchase vehicles, computers, telephone systems, cable equipment, photocopy
22.28 and office equipment, technological equipment for instruction, public announcement systems,
22.29 emergency communications devices, other equipment related to violence prevention and
22.30 facility security, and other capital equipment having an expected useful life at least as long
22.31 as the terms of the certificates or notes;

23.1 ~~(b)~~ (2) purchase computer hardware and software, without regard to its expected useful
23.2 life, whether bundled with machinery or equipment or unbundled, together with application
23.3 development services and training related to the use of the computer; and

23.4 ~~(e)~~ (3) prepay special assessments.

23.5 (b) The certificates or notes must be payable in not more than ten years and must be
23.6 issued on the terms and in the manner determined by the board, except that certificates or
23.7 notes issued to prepay special assessments must be payable in not more than 20 years. The
23.8 certificates or notes may be issued by resolution and without the requirement for an election.
23.9 The certificates or notes are general obligation bonds for purposes of section 126C.55.

23.10 (c) A tax levy must be made for the payment of the principal and interest on the
23.11 certificates or notes, in accordance with section 475.61, as in the case of bonds. The sum
23.12 of the tax levies under this section and section 123B.62 for each year must not exceed the
23.13 lesser of the sum of the amount of the district's total operating capital revenue and safe
23.14 schools revenue or the sum of the district's levy in the general and community service funds
23.15 excluding the adjustments under this section for the year preceding the year the initial debt
23.16 service levies are certified.

23.17 (d) The district's general fund levy for each year must be reduced by the sum of:

23.18 (1) the amount of the tax levies for debt service certified for each year for payment of
23.19 the principal and interest on the certificates or notes issued under this section as required
23.20 by section 475.61₂;

23.21 (2) the amount of the tax levies for debt service certified for each year for payment of
23.22 the principal and interest on bonds issued under section 123B.62₂; and

23.23 (3) any excess amount in the debt redemption fund used to retire bonds, certificates, or
23.24 notes issued under this section or section 123B.62 after April 1, 1997, other than amounts
23.25 used to pay capitalized interest.

23.26 (e) If the district's general fund levy is less than the amount of the reduction, the balance
23.27 shall be deducted first from the district's community service fund levy, and next from the
23.28 district's general fund or community service fund levies for the following year.

23.29 (f) A district using an excess amount in the debt redemption fund to retire the certificates
23.30 or notes shall report the amount used for this purpose to the commissioner by July 15 of the
23.31 following fiscal year. A district having an outstanding capital loan under section 126C.69
23.32 or an outstanding debt service loan under section 126C.68 must not use an excess amount
23.33 in the debt redemption fund to retire the certificates or notes.

24.1 **EFFECTIVE DATE.** This section is effective July 1, 2018.

24.2 Sec. 15. Minnesota Statutes 2016, section 126C.44, is amended to read:

24.3 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

24.4 **Subdivision 1. Safe schools revenue.** (a) A school district's total safe schools revenue
24.5 equals the sum of:

24.6 (1) the greater of \$30,000 or \$54 per adjusted pupil unit;

24.7 (2) the amounts under subdivision 6; and

24.8 (3) for a district not accessing revenue under subdivision 6, the amount under subdivision
24.9 7.

24.10 (b) A school district's equalized safe schools revenue equals \$36 times the district's
24.11 adjusted pupil units for that year.

24.12 (c) A charter school's safe schools revenue equals \$18 times its adjusted pupil units for
24.13 that year. The revenue must be reserved and used only for costs associated with safe schools
24.14 activities authorized under subdivision 5, paragraph (a), clauses (1) to (9), or for building
24.15 lease expenses not funded by charter school building lease aid that are attributable to facility
24.16 security enhancements made by the landlord after March 1, 2018.

24.17 **Subd. 2. Safe schools equalized levy.** ~~(a) Each district may make a levy on all taxable~~
24.18 ~~property located within the district for the purposes specified in this section. The maximum~~
24.19 ~~amount which may be levied for all costs under this section shall be equal to \$36 multiplied~~
24.20 ~~by the district's~~ A school district's safe school equalized levy equals the product of its
24.21 equalized safe schools revenue under subdivision 1 times the lesser of one or the ratio of
24.22 its adjusted net tax capacity per adjusted pupil units for the school year unit to 68.5 percent
24.23 of the statewide adjusted net tax capacity equalizing factor.

24.24 **Subd. 3. Safe schools aid.** (a) A school district's safe schools aid equals the sum of:

24.25 (1) \$18 times its adjusted pupil units for that year;

24.26 (2) its safe schools equalization aid equal to the difference between its safe schools
24.27 equalized revenue minus its safe schools equalized levy;

24.28 (3) its cooperative unit aid under subdivision 7; and

24.29 (4) for fiscal year 2019 only, \$6.50 times its adjusted pupil units for that year for school
24.30 district members of intermediate school districts.

24.31 (b) A charter school's safe schools aid equals its safe schools revenue.

25.1 Subd. 4. Revenue reserved. ~~The proceeds of the levy~~ A school district's safe schools
 25.2 revenue must be reserved and used for directly funding the following purposes or for
 25.3 reimbursing the cities and counties who contract with the district for the following purposes:
 25.4 authorized in subdivision 5.

25.5 Subd. 5. Revenue uses. (a) A school district must use its safe schools revenue for the
 25.6 following:

25.7 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
 25.8 officers and sheriffs for liaison in services in the district's schools, whether through contract
 25.9 or reimbursement to the city or county employing authority;

25.10 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,
 25.11 subdivision 3, paragraph (e), in the elementary schools;

25.12 (3) to pay the costs for a gang resistance education training curriculum in the district's
 25.13 schools;

25.14 (4) to pay the costs for security in the district's schools and on school property;

25.15 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
 25.16 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
 25.17 school district;

25.18 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
 25.19 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
 25.20 counselors to help provide early responses to problems;

25.21 (7) to pay for facility security enhancements including laminated glass, public
 25.22 announcement systems, emergency communications devices, and equipment and facility
 25.23 modifications related to violence prevention and facility security;

25.24 (8) to pay for costs associated with improving the school climate; ~~or~~

25.25 (9) to pay costs for collocating and collaborating with mental health professionals who
 25.26 are not district employees or contractors; or

25.27 (10) by board resolution, to transfer money into the debt redemption fund to pay the
 25.28 amounts needed to meet, when due, principal and interest payments on obligations issued
 25.29 under sections 123B.61 and 123B.62 for purposes included in clause (7).

25.30 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt
 25.31 to contract for services to be provided by peace officers or sheriffs with the police department
 25.32 of each city or the sheriff's department of the county within the district containing the school

26.1 receiving the services. If a local police department or a county sheriff's department does
 26.2 not wish to provide the necessary services, the district may contract for these services with
 26.3 any other police or sheriff's department located entirely or partially within the school district's
 26.4 boundaries.

26.5 Subd. 6. Intermediate school districts. ~~(e)~~ A school district that is a member of an
 26.6 intermediate school district may ~~include in~~ add to its levy authority under this section the
 26.7 costs associated with safe schools activities authorized under ~~paragraph (a)~~ subdivision 5
 26.8 for intermediate school district programs. This levy authority must not exceed \$15 times
 26.9 the adjusted pupil units of the member districts. This levy authority is in addition to any
 26.10 other authority authorized under this section. Revenue raised under this ~~paragraph~~ subdivision
 26.11 must be transferred to the intermediate school district.

26.12 Subd. 7. Other cooperative units. A school district that is a member of a cooperative
 26.13 unit defined under section 123A.24, subdivision 2, other than a member of an intermediate
 26.14 school district, is eligible for additional safe schools aid equal to \$7.50 times its adjusted
 26.15 pupil units for that year. Revenue raised under this subdivision must be transferred to the
 26.16 cooperative unit.

26.17 EFFECTIVE DATE. This section is effective for fiscal year 2019 and later.

26.18 Sec. 16. Laws 2017, First Special Session chapter 5, article 2, section 56, is amended to
 26.19 read:

26.20 Sec. 56. **INTERMEDIATE SCHOOL DISTRICT MENTAL HEALTH**
 26.21 **INNOVATION GRANT PROGRAM; APPROPRIATION.**

26.22 (a) \$2,450,000 in fiscal year 2018 and \$2,450,000 in fiscal year 2019 are appropriated
 26.23 from the general fund to the commissioner of human services for a grant program to fund
 26.24 innovative projects to improve mental health outcomes for youth attending a qualifying
 26.25 school unit.

26.26 (b) A "qualifying school unit" means an intermediate district organized under Minnesota
 26.27 Statutes, section 136D.01, or a service cooperative organized under Minnesota Statutes,
 26.28 section 123A.21, subdivision 1, paragraph (a), clause (2), that provides instruction to students
 26.29 in a setting of federal instructional level 4 or higher. Grants under paragraph (a) must be
 26.30 awarded to eligible applicants such that the services are proportionately provided among
 26.31 qualifying school units. The commissioner shall calculate the share of the appropriation to
 26.32 be used in each qualifying school unit by dividing the qualifying school unit's average daily
 26.33 membership in a setting of federal instructional level 4 or higher for fiscal year 2016 by the

27.1 total average daily membership in a setting of federal instructional level 4 or higher for the
27.2 same year for all qualifying school units.

27.3 (c) An eligible applicant is an entity that has demonstrated capacity to serve the youth
27.4 identified in paragraph (a) and that is:

27.5 (1) certified under Minnesota Rules, parts 9520.0750 to 9520.0870;

27.6 (2) a community mental health center under Minnesota Statutes, section 256B.0625,
27.7 subdivision 5;

27.8 (3) an Indian health service facility or facility owned and operated by a tribe or tribal
27.9 organization operating under United States Code, title 25, section 5321; ~~or~~

27.10 (4) a provider of children's therapeutic services and supports as defined in Minnesota
27.11 Statutes, section 256B.0943~~;~~ or

27.12 (5) enrolled in medical assistance as a mental health or substance use disorder provider
27.13 agency and must employ at least two full-time equivalent mental health professionals as
27.14 defined in section 245.4871, subdivision 27, clauses (1) to (6), or alcohol and drug counselors
27.15 licensed or exempt from licensure under chapter 148F who are qualified to provide clinical
27.16 services to children and families.

27.17 (d) An eligible applicant must employ or contract with at least two licensed mental health
27.18 professionals as defined in Minnesota Statutes, section 245.4871, subdivision 27, clauses
27.19 (1) to (6), who have formal training in evidence-based practices.

27.20 (e) A qualifying school unit must submit an application to the commissioner in the form
27.21 and manner specified by the commissioner. The commissioner may approve an application
27.22 that describes models for innovative projects to serve the needs of the schools and students.
27.23 The commissioner may provide technical assistance to the qualifying school unit. The
27.24 commissioner shall then solicit grant project proposals and award grant funding to the
27.25 eligible applicants whose project proposals best meet the requirements of this section and
27.26 most closely adhere to the models created by the intermediate districts and service
27.27 cooperatives.

27.28 (f) To receive grant funding, an eligible applicant must obtain a letter of support for the
27.29 applicant's grant project proposal from each qualifying school unit the eligible applicant is
27.30 proposing to serve. An eligible applicant must also demonstrate the following:

27.31 (1) the ability to seek third-party reimbursement for services;

27.32 (2) the ability to report data and outcomes as required by the commissioner; and

28.1 (3) the existence of partnerships with counties, tribes, substance use disorder providers,
28.2 and mental health service providers, including providers of mobile crisis services.

28.3 (g) Grantees shall obtain all available third-party reimbursement sources as a condition
28.4 of receiving grant funds. For purposes of this grant program, a third-party reimbursement
28.5 source does not include a public school as defined in Minnesota Statutes, section 120A.20,
28.6 subdivision 1.

28.7 (h) The base budget for this program is \$0. This appropriation is available until June 30,
28.8 2020.

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

28.10 Sec. 17. **APPROPRIATIONS.**

28.11 Subdivision 1. **Commissioner of education.** The sum indicated in this section is
28.12 appropriated from the general fund to the commissioner of education for the specified
28.13 purpose.

28.14 Subd. 2. **Safe schools aid.** (a) For safe schools aid under Minnesota Statutes, section
28.15 126C.44:

28.16 \$ 20,256,000 2019

28.17 (b) The 2019 appropriation includes \$20,256,000 for fiscal year 2019.

28.18 (c) For fiscal year 2019 only, each district's safe schools state aid equals its safe schools
28.19 revenue for fiscal year 2019 minus the safe schools levy certified by the school district for
28.20 taxes payable in 2018.

28.21 Subd. 3. **Children's school-linked mental health grants.** For transfer to the
28.22 commissioner of human services for children's school-linked mental health grants under
28.23 Minnesota Statutes, section 245.4889, subdivision 1, paragraph (b), clause (8):

28.24 \$ 5,000,000 2019

28.25 (b) Grants must be used to expand services including to school districts or counties in
28.26 which school-linked mental health services are not available, and to fund transportation for
28.27 children using school-linked mental health services when school is not in session.

28.28 (c) The commissioner must require grantees to use all available third-party reimbursement
28.29 sources as a condition of the receipt of grant funds. For purposes of this appropriation, a
28.30 third-party reimbursement source does not include a public school within the meaning of
28.31 Minnesota Statutes, section 120A.20, subdivision 1.

29.1 (d) The base for fiscal year 2020 is \$5,000,000.

29.2 Subd. 4. **Physical security audit grants for public schools.** (a) For transfer to the
 29.3 commissioner of public safety for grants to school districts and charter schools to reimburse
 29.4 applicants for up to 100 percent of the cost for an audit of the physical security of public
 29.5 school campuses and crisis management policies adopted pursuant to Minnesota Statutes,
 29.6 section 121A.035, subdivision 2:

29.7 \$ 2,000,000 2019

29.8 (b) The commissioner of public safety must establish specific eligibility and application
 29.9 criteria including a requirement that audits be conducted by consultants holding professional
 29.10 certification deemed acceptable by the commissioner, including but not limited to a Certified
 29.11 Protection Professional certification from the American Society for Industrial Security.

29.12 (c) This is a onetime appropriation.

29.13 Subd. 5. **School resource officer training grants.** (a) For grants to reimburse school
 29.14 districts and charter schools for up to one-half of the costs of school resource officer training:

29.15 \$ 400,000 2019

29.16 (b) The commissioner and the director of the Minnesota School Safety Center are
 29.17 encouraged to develop school resource officer training guidelines and provide school districts
 29.18 and charter schools a list of approved school resource officer training programs.

29.19 (c) A district or charter school seeking a grant must submit an application in the form
 29.20 and manner specified by the commissioner of education. Reimbursement must not exceed
 29.21 \$500 per officer. The commissioner must prorate grant amounts if the appropriation is
 29.22 insufficient to fully fund the state's share of the training.

29.23 (d) A recipient school district or charter school and the local law enforcement agency
 29.24 must enter into an agreement to pay for the remaining training costs for school resource
 29.25 officer training. The school district or charter school and the law enforcement agency may
 29.26 seek private funds to pay for the local share of the school resource officer training costs.

29.27 (e) This is a onetime appropriation.

29.28 Subd. 6. **Threat assessment grants.** (a) For grants to school districts for training for
 29.29 members of threat assessment teams and oversight committees under section 121A.35:

29.30 \$ \$300,000 2019

30.1 (b) The commissioner and the director of the Minnesota School Safety Center are
 30.2 encouraged to develop threat assessment training guidelines and provide school districts a
 30.3 list of approved threat assessment training programs.

30.4 (c) This is a onetime appropriation.

30.5 (d) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019
 30.6 appropriation is available until June 30, 2021. Any remaining balance is canceled to the
 30.7 general fund.

30.8 Subd. 7. **Suicide prevention training for teachers.** (a) For a grant to a nationally
 30.9 recognized organization to offer evidence-based online training for teachers on suicide
 30.10 prevention and engaging students experiencing mental distress:

30.11 § \$273,000 2019

30.12 (b) This is a onetime appropriation.

30.13 (c) The recipient of the suicide prevention training grant under this subdivision must
 30.14 make the training accessible to all Minnesota school districts, cooperative units defined
 30.15 under section 123A.24, subdivision 2, tribal schools, and charter schools.

30.16 Subd. 8. **For Jake's Sake Foundation.** (a) For a grant to the For Jake's Sake Foundation
 30.17 to collaborate with school districts throughout Minnesota to integrate evidence-based
 30.18 substance misuse prevention instruction on the dangers of substance misuse, particularly
 30.19 the use of opioids, into school district programs and curricula, including health education
 30.20 curricula:

30.21 § \$350,000 2019

30.22 (b) Funds appropriated in this subdivision are to:

30.23 (1) identify effective substance misuse prevention tools and strategies, including
 30.24 innovative uses of technology and media;

30.25 (2) develop and promote a comprehensive substance misuse prevention curriculum for
 30.26 students in grades 5 through 12 that educates students and families about the dangers of
 30.27 substance misuse;

30.28 (3) integrate substance misuse prevention into curricula across subject areas;

30.29 (4) train school district teachers, athletic coaches, and other school staff in effective
 30.30 substance misuse prevention strategies; and

30.31 (5) collaborate with school districts to evaluate the effectiveness of districts' substance
 30.32 misuse prevention efforts.

31.1 (c) By February 15, 2019, the grantee must submit a report detailing expenditures and
31.2 outcomes of the grant to the chairs and ranking minority members of the legislative
31.3 committees with primary jurisdiction over kindergarten through grade 12 education policy
31.4 and finance. The report must identify the school districts that have implemented or plan to
31.5 implement the substance misuse prevention curriculum.

31.6 (d) This is a onetime appropriation.

31.7 (e) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019
31.8 appropriation is available until June 30, 2021. Any remaining balance is canceled to the
31.9 general fund.

31.10 **ARTICLE 3**

31.11 **EDUCATION EXCELLENCE**

31.12 Section 1. Minnesota Statutes 2016, section 120A.20, subdivision 2, is amended to read:

31.13 Subd. 2. **Education, residence, and transportation of homeless.** (a) Notwithstanding
31.14 subdivision 1, a district must not deny free admission to a homeless pupil solely because
31.15 the district cannot determine that the pupil is a resident of the district.

31.16 (b) The school district of residence for a homeless pupil shall be the school district in
31.17 which the parent or legal guardian resides, unless: (1) parental rights have been terminated
31.18 by court order; (2) the parent or guardian is not living within the state; or (3) the parent or
31.19 guardian having legal custody of the child is an inmate of a Minnesota correctional facility
31.20 or is a resident of a halfway house under the supervision of the commissioner of corrections.
31.21 If any of clauses (1) to (3) apply, the school district of residence shall be the school district
31.22 in which the pupil resided when the qualifying event occurred. If no other district of residence
31.23 can be established, the school district of residence shall be the school district in which the
31.24 pupil currently resides. If there is a dispute between school districts regarding residency,
31.25 the district of residence is the district designated by the commissioner of education.

31.26 (c) Except as provided in paragraph (d), the serving district is responsible for transporting
31.27 a homeless pupil to and from the pupil's district of residence. The district may transport
31.28 from a permanent home in another district but only through the end of the academic school
31.29 year. When a pupil is enrolled in a charter school, the district or school that provides
31.30 transportation for other pupils enrolled in the charter school is responsible for providing
31.31 transportation. When a homeless student with or without an individualized education program
31.32 attends a public school other than an independent or special school district or charter school,
31.33 the district of residence is responsible for transportation.

32.1 (d) For a homeless pupil with an individualized education plan enrolled in a program
 32.2 authorized by an intermediate school district, special education cooperative, service
 32.3 cooperative, or education district, the serving district at the time of the pupil's enrollment
 32.4 in the program remains responsible for transporting that pupil for the remainder of the school
 32.5 year unless the initial serving district and the current serving district mutually agree that
 32.6 the current serving district is responsible for transporting the homeless pupil.

32.7 **EFFECTIVE DATE.** This section is effective July 1, 2018.

32.8 Sec. 2. Minnesota Statutes 2016, section 120A.22, subdivision 12, is amended to read:

32.9 Subd. 12. **Legitimate exemptions.** (a) A parent, guardian, or other person having control
 32.10 of a child may apply to a school district to have the child excused from attendance for the
 32.11 whole or any part of the time school is in session during any school year. Application may
 32.12 be made to any member of the board, a truant officer, a principal, or the superintendent.
 32.13 The school district may state in its school attendance policy that it may ask the student's
 32.14 parent or legal guardian to verify in writing the reason for the child's absence from school.
 32.15 A note from a physician or a licensed mental health professional stating that the child cannot
 32.16 attend school is a valid excuse. The board of the district in which the child resides may
 32.17 approve the application upon the following being demonstrated to the satisfaction of that
 32.18 board:

32.19 (1) that the child's physical or mental health is such as to prevent attendance at school
 32.20 or application to study for the period required, which includes:

32.21 (i) child illness, medical, dental, orthodontic, or counseling appointments;

32.22 (ii) family emergencies;

32.23 (iii) the death or serious illness or funeral of an immediate family member;

32.24 ~~(iv) active duty in any military branch of the United States;~~

32.25 ~~(v)~~ (iv) the child has a condition that requires ongoing treatment for a mental health
 32.26 diagnosis; or

32.27 ~~(vi)~~ (v) other exemptions included in the district's school attendance policy;

32.28 (2) that the child's parent, guardian, or other person having control of the child is in
 32.29 active duty in any branch of the United States armed forces;

32.30 (3) that the child is participating in any activity necessary for the child to join any branch
 32.31 of the United States armed forces and may be excused for up to three days for such purpose;

33.1 ~~(2)~~ (4) that the child has already completed state and district standards required for
33.2 graduation from high school; or

33.3 ~~(3)~~ (5) that it is the wish of the parent, guardian, or other person having control of the
33.4 child, that the child attend for a period or periods not exceeding in the aggregate three hours
33.5 in any week, a school for religious instruction conducted and maintained by some church,
33.6 or association of churches, or any Sunday school association incorporated under the laws
33.7 of this state, or any auxiliary thereof. This school for religious instruction must be conducted
33.8 and maintained in a place other than a public school building, and it must not, in whole or
33.9 in part, be conducted and maintained at public expense. However, a child may be absent
33.10 from school on such days as the child attends upon instruction according to the ordinances
33.11 of some church.

33.12 (b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from
33.13 an all-day, every day kindergarten program and put their child in a half-day program, if
33.14 offered, or an alternate-day program without being truant. A school board must excuse a
33.15 kindergarten child from a part of a school day at the request of the child's parent.

33.16 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

33.17 Sec. 3. Minnesota Statutes 2017 Supplement, section 120B.021, subdivision 1, is amended
33.18 to read:

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

33.21 (1) language arts;

33.22 (2) mathematics;

33.23 (3) science;

33.24 (4) social studies, including history, geography, economics, and government and
33.25 citizenship that includes civics consistent with section 120B.02, subdivision 3;

33.26 (5) physical education;

33.27 (6) health, for which locally developed academic standards apply, consistent with
33.28 subdivision 1b; and

33.29 (7) the arts, for which statewide or locally developed academic standards apply, as
33.30 determined by the school district. Public elementary and middle schools must offer at least
33.31 three and require at least two of the following four arts areas: dance; music; theater; and

34.1 visual arts. Public high schools must offer at least three and require at least one of the
34.2 following five arts areas: media arts; dance; music; theater; and visual arts.

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

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

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

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

34.28 Sec. 4. Minnesota Statutes 2016, section 120B.021, is amended by adding a subdivision
34.29 to read:

34.30 Subd. 1b. **Health standards.** (a) A school district's locally developed health standards
34.31 may include instruction on:

34.32 (1) child sexual abuse, exploitation, and sexual assault prevention; and

34.33 (2) substance misuse prevention in grades 5 through 12.

35.1 Instruction under this subdivision must be age-appropriate. Nothing in this subdivision
35.2 requires a school district to use a specific methodology or curriculum. A school district may
35.3 provide instruction under this subdivision in a variety of ways, including at an annual
35.4 assembly or classroom presentation.

35.5 (b) Child sexual abuse, exploitation, and sexual assault prevention instruction in a health
35.6 curriculum may include instruction on recognizing sexual abuse, exploitation and assault,
35.7 boundary violations, and ways offenders groom or desensitize victims, as well as strategies
35.8 to promote disclosure, reduce self-blame, and mobilize bystanders. Child sexual assault
35.9 prevention instruction must be consistent with the definition of sexually exploited youth
35.10 under section 260C.007, subdivision 31. A school district may provide to parents information
35.11 on the warning signs of child sexual abuse and sexual exploitation, and available resources.
35.12 A school district is encouraged to include in sexual assault prevention instruction:

35.13 (1) character education, as defined in section 120B.232; and

35.14 (2) age-appropriate strategies and techniques to recognize and to reject unwanted
35.15 advances.

35.16 (c) A school district's substance misuse prevention curriculum must be evidence-based.
35.17 Substance misuse prevention must include instruction on opioids and controlled substances,
35.18 as defined in section 121A.25, subdivision 2, chemical abuse as defined in section 121A.25,
35.19 subdivision 3, prescription and nonprescription medications, and illegal drugs.

35.20 (d) A school district may consult with other federal, state, or local agencies and
35.21 community-based organizations to identify research-based tools, curricula, and programs
35.22 to develop instruction required under this subdivision. The Department of Education must
35.23 assist districts when requested and may provide resources including information on best
35.24 practices, developing standards, curricula, and programs consistent with this subdivision.

35.25 (e) Instruction under this subdivision is subject to the requirements of section 120B.20.

35.26 (f) The commissioner of education must conduct a survey of school districts and charter
35.27 schools during the 2021-2022 school year on locally adopted health standards to determine
35.28 whether school districts and charter schools have implemented instruction consistent with
35.29 this subdivision. The commissioner must report the findings of the survey to the chairs and
35.30 ranking minority members of the legislative committees with jurisdiction over kindergarten
35.31 through grade 12 education in accordance with section 3.195, no later than January 15,
35.32 2023.

36.1 Sec. 5. Minnesota Statutes 2016, section 120B.024, subdivision 1, is amended to read:

36.2 Subdivision 1. **Graduation requirements.** Students ~~beginning 9th grade in the~~
36.3 ~~2011-2012 school year and later~~ must successfully complete the following high school level
36.4 credits for graduation:

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

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

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

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

36.15 (5) three and one-half credits of social studies, including credit for a specific course in
36.16 government and citizenship in either 11th or 12th grade for students beginning 9th grade
36.17 in the 2020-2021 school year and later, and a combination of other credits encompassing
36.18 at least United States history, geography, government and citizenship, world history, and
36.19 economics sufficient to satisfy all of the academic standards in social studies;

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

36.22 (7) a minimum of seven elective credits.

36.23 Sec. 6. Minnesota Statutes 2016, section 120B.11, subdivision 1, is amended to read:

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

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

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

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

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

37.10 (e) "State plan" means the plan submitted by the commissioner in accordance with the
 37.11 Elementary and Secondary Education Act, as most recently authorized, and approved by
 37.12 the United States Department of Education, including state goals.

37.13 (f) "Ineffective teacher" means a teacher whose most recent summative teacher evaluation
 37.14 resulted in placing or otherwise keeping the teacher on an improvement process pursuant
 37.15 to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

37.16 (g) "Inexperienced teacher" means a licensed teacher who has been employed as a teacher
 37.17 for three years or less.

37.18 (h) "Out-of-field teacher" means a licensed teacher who is providing instruction in an
 37.19 area in which the teacher is not licensed.

37.20 Sec. 7. Minnesota Statutes 2016, section 120B.11, subdivision 1a, is amended to read:

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

37.23 (1) the size of the academic achievement gap, as measured on the Minnesota
 37.24 Comprehensive Assessments;

37.25 (2) rigorous course taking under section 120B.35, subdivision 3, paragraph (c), clause
 37.26 (2), and enrichment experiences by student ~~subgroup~~ group;

37.27 ~~(2)~~ (3) student performance on the Minnesota Comprehensive Assessments in reading
 37.28 and mathematics;

37.29 ~~(3)~~ (4) high school graduation rates; ~~and~~

37.30 ~~(4)~~ (5) career and college readiness under section 120B.30, subdivision 1, paragraph

37.31 (p), as measured by student performance on the high school Minnesota Comprehensive

37.32 Assessments in reading and mathematics, and successful completion of rigorous coursework

38.1 that is part of a well-rounded education, including Advanced Placement, International
38.2 Baccalaureate, or concurrent enrollment coursework, or attainment of a certificate or
38.3 industry-recognized credential; and

38.4 (6) performance measures consistent with the state plan not otherwise required by this
38.5 subdivision.

38.6 Sec. 8. Minnesota Statutes 2016, section 120B.11, subdivision 2, is amended to read:

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

38.10 (1) clearly defined district and school site ~~goals and benchmarks for~~ toward meeting
38.11 statewide goals for instruction and student achievement for all student subgroups identified
38.12 in section 120B.35, subdivision 3, paragraph (b), clause (2);

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

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

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

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

39.1 (6) education effectiveness practices that integrate high-quality instruction, rigorous
39.2 curriculum, technology, and a collaborative professional culture that develops and supports
39.3 teacher quality, performance, and effectiveness; and

39.4 (7) an annual budget for continuing to implement the district plan.

39.5 Sec. 9. Minnesota Statutes 2016, section 120B.11, subdivision 5, is amended to read:

39.6 Subd. 5. **Report.** ~~Consistent with requirements for school performance reports under~~
39.7 ~~section 120B.36, subdivision 1, the school board shall publish a report in the local newspaper~~
39.8 ~~with the largest circulation in the district, by mail, or by electronic means on the district~~
39.9 ~~Web site.~~ (a) The school board shall must hold an annual public meeting to review, and
39.10 revise where appropriate, student achievement goals, local assessment outcomes, plans,
39.11 strategies, and practices for improving curriculum and instruction and cultural competency,
39.12 and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and
39.13 to review district success in realizing the previously adopted student achievement goals and
39.14 related benchmarks and the improvement plans leading to the world's best workforce. The
39.15 school board must transmit an electronic summary of its report to the commissioner in the
39.16 form and manner the commissioner determines.

39.17 (b) The commissioner must annually include in the school performance reports required
39.18 under section 120B.36, subdivision 1, student performance at each school district and school
39.19 site using the performance measures in subdivision 1a and other information required under
39.20 this subdivision. The school board must post a copy of the school performance report for
39.21 the district and each school site on the district's Web site, or provide a link to the district
39.22 and school site performance reports on the Department of Education's Web site.

39.23 Sec. 10. Minnesota Statutes 2016, section 120B.11, subdivision 9, is amended to read:

39.24 Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective strategies,
39.25 practices, and use of resources by districts and school sites in striving for the world's best
39.26 workforce. The commissioner must assist districts and sites throughout the state in
39.27 implementing these effective strategies, practices, and use of resources.

39.28 (b) The commissioner must use the performance measures in the accountability system
39.29 of the state plan, including academic achievement in math and reading, graduation rates,
39.30 and a school quality indicator, to identify those districts in any consecutive three-year period
39.31 and school sites not making sufficient progress in any consecutive three-year period toward
39.32 improving teaching and learning for all students, including English learners with varied
39.33 needs, consistent with section 124D.59, subdivisions 2 and 2a, and striving for the world's

40.1 ~~best workforce-~~ meeting state goals. The commissioner must implement evaluation timelines
 40.2 and measures consistent with the state plan. The commissioner may identify districts or
 40.3 school sites that do not provide information required for evaluation, as failing to make
 40.4 sufficient progress toward meeting state goals. The commissioner may evaluate, designate,
 40.5 and report on school districts and charter schools separately, consistent with the evaluation
 40.6 process under the state plan.

40.7 (c) The commissioner must review the curricula of a sample of at least three and up to
 40.8 five identified school sites to ensure the curricula are aligned with statewide reading and
 40.9 math standards for grades 3, 5, and 8. The sample of school sites must be of varied size and
 40.10 geographic distribution.

40.11 (d) The commissioner, in collaboration with the identified district, may require the
 40.12 district to use up to two percent of its basic general education revenue per fiscal year during
 40.13 the proximate three school years to implement ~~commissioner-specified~~ evidence-based
 40.14 strategies and best practices, consistent with paragraph (a), to improve and accelerate its
 40.15 progress in realizing its goals under this section. In implementing this section, the
 40.16 commissioner must consider districts' budget constraints and legal obligations.

40.17 ~~(e)~~ (e) The commissioner shall must report by January 25 of each year to the committees
 40.18 of the legislature having jurisdiction over kindergarten through grade 12 education the list
 40.19 of school districts that have not submitted their report to the commissioner under subdivision
 40.20 5 and the list of school districts ~~not achieving their performance goals established in their~~
 40.21 ~~plan under subdivision 2~~ identified as not making sufficient progress toward meeting world's
 40.22 best workforce goals under subdivision 1, paragraph (b).

40.23 Sec. 11. Minnesota Statutes 2016, section 120B.12, as amended by Laws 2017, First
 40.24 Special Session chapter 5, article 2, sections 5 to 7, is amended to read:

40.25 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE**
 40.26 **3.**

40.27 Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or
 40.28 above grade level no later than the end of grade 3, including English learners, and that
 40.29 teachers provide comprehensive, scientifically based reading instruction consistent with
 40.30 section 122A.06, subdivision 4. To the extent practicable, a school district must direct its
 40.31 literacy incentive aid received under section 124D.98 toward this goal consistent with its
 40.32 local literacy plan adopted under this section.

41.1 Subd. 2. **Identification; report.** (a) Each school district ~~shall~~ must identify before the
 41.2 end of kindergarten, grade 1, and grade 2 students who are not reading at grade level before
 41.3 the end of the current school year and ~~shall~~ must identify students in grade 3 or higher who
 41.4 demonstrate a reading difficulty to a classroom teacher. A school district must screen for
 41.5 dyslexia:

41.6 (1) all students in kindergarten, grade 1, and grade 2 who are not reading at grade level;
 41.7 and

41.8 (2) any student in grade 3 or higher who demonstrates a reading difficulty.

41.9 (b) Reading assessments in English, and in the predominant languages of district students
 41.10 where practicable, must identify and evaluate students' areas of academic need related to
 41.11 literacy. The district also must monitor the progress and provide reading instruction
 41.12 appropriate to the specific needs of English learners. The district must use a locally adopted,
 41.13 developmentally appropriate, and culturally responsive assessment and annually report
 41.14 summary assessment results to the commissioner by July 1.

41.15 (c) The district ~~also~~ must annually report to the commissioner by July 1 a summary of
 41.16 the district's efforts to screen and identify students with:

41.17 (1) dyslexia, using screening tools such as those recommended by the department's
 41.18 dyslexia and literacy specialist; or

41.19 (2) convergence insufficiency disorder.

41.20 ~~(b)~~ (d) A student identified under this subdivision must be provided with alternate
 41.21 instruction under section 125A.56, subdivision 1.

41.22 Subd. 2a. **Parent notification and involvement.** Schools, at least annually, must give
 41.23 the parent of each student who is not reading at or above grade level timely information
 41.24 about:

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

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

41.28 (3) strategies for parents to use at home in helping their student succeed in becoming
 41.29 grade-level proficient in reading in English and in their native language.

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

42.1 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district
42.2 ~~shall~~ must provide reading intervention to accelerate student growth and reach the goal of
42.3 reading at or above grade level by the end of the current grade and school year. If a student
42.4 does not read at or above grade level by the end of grade 3, the district must continue to
42.5 provide reading intervention until the student reads at grade level. District intervention
42.6 methods shall encourage family engagement and, where possible, collaboration with
42.7 appropriate school and community programs. Intervention methods may include, but are
42.8 not limited to, requiring attendance in summer school, intensified reading instruction that
42.9 may require that the student be removed from the regular classroom for part of the school
42.10 day, extended-day programs, or programs that strengthen students' cultural connections.

42.11 (b) A school district or charter school is strongly encouraged to provide a personal
42.12 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured
42.13 by the statewide reading assessment in grade 3. The district or charter school must determine
42.14 the format of the personal learning plan in collaboration with the student's educators and
42.15 other appropriate professionals. The school must develop the learning plan in consultation
42.16 with the student's parent or guardian. The personal learning plan must address knowledge
42.17 gaps and skill deficiencies through strategies such as specific exercises and practices during
42.18 and outside of the regular school day, periodic assessments, and reasonable timelines. The
42.19 personal learning plan may include grade retention, if it is in the student's best interest. A
42.20 school must maintain and regularly update and modify the personal learning plan until the
42.21 student reads at grade level. This paragraph does not apply to a student under an
42.22 individualized education program.

42.23 Subd. 4. **Staff development.** (a) Each district ~~shall~~ must use the data under subdivision
42.24 2 to identify the staff development needs so that:

42.25 (1) elementary teachers are able to implement comprehensive, scientifically based reading
42.26 and oral language instruction in the five reading areas of phonemic awareness, phonics,
42.27 fluency, vocabulary, and comprehension as defined in section 122A.06, subdivision 4, and
42.28 other literacy-related areas including writing until the student achieves grade-level reading
42.29 proficiency;

42.30 (2) elementary teachers have sufficient training to provide comprehensive, scientifically
42.31 based reading and oral language instruction that meets students' developmental, linguistic,
42.32 and literacy needs using the intervention methods or programs selected by the district for
42.33 the identified students;

43.1 (3) licensed teachers employed by the district have regular opportunities to improve
43.2 reading and writing instruction, including screenings, intervention strategies, and
43.3 accommodations for students showing characteristics associated with dyslexia;

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

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

43.11 (b) A school district may use its literacy incentive aid under section 124D.98 for the
43.12 staff development purposes of this subdivision.

43.13 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must
43.14 adopt a local literacy plan to have every child reading at or above grade level no later than
43.15 the end of grade 3, including English learners. The plan must be consistent with section
43.16 122A.06, subdivision 4, and include the following:

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

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

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

43.24 (4) evidence-based intervention methods for students who are not reading at or above
43.25 grade level and progress monitoring to provide information on the effectiveness of the
43.26 intervention; and

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

43.28 (b) The district must post its literacy plan on the official school district Web site.

43.29 Subd. 5. **Commissioner.** The commissioner ~~shall~~ must recommend to districts multiple
43.30 assessment tools to assist districts and teachers with identifying students under subdivision
43.31 2. The commissioner ~~shall~~ must also make available examples of nationally recognized and

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

44.3 **EFFECTIVE DATE.** Subdivision 2 is effective July 1, 2019. Subdivisions 1 and 3 to
44.4 5 are effective for revenue for fiscal year 2019 and later.

44.5 Sec. 12. Minnesota Statutes 2017 Supplement, section 120B.122, subdivision 1, is amended
44.6 to read:

44.7 Subdivision 1. **Purpose Duties.** (a) The department must employ a dyslexia specialist
44.8 to provide technical assistance for dyslexia and related disorders and to serve as the primary
44.9 source of information and support for schools in addressing the needs of students with
44.10 dyslexia and related disorders.

44.11 (b) The dyslexia specialist ~~shall also~~ must act to increase professional awareness and
44.12 instructional competencies to meet the educational needs of students with dyslexia or
44.13 identified with risk characteristics associated with dyslexia and ~~shall~~ must develop
44.14 implementation guidance and make recommendations to the commissioner consistent with
44.15 section 122A.06, subdivision 4, to be used to assist general education teachers and special
44.16 education teachers to recognize educational needs and to improve literacy outcomes for
44.17 students with dyslexia or identified with risk characteristics associated with dyslexia,
44.18 including recommendations related to increasing the availability of online and asynchronous
44.19 professional development programs and materials.

44.20 (c) The dyslexia specialist must provide guidance to school districts and charter schools
44.21 on how to:

44.22 (1) access tools to screen and identify students showing characteristics associated with
44.23 dyslexia in accordance with section 120B.12, subdivision 2, paragraph (a);

44.24 (2) implement screening for characteristics associated with dyslexia in accordance with
44.25 section 120B.12, subdivision 2, paragraph (a), and in coordination with other early childhood
44.26 screenings; and

44.27 (3) participate in professional development opportunities on intervention strategies and
44.28 accommodations for students with dyslexia or characteristics associated with dyslexia.

44.29 Sec. 13. Minnesota Statutes 2017 Supplement, section 120B.125, is amended to read:

44.30 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO**
44.31 **POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING**
44.32 **PLANS.**

45.1 (a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.30,
45.2 subdivision 1, paragraph (c), 125A.08, and other related sections, school districts, beginning
45.3 in the 2013-2014 school year, must assist all students by no later than grade 9 to explore
45.4 their educational, college, and career interests, aptitudes, and aspirations and develop a plan
45.5 for a smooth and successful transition to postsecondary education or employment. All
45.6 students' plans must:

45.7 (1) provide a comprehensive plan to prepare for and complete a career and college ready
45.8 curriculum by meeting state and local academic standards and developing career and
45.9 employment-related skills such as team work, collaboration, creativity, communication,
45.10 critical thinking, and good work habits;

45.11 (2) emphasize academic rigor and high expectations and inform the student, and the
45.12 student's parent or guardian if the student is a minor, of the student's achievement level
45.13 score on the Minnesota Comprehensive Assessments that are administered during high
45.14 school;

45.15 (3) help students identify interests, aptitudes, aspirations, and personal learning styles
45.16 that may affect their career and college ready goals and postsecondary education and
45.17 employment choices;

45.18 (4) set appropriate career and college ready goals with timelines that identify effective
45.19 means for achieving those goals;

45.20 (5) help students access education and career options, including armed forces career
45.21 options;

45.22 (6) integrate strong academic content into career-focused courses and applied and
45.23 experiential learning opportunities and integrate relevant career-focused courses and applied
45.24 and experiential learning opportunities into strong academic content;

45.25 (7) help identify and access appropriate counseling and other supports and assistance
45.26 that enable students to complete required coursework, prepare for postsecondary education
45.27 and careers, and obtain information about postsecondary education costs and eligibility for
45.28 financial aid and scholarship;

45.29 (8) help identify collaborative partnerships among prekindergarten through grade 12
45.30 schools, postsecondary institutions, economic development agencies, and local and regional
45.31 employers that support students' transition to postsecondary education and employment and
45.32 provide students with applied and experiential learning opportunities; and

46.1 (9) be reviewed and revised at least annually by the student, the student's parent or
46.2 guardian, and the school or district to ensure that the student's course-taking schedule keeps
46.3 the student making adequate progress to meet state and local academic standards and high
46.4 school graduation requirements and with a reasonable chance to succeed with employment
46.5 or postsecondary education without the need to first complete remedial course work.

46.6 (b) A school district may develop grade-level curricula or provide instruction that
46.7 introduces students to various careers, but must not require any curriculum, instruction, or
46.8 employment-related activity that obligates an elementary or secondary student to involuntarily
46.9 select or pursue a career, career interest, employment goals, or related job training.

46.10 (c) Educators must possess the knowledge and skills to effectively teach all English
46.11 learners in their classrooms. School districts must provide appropriate curriculum, targeted
46.12 materials, professional development opportunities for educators, and sufficient resources
46.13 to enable English learners to become career and college ready.

46.14 (d) When assisting students in developing a plan for a smooth and successful transition
46.15 to postsecondary education and employment, districts must recognize the unique possibilities
46.16 of each student and ensure that the contents of each student's plan reflect the student's unique
46.17 talents, skills, and abilities as the student grows, develops, and learns.

46.18 (e) If a student with a disability has an individualized education program (IEP) or
46.19 standardized written plan that meets the plan components of this section, the IEP satisfies
46.20 the requirement and no additional transition plan is needed.

46.21 (f) Students who do not meet or exceed Minnesota academic standards, as measured by
46.22 the Minnesota Comprehensive Assessments that are administered during high school, shall
46.23 be informed that admission to a public school is free and available to any resident under 21
46.24 years of age or who meets the requirements of section 120A.20, subdivision 1, paragraph
46.25 (c). A student's plan under this section shall continue while the student is enrolled.

46.26 (g) A school district must provide military recruiters and representatives of organizations
46.27 promoting careers in the skilled trades and manufacturing the same access to secondary
46.28 school students as the district provides to institutions of higher education or to prospective
46.29 employers of students.

46.30 (h) School districts are encouraged to sponsor an armed forces career opportunity day
46.31 each school year prior to the third Thursday of November. A school district that sponsors
46.32 an armed forces career opportunity day must extend invitations to recruiters from each
46.33 branch of the United States armed forces and allow the recruiters to make presentations to
46.34 all interested secondary school students.

47.1 Sec. 14. [120B.215] SUBSTANCE MISUSE PREVENTION.

47.2 (a) This section may be cited as "Jake's Law."

47.3 (b) School districts and charter schools are encouraged to provide substance misuse
 47.4 prevention instruction for students in grades 5 through 12 integrated into existing programs,
 47.5 curriculum, or the general school environment of a district or charter school. The
 47.6 commissioner of education, in consultation with the director of the Alcohol and Other Drug
 47.7 Abuse Section under section 254A.03 and substance misuse prevention and treatment
 47.8 organizations, must, upon request, provide districts and charter schools with:

47.9 (1) information regarding substance misuse prevention services; and

47.10 (2) assistance in using Minnesota student survey results to inform prevention programs.

47.11 **EFFECTIVE DATE.** This section is effective July 1, 2018.

47.12 Sec. 15. Minnesota Statutes 2016, section 120B.299, subdivision 10, is amended to read:

47.13 Subd. 10. **Proficiency.** "Proficiency" for purposes of reporting growth on school
 47.14 performance report cards under section 120B.36, subdivision 1, means those students who,
 47.15 in the previous school year, scored at or above "meets standards" on the statewide
 47.16 assessments under section 120B.30. ~~Each year, school performance report cards must~~
 47.17 ~~separately display: (1) the numbers and percentages of students who achieved low growth,~~
 47.18 ~~medium growth, and high growth and achieved proficiency in the previous school year; and~~
 47.19 ~~(2) the numbers and percentages of students who achieved low growth, medium growth,~~
 47.20 ~~and high growth and did not achieve proficiency in the previous school year.~~

47.21 Sec. 16. Minnesota Statutes 2017 Supplement, section 120B.30, subdivision 1, is amended
 47.22 to read:

47.23 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with
 47.24 appropriate technical qualifications and experience and stakeholders, consistent with
 47.25 subdivision 1a, ~~shall~~ must include in the comprehensive assessment system, for each grade
 47.26 level to be tested, state-constructed tests developed as computer-adaptive reading and
 47.27 mathematics assessments for students that are aligned with the state's required academic
 47.28 standards under section 120B.021, include multiple choice questions, and are administered
 47.29 annually to all students in grades 3 through 8. State-developed high school tests aligned
 47.30 with the state's required academic standards under section 120B.021 and administered to
 47.31 all high school students in a subject other than writing must include multiple choice questions.
 47.32 The commissioner ~~shall~~ must establish ~~one or more months during which schools shall~~

48.1 ~~administer the tests to students~~ a testing period as late as possible each school year during
48.2 which schools must administer the Minnesota Comprehensive Assessments to students. The
48.3 commissioner must publish the testing schedule at least two years before the beginning of
48.4 the testing period except for a year in which revised standards are implemented.

48.5 ~~(1) Students enrolled in grade 8 through the 2009-2010 school year are eligible to be~~
48.6 ~~assessed under (i) the graduation required assessment for diploma in reading, mathematics,~~
48.7 ~~or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraphs (e),~~
48.8 ~~clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii) the Compass~~
48.9 ~~college placement test, (iv) the ACT assessment for college admission, (v) a nationally~~
48.10 ~~recognized armed services vocational aptitude test.~~

48.11 ~~(2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are eligible~~
48.12 ~~to be assessed under (i) the graduation required assessment for diploma in reading,~~
48.13 ~~mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1,~~
48.14 ~~paragraph (e), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the Compass~~
48.15 ~~college placement test, (iv) the ACT assessment for college admission, (v) a nationally~~
48.16 ~~recognized armed services vocational aptitude test.~~

48.17 ~~(3) For students under clause (1) or (2), a school district may substitute a score from an~~
48.18 ~~alternative, equivalent assessment to satisfy the requirements of this paragraph.~~

48.19 (b) The state assessment system must be aligned to the most recent revision of academic
48.20 standards as described in section 120B.023 in the following manner:

48.21 (1) mathematics;

48.22 (i) grades 3 through 8 beginning in the 2010-2011 school year; and

48.23 (ii) high school level beginning in the 2013-2014 school year;

48.24 (2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012
48.25 school year; and

48.26 (3) language arts and reading; grades 3 through 8 and high school level beginning in the
48.27 2012-2013 school year.

48.28 (c) For students enrolled in grade 8 in the 2012-2013 school year and later, students'
48.29 state graduation requirements, based on a longitudinal, systematic approach to student
48.30 education and career planning, assessment, instructional support, and evaluation, include
48.31 the following:

49.1 (1) achievement and career and college readiness in mathematics, reading, and writing,
49.2 consistent with paragraph (k) and to the extent available, to monitor students' continuous
49.3 development of and growth in requisite knowledge and skills; analyze students' progress
49.4 and performance levels, identifying students' academic strengths and diagnosing areas where
49.5 students require curriculum or instructional adjustments, targeted interventions, or
49.6 remediation; and, based on analysis of students' progress and performance data, determine
49.7 students' learning and instructional needs and the instructional tools and best practices that
49.8 support academic rigor for the student; and

49.9 (2) consistent with this paragraph and section 120B.125, age-appropriate exploration
49.10 and planning activities and career assessments to encourage students to identify personally
49.11 relevant career interests and aptitudes and help students and their families develop a regularly
49.12 reexamined transition plan for postsecondary education or employment without need for
49.13 postsecondary remediation.

49.14 Based on appropriate state guidelines, students with an individualized education program
49.15 may satisfy state graduation requirements by achieving an individual score on the
49.16 state-identified alternative assessments.

49.17 (d) Expectations of schools, districts, and the state for career or college readiness under
49.18 this subdivision must be comparable in rigor, clarity of purpose, and rates of student
49.19 completion.

49.20 A student under paragraph (c), clause (1), must receive targeted, relevant, academically
49.21 rigorous, and resourced instruction, which may include a targeted instruction and intervention
49.22 plan focused on improving the student's knowledge and skills in core subjects so that the
49.23 student has a reasonable chance to succeed in a career or college without need for
49.24 postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49,
49.25 and related sections, an enrolling school or district must actively encourage a student in
49.26 grade 11 or 12 who is identified as academically ready for a career or college to participate
49.27 in courses and programs awarding college credit to high school students. Students are not
49.28 required to achieve a specified score or level of proficiency on an assessment under this
49.29 subdivision to graduate from high school.

49.30 (e) Though not a high school graduation requirement, students are encouraged to
49.31 participate in a nationally recognized college entrance exam. To the extent state funding
49.32 for college entrance exam fees is available, a district must pay the cost, one time, for an
49.33 interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take
49.34 a nationally recognized college entrance exam before graduating. A student must be able

50.1 to take the exam under this paragraph at the student's high school during the school day and
50.2 at any one of the multiple exam administrations available to students in the district. A district
50.3 may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph.
50.4 If the district administers only one of these two tests and a free or reduced-price meal eligible
50.5 student opts not to take that test and chooses instead to take the other of the two tests, the
50.6 student may take the other test at a different time or location and remains eligible for the
50.7 examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school
50.8 district may require a student that is not eligible for a free or reduced-price meal to pay the
50.9 cost of taking a nationally recognized college entrance exam. The district must waive the
50.10 cost for a student unable to pay.

50.11 (f) The commissioner and the chancellor of the Minnesota State Colleges and Universities
50.12 must collaborate in aligning instruction and assessments for adult basic education students
50.13 and English learners to provide the students with diagnostic information about any targeted
50.14 interventions, accommodations, modifications, and supports they need so that assessments
50.15 and other performance measures are accessible to them and they may seek postsecondary
50.16 education or employment without need for postsecondary remediation. When administering
50.17 formative or summative assessments used to measure the academic progress, including the
50.18 oral academic development, of English learners and inform their instruction, schools must
50.19 ensure that the assessments are accessible to the students and students have the modifications
50.20 and supports they need to sufficiently understand the assessments.

50.21 (g) Districts and schools, on an annual basis, must use career exploration elements to
50.22 help students, beginning no later than grade 9, and their families explore and plan for
50.23 postsecondary education or careers based on the students' interests, aptitudes, and aspirations.
50.24 Districts and schools must use timely regional labor market information and partnerships,
50.25 among other resources, to help students and their families successfully develop, pursue,
50.26 review, and revise an individualized plan for postsecondary education or a career. This
50.27 process must help increase students' engagement in and connection to school, improve
50.28 students' knowledge and skills, and deepen students' understanding of career pathways as
50.29 a sequence of academic and career courses that lead to an industry-recognized credential,
50.30 an associate's degree, or a bachelor's degree and are available to all students, whatever their
50.31 interests and career goals.

50.32 (h) A student who demonstrates attainment of required state academic standards, which
50.33 include career and college readiness benchmarks, on high school assessments under
50.34 subdivision 1a is academically ready for a career or college and is encouraged to participate
50.35 in courses awarding college credit to high school students. Such courses and programs may

51.1 include sequential courses of study within broad career areas and technical skill assessments
51.2 that extend beyond course grades.

51.3 (i) As appropriate, students through grade 12 must continue to participate in targeted
51.4 instruction, intervention, or remediation and be encouraged to participate in courses awarding
51.5 college credit to high school students.

51.6 (j) In developing, supporting, and improving students' academic readiness for a career
51.7 or college, schools, districts, and the state must have a continuum of empirically derived,
51.8 clearly defined benchmarks focused on students' attainment of knowledge and skills so that
51.9 students, their parents, and teachers know how well students must perform to have a
51.10 reasonable chance to succeed in a career or college without need for postsecondary
51.11 remediation. The commissioner, in consultation with local school officials and educators,
51.12 and Minnesota's public postsecondary institutions must ensure that the foundational
51.13 knowledge and skills for students' successful performance in postsecondary employment
51.14 or education and an articulated series of possible targeted interventions are clearly identified
51.15 and satisfy Minnesota's postsecondary admissions requirements.

51.16 (k) For students in grade 8 in the 2012-2013 school year and later, a school, district, or
51.17 charter school must record on the high school transcript a student's progress toward career
51.18 and college readiness, and for other students as soon as practicable.

51.19 (l) The school board granting students their diplomas may formally decide to include a
51.20 notation of high achievement on the high school diplomas of those graduating seniors who,
51.21 according to established school board criteria, demonstrate exemplary academic achievement
51.22 during high school.

51.23 (m) The 3rd through 8th grade computer-adaptive assessment results and high school
51.24 test results shall be available to districts for diagnostic purposes affecting student learning
51.25 and district instruction and curriculum, and for establishing educational accountability. ~~The~~
51.26 ~~commissioner must establish empirically derived benchmarks on adaptive assessments in~~
51.27 ~~grades 3 through 8.~~ The commissioner, in consultation with the chancellor of the Minnesota
51.28 State Colleges and Universities, must establish empirically derived benchmarks on the high
51.29 school tests that reveal a trajectory toward career and college readiness consistent with
51.30 section 136F.302, subdivision 1a. The commissioner must disseminate to the public the
51.31 computer-adaptive assessments and high school test results upon receiving those results.

51.32 (n) The grades 3 through 8 computer-adaptive assessments and high school tests must
51.33 be aligned with state academic standards. The commissioner ~~shall~~ must determine the testing

52.1 process and the order of administration. The statewide results ~~shall~~ must be aggregated at
52.2 the site and district level, consistent with subdivision 1a.

52.3 (o) The commissioner ~~shall~~ must include the following components in the statewide
52.4 public reporting system:

52.5 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
52.6 8 and testing at the high school levels that provides appropriate, technically sound
52.7 accommodations or alternate assessments;

52.8 (2) educational indicators that can be aggregated and compared across school districts
52.9 and across time on a statewide basis, including average daily attendance, high school
52.10 graduation rates, and high school drop-out rates by age and grade level;

52.11 (3) state results on the American College Test; and

52.12 (4) state results from participation in the National Assessment of Educational Progress
52.13 so that the state can benchmark its performance against the nation and other states, and,
52.14 where possible, against other countries, and contribute to the national effort to monitor
52.15 achievement.

52.16 (p) For purposes of statewide accountability, "career and college ready" means a high
52.17 school graduate has the knowledge, skills, and competencies to successfully pursue a career
52.18 pathway, including postsecondary credit leading to a degree, diploma, certificate, or
52.19 industry-recognized credential and employment. Students who are career and college ready
52.20 are able to successfully complete credit-bearing coursework at a two- or four-year college
52.21 or university or other credit-bearing postsecondary program without need for remediation.

52.22 (q) For purposes of statewide accountability, "cultural competence," "cultural
52.23 competency," or "culturally competent" means the ability of families and educators to
52.24 interact effectively with people of different cultures, native languages, and socioeconomic
52.25 backgrounds.

52.26 **EFFECTIVE DATE.** This section is effective for testing calendars in the 2020-2021
52.27 school year and later.

52.28 Sec. 17. Minnesota Statutes 2016, section 120B.30, subdivision 1a, is amended to read:

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

52.31 ~~(1) "Computer-adaptive assessments" means fully adaptive assessments.~~

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

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

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

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

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

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

53.27 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through
 53.28 8, and high school reading, writing, and mathematics tests; and

53.29 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades
 53.30 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the
 53.31 commissioner must not require students to achieve a passing score on high school science
 53.32 assessments as a condition of receiving a high school diploma.

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

54.1 (1) individual student performance data and achievement reports are available to school
54.2 districts and teachers within three school days of when students take an assessment except
54.3 in a year when an assessment reflects new performance standards;

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

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

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

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

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

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

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

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

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

54.25 ~~(h)~~ (f) A school, school district, and charter school must administer statewide assessments
54.26 under this section, as the assessments become available, to evaluate student progress toward
54.27 career and college readiness in the context of the state's academic standards. A school,
54.28 school district, or charter school may use a student's performance on a statewide assessment
54.29 as one of multiple criteria to determine grade promotion or retention. A school, school
54.30 district, or charter school may use a high school student's performance on a statewide
54.31 assessment as a percentage of the student's final grade in a course, or place a student's
54.32 assessment score on the student's transcript.

55.1 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

55.2 Sec. 18. Minnesota Statutes 2016, section 120B.30, subdivision 3, is amended to read:

55.3 Subd. 3. **Reporting.** (a) The commissioner ~~shall~~ must report test results publicly and to
55.4 stakeholders, including the performance achievement levels developed from students'
55.5 unweighted test scores in each tested subject and a listing of demographic factors that
55.6 strongly correlate with student performance, including student homelessness, as data are
55.7 available, among other factors. The test results must not include personally identifiable
55.8 information as defined in Code of Federal Regulations, title 34, section 99.3. The
55.9 commissioner ~~shall~~ must also report data that compares performance results among school
55.10 sites, school districts, Minnesota and other states, and Minnesota and other nations.

55.11 (b) The commissioner ~~shall~~ must disseminate to schools and school districts a more
55.12 comprehensive report containing testing information that meets local needs for evaluating
55.13 instruction and curriculum. The commissioner ~~shall~~ must disseminate to charter school
55.14 authorizers a more comprehensive report containing testing information that contains
55.15 anonymized data where cell count data are sufficient to protect student identity and that
55.16 meets the authorizer's needs in fulfilling its obligations under chapter 124E.

55.17 (c) A school district must disseminate the individual student performance data and
55.18 achievement report required under section 120B.30, subdivision 1a, paragraph (d), clause
55.19 (1), to the parent and teacher of each student no more than 30 days after the district has
55.20 administered the test to a student. The district must notify the parent and teacher that the
55.21 data and report are preliminary and subject to validation.

55.22 (d) A school district must disseminate a testing report to the teacher and to the parent
55.23 of each student before the beginning of the following school year. The testing report must:

55.24 (1) identify the student's achievement level in each content area; and

55.25 (2) track the student's performance history.

55.26 **EFFECTIVE DATE.** Paragraphs (a), (b), and (c) are effective for the 2018-2019 school
55.27 year and later. Paragraph (d) is effective for the 2019-2020 school year and later.

55.28 Sec. 19. Minnesota Statutes 2017 Supplement, section 120B.35, subdivision 3, is amended
55.29 to read:

55.30 Subd. 3. **State growth target; other state measures.** (a)(1) The state's educational
55.31 assessment system measuring individual students' educational growth is based on indicators
55.32 of achievement growth that show an individual student's prior achievement. Indicators of

56.1 achievement and prior achievement must be based on highly reliable statewide ~~or districtwide~~
56.2 assessments.

56.3 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and
56.4 report separate categories of information using the student categories identified under the
56.5 federal Elementary and Secondary Education Act, as most recently reauthorized, and, in
56.6 addition to "other" for each race and ethnicity, and the Karen community, seven of the most
56.7 populous Asian and Pacific Islander groups, three of the most populous Native groups,
56.8 seven of the most populous Hispanic/Latino groups, and five of the most populous Black
56.9 and African Heritage groups as determined by the total Minnesota population based on the
56.10 most recent American Community Survey; English learners under section 124D.59; home
56.11 language; free or reduced-price lunch; and all students enrolled in a Minnesota public school
56.12 who are currently or were previously in foster care, except that such disaggregation and
56.13 cross tabulation is not required if the number of students in a category is insufficient to yield
56.14 statistically reliable information or the results would reveal personally identifiable information
56.15 about an individual student.

56.16 (b) ~~The commissioner, in consultation with a stakeholder group that includes assessment~~
56.17 ~~and evaluation directors, district staff, experts in culturally responsive teaching, and~~
56.18 ~~researchers, must implement a model that uses a value-added growth indicator and includes~~
56.19 ~~criteria for identifying schools and school districts that demonstrate medium and high growth~~
56.20 ~~under section 120B.299, subdivisions 8 and 9, and may recommend other value-added~~
56.21 ~~measures under section 120B.299, subdivision 3. The model may be used to advance~~
56.22 ~~educators' professional development and replicate programs that succeed in meeting students'~~
56.23 ~~diverse learning needs. Data on individual teachers generated under the model are personnel~~
56.24 ~~data under section 13.43. The model must allow users to:~~

56.25 (1) report student the academic growth consistent with this paragraph rates, as defined
56.26 in section 120B.355, subdivision 2; and

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

56.32 The commissioner must report measures of student growth and, under section 120B.11,
56.33 subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph,
56.34 including the English language development, academic progress, and oral academic

57.1 development of English learners and their native language development if the native language
57.2 is used as a language of instruction, and include data on all pupils enrolled in a Minnesota
57.3 public school course or program who are currently or were previously counted as an English
57.4 learner under section 124D.59.

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

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

57.14 (2) a rigorous coursework measure indicating the number and percentage of high school
57.15 graduates in the most recent school year who successfully completed one or more
57.16 college-level advanced placement, international baccalaureate, postsecondary enrollment
57.17 options including concurrent enrollment, other rigorous courses of study under section
57.18 120B.021, subdivision 1a, or industry certification courses or programs.

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

57.23 (d) When reporting student performance under section 120B.36, subdivision 1, the
57.24 commissioner annually, beginning July 1, 2014, must report summary data on school safety
57.25 and students' engagement and connection at school, consistent with the student categories
57.26 identified under paragraph (a), clause (2). The summary data under this paragraph are
57.27 separate from and must not be used for any purpose related to measuring or evaluating the
57.28 performance of classroom teachers. The commissioner, in consultation with qualified experts
57.29 on student engagement and connection and classroom teachers, must identify highly reliable
57.30 variables that generate summary data under this paragraph. The summary data may be used
57.31 at school, district, and state levels only. Any data on individuals received, collected, or
57.32 created that are used to generate the summary data under this paragraph are nonpublic data
57.33 under section 13.02, subdivision 9.

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

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

58.7 (2) the percent of students under this paragraph whose progress and performance levels
58.8 are meeting career and college readiness benchmarks under section 120B.30, subdivision
58.9 1; and

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

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

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

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

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

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

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

58.25 (g) When reporting ~~four- and six-year~~ graduation rates, the commissioner or school
58.26 district must disaggregate the data by student categories according to paragraph (a), clause
58.27 (2).

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

59.1 Sec. 20. [120B.355] ACADEMIC ACHIEVEMENT RATING SYSTEM.

59.2 Subdivision 1. Commissioner duties. (a) The commissioner of education must develop
59.3 an academic achievement rating system consistent with this section to provide parents and
59.4 students with a brief overview of student performance and growth in districts, school sites,
59.5 and charter schools across the state.

59.6 (b) Each district, school site, and charter school must be assigned a star rating based on
59.7 the criteria provided in this section. Star ratings must range from one star for the lowest
59.8 performing schools and districts to five stars for the highest performing schools and districts.

59.9 (c) Each district, school site, and charter school must be assigned an academic
59.10 achievement score on a scale of zero to 100 that equals the average of the equally weighted
59.11 factors used to determine a school's or district's star rating under subdivisions 3 to 5.

59.12 (d) The star rating and academic achievement score of each district, school site, and
59.13 charter school must be reported annually on the Department of Education's Web site as part
59.14 of the commissioner's school performance reports pursuant to section 120B.36.

59.15 (e) The commissioner must examine how revisions to statewide assessments under
59.16 section 120B.30 impact school and district ratings under this section. The commissioner
59.17 may adjust district, school site, and charter school ratings accordingly to maintain consistency
59.18 in reporting.

59.19 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the
59.20 meanings given them.

59.21 (b) "Average four-year graduation rate" means a score based on the school or district's
59.22 four-year adjusted cohort graduation rate, calculated by averaging student group rates,
59.23 awarding equal weight to each student group, consistent with the state plan.

59.24 (c) "Average mathematics achievement rate" means a score based on the number of the
59.25 school or district's students who meet or exceed mathematics standards, and calculated by
59.26 averaging student group rates, awarding equal weight to each student group, consistent with
59.27 the state plan.

59.28 (d) "Average mathematics growth rate" means a score based on a growth-to-proficiency
59.29 model that awards a school or district points based on students progressing in achievement
59.30 levels on the state reading test, and calculated by averaging the student group averages,
59.31 awarding equal weight to each student group, consistent with the state plan.

59.32 (e) "Average reading achievement rate" means a score based on the number of school
59.33 or district students who meet or exceed reading standards, and calculated by averaging

60.1 student group rates, awarding equal weight to each student group, consistent with the state
60.2 plan.

60.3 (f) "Average reading growth rate" means a score based on a growth-to-proficiency model
60.4 that awards a school or district points based on students progressing in achievement levels
60.5 on the state mathematics test, and calculated by averaging the student group averages,
60.6 awarding equal weight to each student group in the school, consistent with the state plan.

60.7 (g) "Average seven-year graduation rate" means a score based on the school or district's
60.8 seven-year adjusted cohort graduation rate, and calculated by averaging student groups,
60.9 awarding equal weight to each student group, consistent with the state plan.

60.10 (h) "Consistent attendance rate" means a score based on the percentage of students in a
60.11 group who were not chronically absent, and calculated by averaging student group rates,
60.12 awarding equal weight to each student group, consistent with the state plan.

60.13 (i) "Progress toward English language proficiency" means a score based on a
60.14 path-to-proficiency model, consistent with the state plan.

60.15 (j) "State plan" means the plan submitted by the commissioner in accordance with the
60.16 Elementary and Secondary Education Act, as most recently authorized, and approved by
60.17 the United States Department of Education, including state goals.

60.18 (k) "Student groups" means the groups identified in the state plan, defined as:

60.19 (1) the federally defined set of seven racial and ethnic student groups, identified as
60.20 American Indian, Asian, Black, Hispanic, Pacific Islander, two or more races, and White;

60.21 (2) students who qualify for free or reduced-price lunch pursuant to section 126C.05,
60.22 subdivision 16;

60.23 (3) English learners; and

60.24 (4) students with disabilities.

60.25 **Subd. 3. Primary school rating components.** (a) The commissioner must assign a star
60.26 rating based on factors unique to each school with students in grades 1 through 8, or any
60.27 portion thereof, as provided in this subdivision.

60.28 (b) Fifty percent of a primary school's rating must be based on the school's:

60.29 (1) average reading achievement rate;

60.30 (2) average mathematics achievement rate; and

60.31 (3) progress toward English language proficiency.

61.1 (c) Forty percent of a primary school's rating must be based on the school's average
61.2 mathematics growth rate and average reading growth rate.

61.3 (d) Ten percent of a primary school's rating must be based on the consistent attendance
61.4 rate.

61.5 **Subd. 4. Secondary school rating components** (a) The commissioner must assign a
61.6 star rating based on factors unique to each school with students in grades 9 through 12, or
61.7 any portion thereof, as provided in this subdivision.

61.8 (b) Fifty percent of a secondary school's rating must be based on the school's:

61.9 (1) average reading achievement rate;

61.10 (2) average mathematics achievement rate; and

61.11 (3) progress toward English language proficiency.

61.12 (c) Forty percent of a secondary school's rating must be based on the school's average
61.13 four-year graduation rate and the average seven-year graduation rate.

61.14 (d) Ten percent of a secondary school's rating must be based on the school's consistent
61.15 attendance rate.

61.16 **Subd. 5. District rating components.** (a) The commissioner must assign all districts a
61.17 star rating based on factors unique to each district, as provided in this subdivision.

61.18 (b) Forty-five percent of a district's star rating must be based on the district's:

61.19 (1) average reading achievement rate;

61.20 (2) average mathematics achievement rate; and

61.21 (3) progress toward English language proficiency.

61.22 (c) Thirty percent of a district's star rating must be based on the district's average
61.23 mathematics growth rate and average reading growth rate.

61.24 (d) Twenty percent of a district's star rating must be based on the district's average
61.25 four-year graduation rate and average seven-year graduation rate.

61.26 (e) Five percent of a district's rating must be based on the district's consistent attendance
61.27 rate.

62.1 Sec. 21. Minnesota Statutes 2017 Supplement, section 120B.36, subdivision 1, is amended
62.2 to read:

62.3 Subdivision 1. **School performance reports and public reporting.** (a) The commissioner
62.4 ~~shall~~ must report:

62.5 (1) student academic performance data under section 120B.35, subdivisions 2 and 3;

62.6 (2) district, school site, and charter school academic achievement ratings under section
62.7 120B.355;

62.8 (3) ~~the percentages of students showing low, medium, and high academic growth rates~~
62.9 ~~under section 120B.35, subdivision 3, paragraph (b)~~ 120B.355, subdivision 2;

62.10 (4) school safety and student engagement and connection under section 120B.35,
62.11 subdivision 3, paragraph (d);

62.12 (5) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);

62.13 (6) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause
62.14 (2), whose progress and performance levels are meeting career and college readiness
62.15 benchmarks under sections 120B.30, subdivision 1, and 120B.35, subdivision 3, paragraph
62.16 (e);

62.17 (7) longitudinal data on the progress of eligible districts in reducing disparities in students'
62.18 academic achievement and realizing racial and economic integration under section 124D.861;

62.19 (8) the acquisition of English, and where practicable, native language academic literacy,
62.20 including oral academic language, and the academic progress of all English learners enrolled
62.21 in a Minnesota public school course or program who are currently or were previously counted
62.22 as English learners under section 124D.59;

62.23 (9) the percentage of students who graduated in the previous school year and correctly
62.24 answered at least 30 of 50 civics test questions in accordance with section 120B.02,
62.25 subdivision 3;

62.26 (10) two separate student-to-teacher ratios that clearly indicate the definition of teacher
62.27 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;

62.28 (11) staff characteristics excluding salaries;

62.29 (12) student enrollment demographics;

63.1 (13) foster care status, including all students enrolled in a Minnesota public school course
 63.2 or program who are currently or were previously in foster care, student homelessness, and
 63.3 district mobility; and

63.4 (14) extracurricular activities.

63.5 (b) The school performance report for a ~~school site and a school district~~, school site, or
 63.6 charter school must include:

63.7 (1) school performance reporting information and calculate proficiency, including a
 63.8 prominent display of both the district's, school site's, or charter school's star rating and
 63.9 achievement score assigned by the commissioner under section 120B.355;

63.10 (2) academic achievement rates as required by the most recently reauthorized Elementary
 63.11 and Secondary Education Act state plan; and

63.12 (3) progress toward statewide goals under the state plan.

63.13 (c) The commissioner ~~shall~~ must develop, annually update, and post on the department
 63.14 Web site school performance reports consistent with paragraph (a) and section 120B.11.

63.15 (d) The commissioner must make available performance reports by the beginning of
 63.16 each school year.

63.17 (e) A school or district may appeal its results in a form and manner determined by the
 63.18 commissioner and consistent with federal law. The commissioner's decision to uphold or
 63.19 deny an appeal is final.

63.20 (f) School performance data are nonpublic data under section 13.02, subdivision 9, until
 63.21 the commissioner publicly releases the data. The commissioner ~~shall~~ must annually post
 63.22 school performance reports to the department's public Web site no later than September 1,
 63.23 except that in years when the reports reflect new performance standards, the commissioner
 63.24 ~~shall~~ must post the school performance reports no later than October 1.

63.25 Sec. 22. Minnesota Statutes 2016, section 120B.36, subdivision 2, is amended to read:

63.26 Subd. 2. **Student progress and other data.** (a) All data the department receives, collects,
 63.27 or creates under section 120B.11, governing the world's best workforce, or uses to determine
 63.28 ~~federal~~ and set goals for expectations under the most recently reauthorized Elementary and
 63.29 Secondary Education Act, set state growth targets, and to determine student academic
 63.30 growth, learning, and outcomes under section 120B.35 are nonpublic data under section
 63.31 13.02, subdivision 9, until the commissioner publicly releases the data.

64.1 (b) Districts must provide parents sufficiently detailed summary data to permit parents
64.2 to appeal under the most recently reauthorized federal Elementary and Secondary Education
64.3 Act. The commissioner ~~shall~~ must annually post ~~federal expectations~~ state goals and state
64.4 student growth, learning, and outcome data to the department's public Web site no later than
64.5 September 1, except that in years when data or ~~federal expectations~~ state goals reflect new
64.6 performance standards, the commissioner ~~shall~~ must post data on ~~federal expectations~~ state
64.7 goals and state student growth data no later than October 1.

64.8 Sec. 23. Minnesota Statutes 2017 Supplement, section 122A.09, is amended by adding a
64.9 subdivision to read:

64.10 Subd. 4b. **Essential data.** The Professional Educator Licensing and Standards Board
64.11 must maintain a list of essential data elements which must be recorded and stored about
64.12 each licensed and nonlicensed staff member. Each school district must provide the essential
64.13 data to the board in the form and manner prescribed by the board.

64.14 Sec. 24. Minnesota Statutes 2016, section 123B.14, subdivision 7, is amended to read:

64.15 Subd. 7. **Clerk records.** The clerk ~~shall~~ must keep a record of all meetings of the district
64.16 and the board in books provided by the district for that purpose. The clerk ~~shall~~ must, within
64.17 three days after an election, notify all persons elected of their election. By September 15 of
64.18 each year the clerk ~~shall~~ must file with the board a report of the revenues, expenditures and
64.19 balances in each fund for the preceding fiscal year. The report together with vouchers and
64.20 supporting documents ~~shall~~ must subsequently be examined by a public accountant or the
64.21 state auditor, either of whom ~~shall~~ must be paid by the district, as provided in section
64.22 123B.77, subdivision 3. The board ~~shall~~ must by resolution approve the report or require a
64.23 further or amended report. ~~By September 15 of each year, the clerk shall make and transmit~~
64.24 ~~to the commissioner certified reports, showing:~~

64.25 ~~(1) the revenues and expenditures in detail, and such other financial information required~~
64.26 ~~by law, rule, or as may be called for by the commissioner;~~

64.27 ~~(2) the length of school term and the enrollment and attendance by grades; and~~

64.28 ~~(3) such other items of information as may be called for by the commissioner.~~

64.29 The clerk ~~shall~~ must enter in the clerk's record book copies of all reports and of the
64.30 teachers' term reports, as they appear in the registers, and of the proceedings of any meeting
64.31 as furnished by the clerk pro tem, and keep an itemized account of all the expenses of the
64.32 district. The clerk ~~shall~~ must furnish to the auditor of the proper county, by September 30

65.1 of each year, an attested copy of the clerk's record, showing the amount of proposed property
65.2 tax voted by the district or the board for school purposes; draw and sign all orders upon the
65.3 treasurer for the payment of money for bills allowed by the board for salaries of officers
65.4 and for teachers' wages and all claims, to be countersigned by the chair. Such orders must
65.5 state the consideration, payee, and the fund and the clerk shall take a receipt therefor.
65.6 Teachers' wages shall have preference in the order in which they become due, and no money
65.7 applicable for teachers' wages shall be used for any other purpose, nor shall teachers' wages
65.8 be paid from any fund except that raised or apportioned for that purpose.

65.9 Sec. 25. Minnesota Statutes 2016, section 124D.78, subdivision 2, is amended to read:

65.10 Subd. 2. **Resolution of concurrence.** Prior to March 1, the school board or American
65.11 Indian school must submit to the department a copy of a resolution adopted by the American
65.12 Indian education parent advisory committee. The copy must be signed by the chair of the
65.13 committee and must state whether the committee concurs with the educational programs
65.14 for American Indian students offered by the school board or American Indian school. If the
65.15 committee does not concur with the educational programs, the reasons for nonconcurrence
65.16 and recommendations ~~shall~~ must be submitted directly to the school board with the resolution.
65.17 By resolution, the board must respond in writing within 60 days, in cases of nonconcurrence,
65.18 to each recommendation made by the committee and state its reasons for not implementing
65.19 the recommendations.

65.20 Sec. 26. Minnesota Statutes 2016, section 124D.98, is amended to read:

65.21 **124D.98 LITERACY INCENTIVE AID.**

65.22 Subdivision 1. **Literacy incentive aid.** A district's literacy incentive aid equals the sum
65.23 of the proficiency aid under subdivision 2, and the growth aid under subdivision 3.

65.24 Subd. 2. **Proficiency aid.** The proficiency aid for each school in a district that has
65.25 submitted to the commissioner its local literacy plan under section 120B.12, subdivision
65.26 4a, is equal to the product of the school's proficiency allowance times the number of third
65.27 grade pupils at the school on October 1 of the previous fiscal year. A school's proficiency
65.28 allowance is equal to the percentage of students in each building that meet or exceed
65.29 proficiency on the third grade reading Minnesota Comprehensive Assessment, averaged
65.30 across the previous three test administrations, times \$530.

65.31 Subd. 3. **Growth aid.** The growth aid for each school in a district that has submitted to
65.32 the commissioner its local literacy plan under section 120B.12, subdivision 4a, is equal to
65.33 the product of the school's growth allowance times the number of fourth grade pupils enrolled

66.1 at the school on October 1 of the previous fiscal year. A school's growth allowance is equal
 66.2 to the percentage of students at that school ~~making medium or high growth, under section~~
 66.3 ~~120B.299,~~ scoring at least one-half standard deviation below the state expected scores on
 66.4 the fourth grade reading Minnesota Comprehensive Assessment, averaged across the previous
 66.5 three test administrations, times \$530. The state expected scores are based on the average
 66.6 assessment scores for students with similar third grade assessment scores on the Minnesota
 66.7 Comprehensive Assessment.

66.8 Subd. 4. Revenue uses. (a) A school district or charter school's year-to-year change in
 66.9 its proficiency rate equals its three-year average third grade proficiency rate for the most
 66.10 recent period to the three-year third grade proficiency rate for the previous period, as
 66.11 calculated under subdivision 2.

66.12 (b) A school district or charter school must reserve its literacy incentive aid under this
 66.13 section and spend its literacy incentive aid only for the purposes of section 120B.12 if its
 66.14 year-to-year change in its proficiency rate is less than one.

66.15 (c) A school district or charter school with a year-to-year change in its proficiency rate
 66.16 is one or greater may direct its literacy incentive aid received under this section toward the
 66.17 goals of its local literacy plan.

66.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2019 and
 66.19 later.

66.20 Sec. 27. Minnesota Statutes 2017 Supplement, section 124E.11, is amended to read:

66.21 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

66.22 Subdivision 1. Limits on enrollment. (a) A charter school, including its preschool or
 66.23 prekindergarten program established under section 124E.06, subdivision 3, paragraph (b),
 66.24 may limit admission to:

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

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

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

66.30 Subd. 2. Timely application; lottery; enrollment preference. (b) A charter school,
 66.31 including its preschool or prekindergarten program established under section 124E.06,
 66.32 subdivision 3, paragraph (b), ~~shall~~ must enroll an eligible pupil who submits a timely

67.1 application, unless the number of applications exceeds the capacity of a program, class,
67.2 grade level, or building. In this case, pupils must be accepted by lot. The charter school
67.3 must develop and publish, including on its Web site, a lottery policy and process that it must
67.4 use when accepting pupils by lot.

67.5 Subd. 3. Lottery exceptions. ~~(e)~~ (a) A charter school ~~shall~~ must give enrollment
67.6 preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and
67.7 may give preference for enrolling children of the school's staff before accepting other pupils
67.8 by lot.

67.9 (b) A charter school may give enrollment preference to children currently enrolled in
67.10 the school's free preschool or prekindergarten program under section 124E.06, subdivision
67.11 3, paragraph (b), who are eligible to enroll in kindergarten in the next school year.

67.12 (c) A charter school that is located in Duluth township in St. Louis County or in the city
67.13 of Nerstrand in Rice County, and admits students in kindergarten through grade 6 must give
67.14 enrollment preference to students residing within a five-mile radius of the school and to the
67.15 siblings of enrolled children.

67.16 ~~A charter school may give enrollment preference to children currently enrolled in the~~
67.17 ~~school's free preschool or prekindergarten program under section 124E.06, subdivision 3,~~
67.18 ~~paragraph (a), who are eligible to enroll in kindergarten in the next school year.~~

67.19 (d) A charter school that is located in Castle Rock Township in Dakota County must
67.20 give enrollment preference to students residing within a two-mile radius of the school and
67.21 to the siblings of enrolled children.

67.22 Subd. 4. Age of enrollment. ~~(d)~~ A person ~~shall~~ must not be admitted to a charter school
67.23 (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of
67.24 the calendar year in which the school year for which the pupil seeks admission commences;
67.25 or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of
67.26 the calendar year in which the school year for which the pupil seeks admission commences
67.27 or has completed kindergarten; except that a charter school may establish and publish on
67.28 its Web site a policy for admission of selected pupils at an earlier age, consistent with the
67.29 enrollment process in ~~paragraphs (b) and (c)~~ subdivisions 2 and 3.

67.30 Subd. 5. Admission limits not allowed. ~~(e)~~ Except as permitted in ~~paragraph (d)~~
67.31 subdivision 4, a charter school, including its preschool or prekindergarten program established
67.32 under section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on
67.33 the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and

68.1 may not establish any criteria or requirements for admission that are inconsistent with this
68.2 section.

68.3 **Subd. 6. Enrollment incentives prohibited.** (~~f~~) The charter school shall not distribute
68.4 any services or goods of value to students, parents, or guardians as an inducement, term, or
68.5 condition of enrolling a student in a charter school.

68.6 **Subd. 7. Enrollment continues.** (~~g~~) Once a student is enrolled in the school, the student
68.7 is considered enrolled in the school until the student formally withdraws or is expelled under
68.8 the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56.

68.9 **Subd. 8. Prekindergarten pupils.** (~~h~~) A charter school with at least 90 percent of enrolled
68.10 students who are eligible for special education services and have a primary disability of
68.11 deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section
68.12 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with
68.13 Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324,
68.14 subsection (2), clause (iv).

68.15 **EFFECTIVE DATE.** This section is effective for enrollment decisions made on or
68.16 after July 1, 2018.

68.17 Sec. 28. Minnesota Statutes 2016, section 125B.07, subdivision 6, is amended to read:

68.18 **Subd. 6. Essential data.** The department ~~shall~~ must maintain a list of essential data
68.19 elements which must be recorded and stored about each pupil, ~~licensed and nonlicensed~~
68.20 ~~staff member~~, and educational program. Each school district must provide the essential data
68.21 to the department in the form and format prescribed by the department.

68.22 Sec. 29. Laws 2016, chapter 189, article 25, section 61, is amended to read:

68.23 **Sec. 61. CERTIFICATION INCENTIVE REVENUE.**

68.24 **Subdivision 1. Qualifying certificates.** As soon as practicable, the commissioner of
68.25 education, in consultation with the Governor's Workforce Development Council established
68.26 under Minnesota Statutes, section 116L.665, and the P-20 education partnership operating
68.27 under Minnesota Statutes, section 127A.70, must establish the list of qualifying career and
68.28 technical certificates and post the names of those certificates on the Department of
68.29 Education's Web site. The certificates must be in fields where occupational opportunities
68.30 exist.

68.31 **Subd. 2. School district participation.** (a) A school board may adopt a policy authorizing
68.32 its students in grades 9 through 12, including its students enrolled in postsecondary enrollment

69.1 options courses under Minnesota Statutes, section 124D.09, the opportunity to complete a
69.2 qualifying certificate. The certificate may be completed as part of a regularly scheduled
69.3 course.

69.4 (b) A school district may register a student for any assessment necessary to complete a
69.5 qualifying certificate and pay any associated registration fees for its students.

69.6 Subd. 3. **Incentive funding.** (a) A school district's career and technical certification aid
69.7 equals \$500 times the district's number of students enrolled during the current fiscal year
69.8 who have obtained one or more qualifying certificates during the current fiscal year.

69.9 (b) The statewide total certificate revenue must not exceed ~~\$1,000,000~~ \$400,000 for the
69.10 2016-2017, 2017-2018, and 2018-2019 school years. The commissioner must proportionately
69.11 reduce the initial aid provided under this subdivision so that the statewide aid cap is not
69.12 exceeded.

69.13 Subd. 4. **Reports to the legislature.** (a) The commissioner of education must report to
69.14 the committees of the legislature with jurisdiction over kindergarten through grade 12
69.15 education and higher education by February 1, 2017, on the number and types of certificates
69.16 authorized for the 2016-2017 school year. The commissioner must also recommend whether
69.17 the pilot program should be continued.

69.18 (b) By February 1, of 2018, 2019, and 2020, the commissioner of education must report
69.19 to the committees of the legislature with jurisdiction over kindergarten through grade 12
69.20 education and higher education about the number and types of certificates earned by
69.21 Minnesota's students during the 2016-2017 prior school year.

69.22 Sec. 30. Laws 2016, chapter 189, article 25, section 62, subdivision 15, is amended to
69.23 read:

69.24 Subd. 15. **Certificate incentive funding.** (a) For the certificate incentive program:

69.25 ~~1,000,000~~
69.26 \$ 400,000 2017

69.27 (b) \$600,000 of the \$1,000,000 appropriation is canceled to the general fund. This is a
69.28 onetime appropriation. This appropriation is available until June 30, 2019.

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

70.1 Sec. 31. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 12,
70.2 is amended to read:

70.3 Subd. 12. **Museums and education centers.** For grants to museums and education
70.4 centers:

70.5 \$ 460,000 2018

70.6 ~~460,000~~

70.7 \$ 510,000 2019

70.8 (a) \$319,000 each year is for the Minnesota Children's Museum. Of the amount in this
70.9 paragraph, \$50,000 in each year is for the Minnesota Children's Museum, Rochester.

70.10 (b) \$50,000 each year is for the Duluth Children's Museum.

70.11 (c) \$41,000 each year is for the Minnesota Academy of Science.

70.12 (d) \$50,000 each year is for the Headwaters Science Center.

70.13 (e) \$50,000 in fiscal year 2019 is for the Grand Rapids Children's Museum.

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

70.15 (g) The base for fiscal year 2020 and later is \$460,000.

70.16 Sec. 32. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 14,
70.17 is amended to read:

70.18 Subd. 14. **Singing-based pilot program to improve student reading.** (a) For a grant
70.19 to pilot a research-supported, computer-based educational program that uses singing to
70.20 improve the reading ability of students in grades 2 through 5:

70.21 \$ 500,000 2018

70.22 \$ 0 2019

70.23 (b) The commissioner of education shall award a grant to the Rock 'n' Read Project to
70.24 implement a research-supported, computer-based educational program that uses singing to
70.25 improve the reading ability of students in grades 2 through 5. The grantee shall be responsible
70.26 for selecting participating school sites; providing any required hardware and software,
70.27 including software licenses, for the duration of the grant period; providing technical support,
70.28 training, and staff to install required project hardware and software; providing on-site
70.29 professional development and instructional monitoring and support for school staff and
70.30 students; administering preintervention and postintervention reading assessments; evaluating
70.31 the impact of the intervention; and other project management services as required. To the
70.32 extent practicable, the grantee must select participating schools in urban, suburban, and

71.1 greater Minnesota, and give priority to schools in which a high proportion of students do
71.2 not read proficiently at grade level and are eligible for free or reduced-price lunch.

71.3 (c) By February 15, 2019, the grantee must submit a report detailing expenditures and
71.4 outcomes of the grant to the commissioner of education and the chairs and ranking minority
71.5 members of the legislative committees with primary jurisdiction over kindergarten through
71.6 grade 12 education policy and finance.

71.7 (d) This is a onetime appropriation.

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

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

71.10 Sec. 33. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 23,
71.11 is amended to read:

71.12 Subd. 23. **Paraprofessional pathway to teacher licensure.** (a) For grants to school
71.13 districts for Grow Your Own new teacher programs:

71.14 \$ 1,500,000 2018

71.15 \$ 1,500,000 2019

71.16 (b) The grants are for school districts and charter schools with more than 30 percent
71.17 minority students for a ~~Board of Teaching-approved~~ Professional Educator Licensing and
71.18 Standards Board-approved nonconventional teacher residency pilot program. The program
71.19 must provide tuition scholarships or stipends to enable school district and charter school
71.20 employees or community members affiliated with a school district or charter school who
71.21 seek an education license to participate in a nonconventional teacher preparation program.
71.22 School districts and charter schools that receive funds under this subdivision are strongly
71.23 encouraged to recruit candidates of color and American Indian candidates to participate in
71.24 the Grow Your Own new teacher programs. Districts or schools providing financial support
71.25 may require a commitment as determined by the district to teach in the district or school
71.26 for a reasonable amount of time that does not exceed five years.

71.27 (c) School districts and charter schools may also apply for grants to develop innovative
71.28 expanded Grow Your Own programs that encourage secondary school students to pursue
71.29 teaching, including developing and offering dual-credit postsecondary course options in
71.30 schools for "Introduction to Teaching" or "Introduction to Education" courses consistent
71.31 with Minnesota Statutes, section 124D.09, subdivision 10.

72.1 (d) Programs must annually report to the commissioner by the date determined by the
 72.2 commissioner on their activities under this section, including the number of participants,
 72.3 the percentage of participants who are of color or who are American Indian, and an
 72.4 assessment of program effectiveness, including participant feedback, areas for improvement,
 72.5 the percentage of participants continuing to pursue teacher licensure, and the number of
 72.6 participants hired in the school or district as teachers after completing preparation programs.

72.7 (e) The department may retain up to three percent of the appropriation amount to monitor
 72.8 and administer the grant program.

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

72.10 Sec. 34. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 24,
 72.11 is amended to read:

72.12 Subd. 24. **Statewide testing and reporting system.** (a) For the statewide testing and
 72.13 reporting system under Minnesota Statutes, section 120B.30:

72.14 \$ 10,892,000 2018

72.15 \$ 10,892,000 2019

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

72.17 (c) For fiscal years 2020 and 2021, the base budget for this program must be adjusted
 72.18 by multiplying the fiscal year 2019 appropriation by the ratio of the estimated total number
 72.19 of Minnesota Comprehensive Assessments taken by students in the current fiscal year to
 72.20 the total number of Minnesota Comprehensive Assessments taken by students in fiscal year
 72.21 2017. This is estimated to reduce the base appropriation by \$245,000 in fiscal year 2020
 72.22 and fiscal year 2021.

72.23 Sec. 35. **APPROPRIATIONS.**

72.24 Subdivision 1. **Commissioner of education.** The sum indicated in this section is
 72.25 appropriated from the general fund to the commissioner of education in the fiscal year
 72.26 designated.

72.27 Subd. 2. **Mounds View early college aid.** (a) For Independent School District No. 621,
 72.28 Mounds View:

72.29 \$ 250,000 2019

72.30 (b) The amount awarded under this subdivision must be used to provide scholarships
 72.31 for teachers who teach secondary school courses for postsecondary credit through the

73.1 district's early college program, to enroll in up to 18 graduate credits in an applicable subject
 73.2 area. The district and the State Partnership are encouraged to collaborate to avoid duplication
 73.3 of service and, to the extent practicable, provide district teachers access to the State
 73.4 Partnership's continuing education program established in accordance with Laws 2017, First
 73.5 Special Session chapter 5, article 2, section 48.

73.6 (c) This is a onetime appropriation.

73.7 (d) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019
 73.8 appropriation is available until June 30, 2022. Any remaining balance is canceled to the
 73.9 general fund.

73.10 Subd. 3. **Vocational enrichment revenue.** (a) For vocational enrichment grants to school
 73.11 districts, including Independent School District No. 2752, Fairmont, for career and technical
 73.12 education in extended week and summer school programs:

73.13 \$ 250,000 2019

73.14 (b) A school district must apply for a grant in the form and manner specified by the
 73.15 commissioner. The maximum amount of a vocational enrichment grant equals the product
 73.16 of:

73.17 (1) \$5,117;

73.18 (2) 1.2;

73.19 (3) the number of students participating in the program; and

73.20 (4) the ratio of the actual hours of service provided to each student to 1,020.

73.21 (c) If applications for funding exceed the amount appropriated for the program, the
 73.22 commissioner must prioritize grants to programs in the following pathways: welding;
 73.23 construction trades; automotive technology; household electrical skills; heating, ventilation,
 73.24 and air conditioning; plumbing; culinary arts; and agriculture.

73.25 (d) This is a onetime appropriation.

73.26 (e) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019
 73.27 appropriation is available until June 30, 2021.

73.28 Subd. 4. **Vocational postsecondary enrollment options.** (a) For a grant to Independent
 73.29 School District No. 110, Waconia, to establish a career and technical education dual credit
 73.30 pilot program in partnership with Hennepin County Technical College and Ridgewater
 73.31 College offering courses in manufacturing and construction:

73.32 \$ 150,000 2019

74.1 (b) A dual credit course offered under the pilot program must be taught by a qualified
 74.2 school district teacher or college faculty member. A student that completes a course offered
 74.3 by the career and technical education dual credit pilot program must receive both a secondary
 74.4 credit and postsecondary credit. A student may also receive an industry-recognized certificate,
 74.5 if appropriate.

74.6 (c) A dual credit course offered under the pilot program is not subject to the requirements
 74.7 of Minnesota Statutes, section 124D.09. A student enrolled in a dual credit course is included
 74.8 in the school district's average daily membership in accordance with Minnesota Statutes,
 74.9 section 126C.05 during the hours of participation in the course.

74.10 (d) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019
 74.11 appropriation is available until June 30, 2021.

74.12 (e) This is a onetime appropriation

74.13 Subd. 5. **Mind Foundry Learning Foundation.** (a) For a grant to the Mind Foundry
 74.14 Learning Foundation to run after-school STEM programming to inspire and educate
 74.15 underserved youth in St. Paul about the value of STEM fields in 21st century work and
 74.16 learning:

74.17 \$ 200,000 2019

74.18 (b) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019
 74.19 appropriation is available until June 30, 2021.

74.20 (c) This is a onetime appropriation.

74.21 **EFFECTIVE DATE.** This section is effective July 1, 2018.

74.22 Sec. 36. **REVISOR'S INSTRUCTION.**

74.23 (a) The revisor of statutes shall renumber the provisions of Minnesota Statutes listed in
 74.24 column A to the references listed in column B.

74.25	<u>Column A</u>	<u>Column B</u>
74.26	<u>136D.01</u>	<u>123C.01</u>
74.27	<u>136D.21</u>	<u>123C.21</u>
74.28	<u>136D.22</u>	<u>123C.22</u>
74.29	<u>136D.23</u>	<u>123C.23</u>
74.30	<u>136D.24</u>	<u>123C.24</u>
74.31	<u>136D.25</u>	<u>123C.25</u>
74.32	<u>136D.26</u>	<u>123C.26</u>
74.33	<u>136D.281</u>	<u>123C.27</u>

75.1	<u>136D.29</u>	<u>123C.28</u>
75.2	<u>136D.31</u>	<u>123C.29</u>
75.3	<u>136D.41</u>	<u>123C.41</u>
75.4	<u>136D.42</u>	<u>123C.42</u>
75.5	<u>136D.43</u>	<u>123C.43</u>
75.6	<u>136D.44</u>	<u>123C.44</u>
75.7	<u>136D.45</u>	<u>123C.45</u>
75.8	<u>136D.46</u>	<u>123C.46</u>
75.9	<u>136D.47</u>	<u>123C.47</u>
75.10	<u>136D.48</u>	<u>123C.48</u>
75.11	<u>136D.49</u>	<u>123C.49</u>
75.12	<u>136D.71</u>	<u>123C.71</u>
75.13	<u>136D.72</u>	<u>123C.72</u>
75.14	<u>136D.73</u>	<u>123C.73</u>
75.15	<u>136D.74</u>	<u>123C.74</u>
75.16	<u>136D.741</u>	<u>123C.75</u>
75.17	<u>136D.76</u>	<u>123C.76</u>
75.18	<u>136D.81</u>	<u>123C.81</u>
75.19	<u>136D.82</u>	<u>123C.82</u>
75.20	<u>136D.83</u>	<u>123C.83</u>
75.21	<u>136D.84</u>	<u>123C.84</u>
75.22	<u>136D.85</u>	<u>123C.85</u>
75.23	<u>136D.86</u>	<u>123C.86</u>
75.24	<u>136D.88</u>	<u>123C.87</u>
75.25	<u>136D.90</u>	<u>123C.88</u>
75.26	<u>136D.92</u>	<u>123C.89</u>
75.27	<u>136D.93</u>	<u>123C.90</u>
75.28	<u>136D.94</u>	<u>123C.91</u>

75.29 (b) The revisor of statutes shall make necessary cross-reference changes in Minnesota
75.30 Statutes and Minnesota Rules consistent with renumbering of Minnesota Statutes, chapter
75.31 136D in this act, and if Minnesota Statutes, chapter 136D, is further amended in the 2018
75.32 legislative session, shall codify the amendments in a manner consistent with this act. The
75.33 revisor may make necessary changes to sentence structure to preserve the meaning of the
75.34 text.

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

76.1 Sec. 37. **REPEALER.**

76.2 Minnesota Statutes 2016, section 120B.299, subdivisions 7, 8, 9, and 11, are repealed.

76.3 **ARTICLE 4**

76.4 **TEACHERS**

76.5 Section 1. Minnesota Statutes 2016, section 121A.39, is amended to read:

76.6 **121A.39 SCHOOL COUNSELORS.**

76.7 (a) A school district is strongly encouraged to have an adequate student-to-counselor
76.8 ratio for its students beginning in the 2015-2016 school year and later.

76.9 (b) A school counselor ~~shall~~ must assist a student in meeting the requirements for high
76.10 school graduation, college and career exploration, and selection, college affordability
76.11 planning, and successful transitions into postsecondary education or training. As part of
76.12 college and career exploration, a counselor is encouraged to present and explain the career
76.13 opportunities and benefits offered by the United States armed forces and share information
76.14 provided to the counselor by armed forces recruiters. In discussing military service with a
76.15 student or a student's parent or guardian, a school counselor is encouraged to provide the
76.16 student, parent, or guardian information concerning the military enlistment test. A counselor
76.17 may consult with the Department of Labor and Industry to identify resources for students
76.18 interested in exploring career opportunities in high-wage, high-demand occupations in the
76.19 skilled trades and manufacturing.

76.20 (c) A school counselor must not discourage or otherwise interfere with a student's
76.21 enlistment, or intention to enlist, in the armed forces.

76.22 Sec. 2. **[122A.051] CODE OF ETHICS.**

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

76.29 Subd. 2. **Standards of professional conduct.** (a) A teacher must provide professional
76.30 education services in a nondiscriminatory manner.

77.1 (b) A teacher must make reasonable effort to protect students from conditions harmful
77.2 to health and safety.

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

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

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

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

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

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

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

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

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

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

77.21 Sec. 3. Minnesota Statutes 2017 Supplement, section 122A.09, subdivision 2, is amended
77.22 to read:

77.23 Subd. 2. **Advise members of profession.** The Professional Educator Licensing and
77.24 Standards Board must act in an advisory capacity to members of the profession in matters
77.25 of interpretation of the code of ethics in section 122A.051.

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

77.27 Sec. 4. Minnesota Statutes 2017 Supplement, section 122A.18, subdivision 8, is amended
77.28 to read:

77.29 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards
77.30 Board and the Board of School Administrators must request a criminal history background

78.1 check from the superintendent of the Bureau of Criminal Apprehension on all first-time
78.2 teaching applicants for licenses under their jurisdiction. Applicants must include with their
78.3 licensure applications:

78.4 (1) an executed criminal history consent form, including fingerprints; and

78.5 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension
78.6 for the fee for conducting the criminal history background check.

78.7 (b) The superintendent of the Bureau of Criminal Apprehension ~~shall~~ must perform the
78.8 background check required under paragraph (a) by retrieving criminal history data as defined
78.9 in section 13.87 and shall also conduct a search of the national criminal records repository.
78.10 The superintendent is authorized to exchange fingerprints with the Federal Bureau of
78.11 Investigation for purposes of the criminal history check. The superintendent ~~shall~~ must
78.12 recover the cost to the bureau of a background check through the fee charged to the applicant
78.13 under paragraph (a).

78.14 ~~(c) The Professional Educator Licensing and Standards Board or the Board of School~~
78.15 ~~Administrators may issue a license pending completion of a background check under this~~
78.16 ~~subdivision, but must notify the individual and the school district or charter school employing~~
78.17 ~~the individual that the individual's license may be revoked based on the result of the~~
78.18 ~~background check.~~

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

78.20 Sec. 5. Minnesota Statutes 2017 Supplement, section 122A.187, subdivision 3, is amended
78.21 to read:

78.22 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
78.23 license under sections 122A.183 and 122A.184, respectively, who have been employed as
78.24 a teacher during the renewal period of the expiring license, as a condition of license renewal,
78.25 must present to their local continuing education and relicensure committee or other local
78.26 relicensure committee evidence of work that demonstrates professional reflection and growth
78.27 in best teaching practices, including among other things, cultural competence in accordance
78.28 with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied
78.29 needs of English learners, from young children to adults under section 124D.59, subdivisions
78.30 2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's
78.31 most recent summative evaluation or improvement plan under section 122A.40, subdivision
78.32 8, or 122A.41, subdivision 5. Counselors, school social workers, and teachers who do not
78.33 provide direct instruction but who provide academic, college, and career planning and

79.1 support to students may submit proof of training on armed forces career options or careers
79.2 in the skilled trades and manufacturing as additional evidence of professional growth.

79.3 (b) The Professional Educator Licensing and Standards Board must ensure that its teacher
79.4 relicensing requirements include paragraph (a).

79.5 Sec. 6. Minnesota Statutes 2017 Supplement, section 122A.187, is amended by adding a
79.6 subdivision to read:

79.7 Subd. 7. **Background check.** The Professional Educator Licensing and Standards Board
79.8 and the Board of School Administrators must request a criminal history background check
79.9 on a licensed teacher applying for a renewal license who has not had a background check
79.10 within the preceding five years.

79.11 **EFFECTIVE DATE.** This section is effective July 1, 2018.

79.12 Sec. 7. Minnesota Statutes 2017 Supplement, section 122A.20, subdivision 1, is amended
79.13 to read:

79.14 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional
79.15 Educator Licensing and Standards Board or Board of School Administrators, whichever
79.16 has jurisdiction over a teacher's licensure, may, on the written complaint of the school board
79.17 employing a teacher, a teacher organization, or any other interested person, refuse to issue,
79.18 refuse to renew, suspend, or revoke a teacher's license to teach for any of the following
79.19 causes:

79.20 (1) immoral character or conduct;

79.21 (2) failure, without justifiable cause, to teach for the term of the teacher's contract;

79.22 (3) gross inefficiency or willful neglect of duty;

79.23 (4) failure to meet licensure requirements; or

79.24 (5) fraud or misrepresentation in obtaining a license.

79.25 The written complaint must specify the nature and character of the charges.

79.26 (b) The Professional Educator Licensing and Standards Board or Board of School
79.27 Administrators, whichever has jurisdiction over a teacher's licensure, ~~shall~~ must refuse to
79.28 issue, refuse to renew, or automatically revoke a teacher's license to teach without the right
79.29 to a hearing upon receiving a certified copy of a conviction showing that the teacher has
79.30 been convicted of:

- 80.1 (1) a qualified domestic violence-related offense, as defined in section 609.02, subdivision
 80.2 16;
- 80.3 (2) child abuse, as defined in section 609.185;
- 80.4 (3) domestic assault under section 609.2242;
- 80.5 (4) sex trafficking in the first degree under section 609.322, subdivision 1;
- 80.6 (5) sex trafficking in the second degree under section 609.322, subdivision 1a;
- 80.7 (6) engaging in hiring, or agreeing to hire a minor to engage in prostitution under section
 80.8 609.324, subdivision subdivisions 1, sexual abuse 1a, and 2;
- 80.9 (7) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345, 609.3451,
 80.10 subdivision 3, or 617.23, subdivision 3;
- 80.11 (8) solicitation of children to engage in sexual conduct or communication of sexually
 80.12 explicit materials to children under section 609.352;
- 80.13 (9) embezzlement of public funds under section 609.54, clause (2);
- 80.14 (10) interference with privacy under section 609.746 or stalking under section 609.749
 80.15 and the victim was a minor;
- 80.16 (11) using minors in a sexual performance under section 617.246;
- 80.17 (12) possessing pornographic works involving a minor under section 617.247; or
- 80.18 (13) any other offense not listed in this paragraph that requires the person to register as
 80.19 a predatory offender under section 243.166, or a crime under a similar law of another state
 80.20 or the United States.
- 80.21 In addition, the board must refuse to issue, refuse to renew, or automatically revoke a
 80.22 teacher's license to teach without the right to a hearing upon receiving a certified copy of a
 80.23 stay of adjudication for an offense that, if convicted of, would require predatory offender
 80.24 registration under section 243.166. The board may refuse to issue, refuse to renew, or revoke
 80.25 a teacher's license to teach upon receiving a certified copy of a stay of adjudication for any
 80.26 other offense described in this paragraph.
- 80.27 The board ~~shall~~ must send notice of this licensing action to the district in which the teacher
 80.28 is currently employed.
- 80.29 (c) A person whose license to teach has been revoked, not issued, or not renewed under
 80.30 paragraph (b), may petition the board to reconsider the licensing action if the person's
 80.31 conviction for child abuse or sexual abuse is reversed by a final decision of the Court of

81.1 Appeals or the Supreme Court or if the person has received a pardon for the offense. The
81.2 petitioner ~~shall~~ must attach a certified copy of the appellate court's final decision or the
81.3 pardon to the petition. Upon receiving the petition and its attachment, the board ~~shall~~ must
81.4 schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2,
81.5 unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding
81.6 the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner
81.7 is disqualified from teaching under paragraph (a), clause (1), the board ~~shall~~ must affirm
81.8 its previous licensing action. If the board finds that the petitioner is not disqualified from
81.9 teaching under paragraph (a), clause (1), it ~~shall~~ must reverse its previous licensing action.

81.10 (d) The Professional Educator Licensing and Standards Board or Board of School
81.11 Administrators, whichever has jurisdiction over a teacher's licensure, must refuse to issue,
81.12 refuse to renew, or revoke a teacher's license to teach if the teacher has been convicted of:

81.13 (1) a felony; or

81.14 (2) a gross misdemeanor involving a minor.

81.15 A person whose license to teach has been revoked, not issued, or not renewed under this
81.16 paragraph may petition the board to reconsider for good cause shown, in accordance with
81.17 procedures adopted by the board.

81.18 (e) The Professional Educator Licensing and Standards Board or Board of School
81.19 Administrators, whichever has jurisdiction over a teacher's licensure, must refuse to issue,
81.20 refuse to renew, or revoke a teacher's license to teach if the teacher has engaged in sexual
81.21 penetration as defined in section 609.321, subdivision 11, with a student enrolled in a school
81.22 where the teacher works or volunteers.

81.23 (f) A decision by the Professional Educator Licensing and Standards Board to refuse to
81.24 issue, refuse to renew, suspend, or revoke a license under this subdivision is not subject to
81.25 review under section 122A.188.

81.26 (g) The Professional Educator Licensing and Standards Board or Board of School
81.27 Administrators, whichever has jurisdiction over a teacher's licensure, may suspend a teacher's
81.28 license pending an investigation into a report of conduct that would be grounds for revocation
81.29 under paragraph (b), (d), or (e).

81.30 ~~(d)~~ (h) For purposes of this subdivision, the Professional Educator Licensing and
81.31 Standards Board is delegated the authority to suspend or revoke coaching licenses.

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

82.1 Sec. 8. Minnesota Statutes 2017 Supplement, section 122A.20, subdivision 2, is amended
82.2 to read:

82.3 Subd. 2. **Mandatory reporting.** (a) A school board must report to the Professional
82.4 Educator Licensing and Standards Board, the Board of School Administrators, or the Board
82.5 of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction
82.6 over the teacher's or administrator's license, when its teacher or administrator is discharged
82.7 or resigns from employment after a charge is filed with the school board under section
82.8 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed that are
82.9 grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to
82.10 (5), or when a teacher or administrator is suspended or resigns while an investigation is
82.11 pending under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5); 122A.41,
82.12 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator
82.13 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),
82.14 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate
82.15 licensing board within ten days after the discharge, suspension, or resignation has occurred.
82.16 The licensing board to which the report is made must investigate the report for violation of
82.17 subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding
82.18 any provision in chapter 13 or any law to the contrary, upon written request from the licensing
82.19 board having jurisdiction over the license, a board or school superintendent ~~shall~~ must
82.20 provide the licensing board with information about the teacher or administrator from the
82.21 district's files, any termination or disciplinary proceeding, any settlement or compromise,
82.22 or any investigative file. Upon written request from the appropriate licensing board, a board
82.23 or school superintendent may, at the discretion of the board or school superintendent, solicit
82.24 the written consent of a student and the student's parent to provide the licensing board with
82.25 information that may aid the licensing board in its investigation and license proceedings.
82.26 The licensing board's request need not identify a student or parent by name. The consent
82.27 of the student and the student's parent must meet the requirements of chapter 13 and Code
82.28 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent
82.29 form to the district. Any data transmitted to any board under this section is private data
82.30 under section 13.02, subdivision 12, notwithstanding any other classification of the data
82.31 when it was in the possession of any other agency.

82.32 (b) The licensing board to which a report is made must transmit to the Attorney General's
82.33 Office any record or data it receives under this subdivision for the sole purpose of having
82.34 the Attorney General's Office assist that board in its investigation. When the Attorney
82.35 General's Office has informed an employee of the appropriate licensing board in writing

83.1 that grounds exist to suspend or revoke a teacher's license to teach, that licensing board
 83.2 must consider suspending or revoking or decline to suspend or revoke the teacher's or
 83.3 administrator's license within 45 days of receiving a stipulation executed by the teacher or
 83.4 administrator under investigation or a recommendation from an administrative law judge
 83.5 that disciplinary action be taken.

83.6 (c) The Professional Educator Licensing and Standards Board and Board of School
 83.7 Administrators must report to the appropriate law enforcement authorities a revocation,
 83.8 suspension, or agreement involving a loss of license, relating to a teacher or administrator's
 83.9 inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement
 83.10 authority" means a police department, county sheriff, or tribal police department. A report
 83.11 by the Professional Educator Licensing and Standards Board or the Board of School
 83.12 Administrators to appropriate law enforcement authorities does not diminish, modify, or
 83.13 otherwise affect the responsibilities of a licensing board, school board, or any person
 83.14 mandated to report abuse under section 626.556.

83.15 (d) The Professional Educator Licensing and Standards Board and Board of School
 83.16 Administrators must, immediately upon receiving information that gives the board reason
 83.17 to believe a child has at any time been neglected or physically or sexually abused, as defined
 83.18 in section 626.556, subdivision 2, report the information to:

83.19 (1) the local welfare agency, agency responsible for assessing or investigating the report,
 83.20 or tribal social services agency; and

83.21 (2) the police department, county sheriff, or tribal police department.

83.22 A report under this paragraph does not diminish, modify, or otherwise affect the
 83.23 responsibilities of a licensing board under section 626.556.

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

83.25 Sec. 9. Minnesota Statutes 2017 Supplement, section 122A.40, subdivision 13, is amended
 83.26 to read:

83.27 Subd. 13. **Immediate discharge.** (a) Except as otherwise provided in paragraph (b), a
 83.28 board may discharge a continuing-contract teacher, effective immediately, upon any of the
 83.29 following grounds:

83.30 (1) immoral conduct, insubordination, or conviction of a felony;

83.31 (2) conduct unbecoming a teacher which requires the immediate removal of the teacher
 83.32 from classroom or other duties;

84.1 (3) failure without justifiable cause to teach without first securing the written release of
84.2 the school board;

84.3 (4) gross inefficiency which the teacher has failed to correct after reasonable written
84.4 notice;

84.5 (5) willful neglect of duty; or

84.6 (6) continuing physical or mental disability subsequent to a 12 months leave of absence
84.7 and inability to qualify for reinstatement in accordance with subdivision 12.

84.8 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair
84.9 discriminatory practice described in section 363A.13.

84.10 Prior to discharging a teacher under this paragraph, the board must notify the teacher in
84.11 writing and state its ground for the proposed discharge in reasonable detail. Within ten days
84.12 after receipt of this notification the teacher may make a written request for a hearing before
84.13 the board and it ~~shall~~ must be granted before final action is taken. The board may suspend
84.14 a teacher with pay pending the conclusion of the hearing and determination of the issues
84.15 raised in the hearing after charges have been filed which constitute ground for discharge.
84.16 If a teacher has been charged with a felony and the underlying conduct that is the subject
84.17 of the felony charge is a ground for a proposed immediate discharge, the suspension pending
84.18 the conclusion of the hearing and determination of the issues may be without pay. If a
84.19 hearing under this paragraph is held, the board must reimburse the teacher for any salary
84.20 or compensation withheld if the final decision of the board or the arbitrator does not result
84.21 in a penalty to or suspension, termination, or discharge of the teacher.

84.22 (b) A board must discharge a continuing-contract teacher, effective immediately, upon
84.23 receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
84.24 license has been revoked due to a conviction for:

84.25 (1) child abuse, as defined in section 609.185;

84.26 (2) sex trafficking in the first degree under section 609.322, subdivision 1;

84.27 (3) sex trafficking in the second degree under section 609.322, subdivision 1a;

84.28 (4) engaging in hiring or agreeing to hire a minor to engage in prostitution under section
84.29 609.324, subdivision 1;

84.30 (5) sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision
84.31 3, or 617.23, subdivision 3;

85.1 (6) solicitation of children to engage in sexual conduct or communication of sexually
85.2 explicit materials to children under section 609.352;

85.3 (7) interference with privacy under section 609.746 or stalking under section 609.749
85.4 and the victim was a minor;

85.5 (8) using minors in a sexual performance under section 617.246;

85.6 (9) possessing pornographic works involving a minor under section 617.247; ~~or~~

85.7 (10) any other offense not listed in this paragraph that requires the person to register as
85.8 a predatory offender under section 243.166, or a crime under a similar law of another state
85.9 or the United States; or

85.10 (11) any other offense not listed in this paragraph that requires notice of a licensing
85.11 action to the district in accordance with section 122A.20, subdivision 1, paragraph (b).

85.12 In addition, a board must discharge a continuing-contract teacher, effective immediately,
85.13 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
85.14 license has been revoked due to a stay of adjudication for an offense that, if convicted of,
85.15 would require predatory offender registration under section 243.166.

85.16 (c) When a teacher is discharged under paragraph (b) or when the commissioner makes
85.17 a final determination of child maltreatment involving a teacher under section 626.556,
85.18 subdivision 11, the school principal or other person having administrative control of the
85.19 school must include in the teacher's employment record the information contained in the
85.20 record of the disciplinary action or the final maltreatment determination, consistent with
85.21 the definition of public data under section 13.41, subdivision 5, and must provide the
85.22 Professional Educator Licensing and Standards Board ~~and the licensing division at the~~
85.23 ~~department~~ with the necessary and relevant information to enable the Professional Educator
85.24 Licensing and Standards Board ~~and the department's licensing division~~ to fulfill ~~their~~ its
85.25 statutory and administrative duties related to issuing, renewing, suspending, or revoking a
85.26 teacher's license. Information received by the Professional Educator Licensing and Standards
85.27 Board ~~or the licensing division at the department~~ under this paragraph is governed by section
85.28 13.41 or other applicable law governing data of the receiving entity. In addition to the
85.29 background check required under section 123B.03, a school board or other school hiring
85.30 authority must contact the Professional Educator Licensing and Standards Board ~~and the~~
85.31 ~~department~~ to determine whether the teacher's license has been suspended or revoked,
85.32 consistent with the discharge and final maltreatment determinations identified in this
85.33 paragraph. Unless restricted by federal or state data practices law or by the terms of a
85.34 collective bargaining agreement, the responsible authority for a school district must

86.1 disseminate to another school district private personnel data on a current or former teacher
86.2 employee or contractor of the district, including the results of background investigations,
86.3 if the requesting school district seeks the information because the subject of the data has
86.4 applied for employment with the requesting school district.

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

86.6 Sec. 10. Minnesota Statutes 2017 Supplement, section 122A.41, subdivision 6, is amended
86.7 to read:

86.8 Subd. 6. **Grounds for discharge or demotion.** (a) Except as otherwise provided in
86.9 paragraph (b), causes for the discharge or demotion of a teacher either during or after the
86.10 probationary period must be:

86.11 (1) immoral character, conduct unbecoming a teacher, or insubordination;

86.12 (2) failure without justifiable cause to teach without first securing the written release of
86.13 the school board having the care, management, or control of the school in which the teacher
86.14 is employed;

86.15 (3) inefficiency in teaching or in the management of a school, consistent with subdivision
86.16 5, paragraph (b);

86.17 (4) affliction with a communicable disease must be considered as cause for removal or
86.18 suspension while the teacher is suffering from such disability; or

86.19 (5) discontinuance of position or lack of pupils.

86.20 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair
86.21 discriminatory practice described in section 363A.13.

86.22 (b) A probationary or continuing-contract teacher must be discharged immediately upon
86.23 receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
86.24 license has been revoked due to a conviction for:

86.25 (1) child abuse, as defined in section 609.185;

86.26 (2) sex trafficking in the first degree under section 609.322, subdivision 1;

86.27 (3) sex trafficking in the second degree under section 609.322, subdivision 1a;

86.28 (4) engaging in hiring or agreeing to hire a minor to engage in prostitution under section
86.29 609.324, subdivision 1;

86.30 (5) sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision
86.31 3, or 617.23, subdivision 3;

87.1 (6) solicitation of children to engage in sexual conduct or communication of sexually
87.2 explicit materials to children under section 609.352;

87.3 (7) interference with privacy under section 609.746 or stalking under section 609.749
87.4 and the victim was a minor;

87.5 (8) using minors in a sexual performance under section 617.246;

87.6 (9) possessing pornographic works involving a minor under section 617.247; ~~or~~

87.7 (10) any other offense not listed in this paragraph that requires the person to register as
87.8 a predatory offender under section 243.166, or a crime under a similar law of another state
87.9 or the United States; or

87.10 (11) any other offense not listed in this paragraph that requires notice of a licensing
87.11 action to the district in accordance with section 122A.20, subdivision 1, paragraph (b).

87.12 In addition, a probationary or continuing-contract teacher must be discharged immediately
87.13 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
87.14 license has been revoked due to a stay of adjudication for an offense that, if convicted of,
87.15 would require predatory offender registration under section 243.166.

87.16 (c) When a teacher is discharged under paragraph (b) or when the commissioner makes
87.17 a final determination of child maltreatment involving a teacher under section 626.556,
87.18 subdivision 11, the school principal or other person having administrative control of the
87.19 school must include in the teacher's employment record the information contained in the
87.20 record of the disciplinary action or the final maltreatment determination, consistent with
87.21 the definition of public data under section 13.41, subdivision 5, and must provide the
87.22 Professional Educator Licensing and Standards Board ~~and the licensing division at the~~
87.23 ~~department~~ with the necessary and relevant information to enable the Professional Educator
87.24 Licensing and Standards Board ~~and the department's licensing division~~ to fulfill ~~their~~ its
87.25 statutory and administrative duties related to issuing, renewing, suspending, or revoking a
87.26 teacher's license. Information received by the Professional Educator Licensing and Standards
87.27 Board ~~or the licensing division at the department~~ under this paragraph is governed by section
87.28 13.41 or other applicable law governing data of the receiving entity. In addition to the
87.29 background check required under section 123B.03, a school board or other school hiring
87.30 authority must contact the Professional Educator Licensing and Standards Board ~~and the~~
87.31 ~~department~~ to determine whether the teacher's license has been suspended or revoked,
87.32 consistent with the discharge and final maltreatment determinations identified in this
87.33 paragraph. Unless restricted by federal or state data practices law or by the terms of a
87.34 collective bargaining agreement, the responsible authority for a school district must

88.1 disseminate to another school district private personnel data on a current or former teacher
 88.2 employee or contractor of the district, including the results of background investigations,
 88.3 if the requesting school district seeks the information because the subject of the data has
 88.4 applied for employment with the requesting school district.

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

88.6 Sec. 11. Minnesota Statutes 2016, section 122A.42, is amended to read:

88.7 **122A.42 GENERAL CONTROL OF SCHOOLS.**

88.8 (a) The teacher of record shall have the general control and government of the school
 88.9 and classroom. When more than one teacher is employed in any district, one of the teachers
 88.10 may be designated by the board as principal and shall have the general control and
 88.11 supervision of the schools of the district, subject to the general supervisory control of the
 88.12 board and other officers.

88.13 (b) Consistent with paragraph (a), the teacher may remove students from class under
 88.14 section 121A.61, subdivision 2, for violent or disruptive conduct. A school district must
 88.15 include notice of a teacher's authority under this paragraph in a teacher handbook, school
 88.16 policy guide, or other similar communication.

88.17 Sec. 12. Minnesota Statutes 2016, section 122A.71, subdivision 2, is amended to read:

88.18 Subd. 2. **Responsibility.** ~~By July 1, 1989, The Board of Teaching~~ Professional Educator
 88.19 Licensing and Standards Board ~~must begin to~~ evaluate the effectiveness of prebaccalaureate,
 88.20 postbaccalaureate, and other alternative program structures for preparing candidates for
 88.21 entrance into the teaching profession. The evaluation ~~shall~~ must be conducted by independent
 88.22 research centers or evaluators who are not associated with a Minnesota teacher education
 88.23 institution and ~~shall~~ must be longitudinal in nature.

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

88.25 Sec. 13. Minnesota Statutes 2017 Supplement, section 123B.03, subdivision 1, is amended
 88.26 to read:

88.27 Subdivision 1. **Background check required.** (a) A school hiring authority ~~shall~~ must
 88.28 request a criminal history background check from the superintendent of the Bureau of
 88.29 Criminal Apprehension on all individuals who are offered employment in a school and on
 88.30 all individuals, except enrolled student volunteers, who are offered the opportunity to provide
 88.31 athletic coaching services or other extracurricular academic coaching services to a school,

89.1 regardless of whether any compensation is paid. In order for an individual to be eligible for
89.2 employment or to provide the services, the individual must provide an executed criminal
89.3 history consent form and a money order or check payable to either the Bureau of Criminal
89.4 Apprehension or the school hiring authority, at the discretion of the school hiring authority,
89.5 in an amount equal to the actual cost to the Bureau of Criminal Apprehension and the school
89.6 district of conducting the criminal history background check. A school hiring authority
89.7 deciding to receive payment may, at its discretion, accept payment in the form of a negotiable
89.8 instrument other than a money order or check and shall pay the superintendent of the Bureau
89.9 of Criminal Apprehension directly to conduct the background check. The superintendent
89.10 of the Bureau of Criminal Apprehension shall conduct the background check by retrieving
89.11 criminal history data as defined in section 13.87. A school hiring authority, at its discretion,
89.12 may decide not to request a criminal history background check on an individual who holds
89.13 an initial entrance license issued by the Professional Educator Licensing and Standards
89.14 Board or the commissioner of education within the 12 months preceding an offer of
89.15 employment.

89.16 (b) A school hiring authority may use the results of a criminal background check
89.17 conducted at the request of another school hiring authority if:

89.18 (1) the results of the criminal background check are on file with the other school hiring
89.19 authority or otherwise accessible;

89.20 (2) the other school hiring authority conducted a criminal background check within the
89.21 previous 12 months;

89.22 (3) the individual who is the subject of the criminal background check executes a written
89.23 consent form giving a school hiring authority access to the results of the check; and

89.24 (4) there is no reason to believe that the individual has committed an act subsequent to
89.25 the check that would disqualify the individual for employment.

89.26 (c) A school hiring authority may, at its discretion, request a criminal history background
89.27 check from the superintendent of the Bureau of Criminal Apprehension on any individual
89.28 who seeks to enter a school or its grounds for the purpose of serving as a school volunteer
89.29 or working as an independent contractor or student employee. In order for an individual to
89.30 enter a school or its grounds under this paragraph when the school hiring authority decides
89.31 to request a criminal history background check on the individual, the individual first must
89.32 provide an executed criminal history consent form and a money order, check, or other
89.33 negotiable instrument payable to the school district in an amount equal to the actual cost to
89.34 the Bureau of Criminal Apprehension and the school district of conducting the criminal

90.1 history background check. Notwithstanding section 299C.62, subdivision 1, the cost of the
90.2 criminal history background check under this paragraph is the responsibility of the individual
90.3 unless a school hiring authority decides to pay the costs of conducting a background check
90.4 under this paragraph. If the school hiring authority pays the costs, the individual who is the
90.5 subject of the background check need not pay for it.

90.6 (d) In addition to the initial background check required for all individuals offered
90.7 employment in accordance with paragraph (a), a school hiring authority must request a new
90.8 criminal history background check from the superintendent of the Bureau of Criminal
90.9 Apprehension on all employees every five years. Notwithstanding any law to the contrary,
90.10 in order for an individual to be eligible for continued employment, an individual must
90.11 provide an executed criminal history consent form and a money order or check payable to
90.12 either the Bureau of Criminal Apprehension or the school hiring authority, at the discretion
90.13 of the school hiring authority, in an amount equal to the actual cost to the Bureau of Criminal
90.14 Apprehension and the school district of conducting the criminal history background check.
90.15 A school hiring authority deciding to receive payment may, at its discretion, accept payment
90.16 in the form of a negotiable instrument other than a money order or check and shall pay the
90.17 superintendent of the Bureau of Criminal Apprehension directly to conduct the background
90.18 check. A school hiring authority, at its discretion, may decide not to request a criminal
90.19 history background check on an employee who provides the hiring authority with a copy
90.20 of the results of a criminal history background check conducted within the previous 60
90.21 months. A school hiring authority may, at its discretion, decide to pay the costs of conducting
90.22 a background check under this paragraph.

90.23 ~~(d)~~ (e) For all nonstate residents who are offered employment in a school, a school hiring
90.24 authority shall request a criminal history background check on such individuals from the
90.25 superintendent of the Bureau of Criminal Apprehension and from the government agency
90.26 performing the same function in the resident state or, if no government entity performs the
90.27 same function in the resident state, from the Federal Bureau of Investigation. Such individuals
90.28 must provide an executed criminal history consent form and a money order, check, or other
90.29 negotiable instrument payable to the school hiring authority in an amount equal to the actual
90.30 cost to the government agencies and the school district of conducting the criminal history
90.31 background check. Notwithstanding section 299C.62, subdivision 1, the cost of the criminal
90.32 history background check under this paragraph is the responsibility of the individual.

90.33 ~~(e)~~ (f) At the beginning of each school year or when a student enrolls, a school hiring
90.34 authority must notify parents and guardians about the school hiring authority's policy
90.35 requiring a criminal history background check on employees and other individuals who

91.1 provide services to the school, and identify those positions subject to a background check
 91.2 and the extent of the hiring authority's discretion in requiring a background check. The
 91.3 school hiring authority may include the notice in the student handbook, a school policy
 91.4 guide, or other similar communication. Nothing in this paragraph affects a school hiring
 91.5 authority's ability to request a criminal history background check on an individual under
 91.6 paragraph (c).

91.7 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

91.8 Sec. 14. Minnesota Statutes 2017 Supplement, section 123B.03, subdivision 2, is amended
 91.9 to read:

91.10 Subd. 2. **Effect of background check or Professional Educator Licensing and**
 91.11 **Standards Board action.** (a) ~~A school hiring authority may hire or otherwise allow an~~
 91.12 ~~individual to provide a service to a school pending completion of a background check under~~
 91.13 ~~subdivision 1 or obtaining notice of a Professional Educator Licensing and Standards Board~~
 91.14 ~~action under subdivision 1a but shall notify the individual that the individual's employment~~
 91.15 ~~or other service may be terminated based on the result of the background check or~~
 91.16 ~~Professional Educator Licensing and Standards Board action.~~ A school hiring authority is
 91.17 not liable for failing to hire or for terminating an individual's employment or other service
 91.18 based on the result of a background check or Professional Educator Licensing and Standards
 91.19 Board action under this section.

91.20 (b) For purposes of this paragraph, a school hiring authority must inform an individual
 91.21 if the individual's application to be an employee or volunteer in the district has been denied
 91.22 as a result of a background check conducted under this section. The school hiring authority
 91.23 must also inform an individual who is a current employee or volunteer if the individual's
 91.24 employment or volunteer status in the district is being terminated as a result of a background
 91.25 check conducted under subdivision 4.

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

91.27 Sec. 15. Minnesota Statutes 2016, section 171.02, subdivision 2a, is amended to read:

91.28 Subd. 2a. **Exception for certain school bus drivers.** Notwithstanding subdivision 2,
 91.29 paragraph (b), the holder of a class D driver's license, without a school bus endorsement,
 91.30 may operate a type A school bus or a multifunction school activity bus under the following
 91.31 conditions:

92.1 (a) The operator is an employee of the entity that owns, leases, or contracts for the school
92.2 bus and is not solely hired to provide transportation services under this subdivision.

92.3 (b) The operator drives the school bus only from points of origin to points of destination,
92.4 not including home-to-school trips to pick up or drop off students.

92.5 (c) The operator is prohibited from using the eight-light system. Violation of this
92.6 paragraph is a misdemeanor.

92.7 (d) The operator's employer has adopted and implemented a policy that provides for
92.8 annual training and certification of the operator in:

92.9 (1) safe operation of the type of school bus the operator will be driving;

92.10 (2) understanding student behavior, including issues relating to students with disabilities;

92.11 (3) encouraging orderly conduct of students on the bus and handling incidents of
92.12 misconduct appropriately;

92.13 (4) knowing and understanding relevant laws, rules of the road, and local school bus
92.14 safety policies;

92.15 (5) handling emergency situations; and

92.16 (6) safe loading and unloading of students.

92.17 (e) A background check or background investigation of the operator has been conducted
92.18 that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for teachers;
92.19 section 144.057 or chapter 245C for day care employees; or section 171.321, subdivision
92.20 3, for all other persons operating a school bus under this subdivision.

92.21 (f) Operators shall submit to a physical examination as required by section 171.321,
92.22 subdivision 2.

92.23 (g) The operator's driver's license is verified annually by the entity that owns, leases, or
92.24 contracts for the school bus.

92.25 (h) A person who sustains a conviction, as defined under section 609.02, of violating
92.26 section 169A.25, 169A.26, 169A.27, 169A.31, 169A.51, or 169A.52, or a similar statute
92.27 or ordinance of another state is precluded from operating a school bus for five years from
92.28 the date of conviction.

92.29 (i) A person who has ever been convicted of a disqualifying offense as defined in section
92.30 171.3215, subdivision 1, paragraph (c), or received a stay of adjudication for an offense

93.1 that, if convicted of, would require predatory offender registration under section 243.166,
93.2 may not operate a school bus under this subdivision.

93.3 (j) A person who sustains a conviction, as defined under section 609.02, of a fourth
93.4 moving offense in violation of chapter 169 is precluded from operating a school bus for one
93.5 year from the date of the last conviction.

93.6 (k) Students riding the school bus must have training required under section 123B.90,
93.7 subdivision 2.

93.8 (l) An operator must be trained in the proper use of child safety restraints as set forth in
93.9 the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation
93.10 of Pre-school Age Children in School Buses," if child safety restraints are used by the
93.11 passengers.

93.12 (m) Annual certification of the requirements listed in this subdivision must be maintained
93.13 under separate file at the business location for each operator licensed under this subdivision
93.14 and subdivision 2, paragraph (b), clause (5). The business manager, school board, governing
93.15 body of a nonpublic school, or any other entity that owns, leases, or contracts for the school
93.16 bus operating under this subdivision is responsible for maintaining these files for inspection.

93.17 (n) The school bus must bear a current certificate of inspection issued under section
93.18 169.451.

93.19 (o) If the word "School" appears on the front and rear of the bus, the word "School"
93.20 must be covered by a sign that reads "Activities" when the bus is being operated under
93.21 authority of this subdivision.

93.22 (p) The type A-I school bus or multifunction school activity bus is designed to transport
93.23 15 or fewer passengers, including the driver.

93.24 (q) The school bus or multifunction school activity bus has a gross vehicle weight rating
93.25 of 14,500 pounds or less.

93.26 Sec. 16. Minnesota Statutes 2017 Supplement, section 171.02, subdivision 2b, is amended
93.27 to read:

93.28 Subd. 2b. **Exception for type III vehicle drivers.** (a) Notwithstanding subdivision 2,
93.29 the holder of a class A, B, C, or D driver's license, without a school bus endorsement, may
93.30 operate a type III vehicle described in section 169.011, subdivision 71, paragraph (h), under
93.31 the conditions in this subdivision.

94.1 (b) The operator is an employee of the entity that owns, leases, or contracts for the school
94.2 bus.

94.3 (c) The operator's employer has adopted and implemented a policy that provides for
94.4 annual training and certification of the operator in:

94.5 (1) safe operation of a type III vehicle;

94.6 (2) understanding student behavior, including issues relating to students with disabilities;

94.7 (3) encouraging orderly conduct of students on the bus and handling incidents of
94.8 misconduct appropriately;

94.9 (4) knowing and understanding relevant laws, rules of the road, and local school bus
94.10 safety policies;

94.11 (5) handling emergency situations;

94.12 (6) proper use of seat belts and child safety restraints;

94.13 (7) performance of pretrip vehicle inspections;

94.14 (8) safe loading and unloading of students, including, but not limited to:

94.15 (i) utilizing a safe location for loading and unloading students at the curb, on the nontraffic
94.16 side of the roadway, or at off-street loading areas, driveways, yards, and other areas to
94.17 enable the student to avoid hazardous conditions;

94.18 (ii) refraining from loading and unloading students in a vehicular traffic lane, on the
94.19 shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;

94.20 (iii) avoiding a loading or unloading location that would require a pupil to cross a road,
94.21 or ensuring that the driver or an aide personally escort the pupil across the road if it is not
94.22 reasonably feasible to avoid such a location;

94.23 (iv) placing the type III vehicle in "park" during loading and unloading; and

94.24 (v) escorting a pupil across the road under item (iii) only after the motor is stopped, the
94.25 ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile;
94.26 and

94.27 (9) compliance with paragraph (k), concerning reporting certain convictions to the
94.28 employer within ten days of the date of conviction.

94.29 (d) A background check or background investigation of the operator has been conducted
94.30 that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for school
94.31 district employees; section 144.057 or chapter 245C for day care employees; or section

95.1 171.321, subdivision 3, for all other persons operating a type III vehicle under this
95.2 subdivision.

95.3 (e) Operators shall submit to a physical examination as required by section 171.321,
95.4 subdivision 2.

95.5 (f) The operator's employer requires preemployment drug testing of applicants for
95.6 operator positions. Current operators must comply with the employer's policy under section
95.7 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator's
95.8 employer may use a Breathalyzer or similar device to fulfill random alcohol testing
95.9 requirements.

95.10 (g) The operator's driver's license is verified annually by the entity that owns, leases, or
95.11 contracts for the type III vehicle as required under section 171.321, subdivision 5.

95.12 (h) A person who sustains a conviction, as defined under section 609.02, of violating
95.13 section 169A.25, 169A.26, 169A.27, or 169A.31, or whose driver's license is revoked under
95.14 sections 169A.50 to 169A.53 of the implied consent law or section 171.177, or who is
95.15 convicted of violating or whose driver's license is revoked under a similar statute or ordinance
95.16 of another state, is precluded from operating a type III vehicle for five years from the date
95.17 of conviction.

95.18 (i) A person who has ever been convicted of a disqualifying offense as defined in section
95.19 171.3215, subdivision 1, paragraph (c), or received a stay of adjudication for an offense
95.20 that, if convicted of, would require predatory offender registration under section 243.166,
95.21 may not operate a type III vehicle under this subdivision.

95.22 (j) A person who sustains a conviction, as defined under section 609.02, of a moving
95.23 offense in violation of chapter 169 within three years of the first of three other moving
95.24 offenses is precluded from operating a type III vehicle for one year from the date of the last
95.25 conviction.

95.26 (k) An operator who sustains a conviction as described in paragraph (h), ~~(i)~~, or (j) while
95.27 employed by the entity that owns, leases, or contracts for the school bus, shall report the
95.28 conviction to the employer within ten days of the date of the conviction. An operator who
95.29 sustains a conviction or receives a stay of adjudication as described in paragraph (i) while
95.30 employed by an entity that owns, leases, or contracts for the school bus shall report the
95.31 conviction or stay of adjudication to the employer within ten days of the date of the conviction
95.32 or stay of adjudication.

96.1 (l) An operator of a type III vehicle whose driver's license is suspended, revoked,
96.2 canceled, or disqualified by Minnesota, another state, or another jurisdiction must notify
96.3 the operator's employer in writing of the suspension, revocation, cancellation, lost privilege,
96.4 or disqualification. The operator must notify the operator's employer before the end of the
96.5 business day immediately following the day the operator received notice of the suspension,
96.6 revocation, cancellation, lost privilege, or disqualification.

96.7 (m) Students riding the type III vehicle must have training required under section
96.8 123B.90, subdivision 2.

96.9 (n) Documentation of meeting the requirements listed in this subdivision must be
96.10 maintained under separate file at the business location for each type III vehicle operator.
96.11 The business manager, school board, governing body of a nonpublic school, or any other
96.12 entity that owns, leases, or contracts for the type III vehicle operating under this subdivision
96.13 is responsible for maintaining these files for inspection.

96.14 (o) The type III vehicle must bear a current certificate of inspection issued under section
96.15 169.451.

96.16 (p) An employee of a school or of a school district, who is not employed for the sole
96.17 purpose of operating a type III vehicle, is exempt from paragraphs (e) and (f).

96.18 Sec. 17. Minnesota Statutes 2017 Supplement, section 171.3215, subdivision 2, is amended
96.19 to read:

96.20 Subd. 2. **Cancellation for disqualifying and other offenses.** Within ten days of receiving
96.21 notice under section 631.40, subdivision 1a, or otherwise receiving notice for a nonresident
96.22 driver, that a school bus driver has been convicted of a disqualifying offense or received a
96.23 stay of adjudication for an offense that, if convicted of, would require predatory offender
96.24 registration under section 243.166, the commissioner shall permanently cancel the school
96.25 bus driver's endorsement on the offender's driver's license and in the case of a nonresident,
96.26 the driver's privilege to operate a school bus in Minnesota. A school bus driver whose
96.27 endorsement or privilege to operate a school bus in Minnesota has been permanently canceled
96.28 may not apply for reinstatement. Within ten days of receiving notice under section 631.40,
96.29 subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus
96.30 driver has been convicted of a violation of section 169A.20, or a similar statute or ordinance
96.31 from another state, and within ten days of revoking a school bus driver's license under
96.32 section 169A.52 or 171.177, the commissioner shall cancel the school bus driver's
96.33 endorsement on the offender's driver's license or the nonresident's privilege to operate a
96.34 school bus in Minnesota for five years. After five years, a school bus driver may apply to

97.1 the commissioner for reinstatement. Even after five years, cancellation of a school bus
97.2 driver's endorsement or a nonresident's privilege to operate a school bus in Minnesota for
97.3 a violation under section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a
97.4 similar statute or ordinance from another state, shall remain in effect until the driver provides
97.5 proof of successful completion of an alcohol or controlled substance treatment program.
97.6 For a first offense, proof of completion is required only if treatment was ordered as part of
97.7 a chemical use assessment. Within ten days of receiving notice under section 631.40,
97.8 subdivision 1a, or otherwise receiving notice for a nonresident driver, that a school bus
97.9 driver has been convicted of a fourth moving violation in the last three years, the
97.10 commissioner shall cancel the school bus driver's endorsement on the offender's driver's
97.11 license or the nonresident's privilege to operate a school bus in Minnesota until one year
97.12 has elapsed since the last conviction. A school bus driver who has no new convictions after
97.13 one year may apply for reinstatement. Upon canceling the offender's school bus driver's
97.14 endorsement, the commissioner shall immediately notify the licensed offender of the
97.15 cancellation in writing, by depositing in the United States post office a notice addressed to
97.16 the licensed offender at the licensed offender's last known address, with postage prepaid
97.17 thereon.

97.18 Sec. 18. Minnesota Statutes 2017 Supplement, section 171.3215, subdivision 3, is amended
97.19 to read:

97.20 Subd. 3. **Background check.** Before issuing or renewing a driver's license with a school
97.21 bus driver's endorsement, the commissioner shall conduct an investigation to determine if
97.22 the applicant has been convicted of committing a disqualifying offense, four moving
97.23 violations in the previous three years, a violation of section 169A.20 or a similar statute or
97.24 ordinance from another state, a gross misdemeanor, or if the applicant's driver's license has
97.25 been revoked under section 169A.52 or 171.177 or if the applicant received a stay of
97.26 adjudication for an offense that, if convicted of, would require predatory offender registration
97.27 under section 243.166. The commissioner shall not issue a new bus driver's endorsement
97.28 and shall not renew an existing bus driver's endorsement if the applicant has been convicted
97.29 of committing a disqualifying offense or if the applicant received a stay of adjudication for
97.30 an offense that, if convicted of, would require predatory offender registration under section
97.31 243.166. The commissioner shall not issue a new bus driver's endorsement and shall not
97.32 renew an existing bus driver's endorsement if, within the previous five years, the applicant
97.33 has been convicted of committing a violation of section 169A.20, or a similar statute or
97.34 ordinance from another state, a gross misdemeanor, or if the applicant's driver's license has
97.35 been revoked under section 169A.52 or 171.177, or if, within the previous three years, the

98.1 applicant has been convicted of four moving violations. An applicant who has been convicted
98.2 of violating section 169A.20, or a similar statute or ordinance from another state, or who
98.3 has had a license revocation under section 169A.52 or 171.177 within the previous ten years
98.4 must show proof of successful completion of an alcohol or controlled substance treatment
98.5 program in order to receive a bus driver's endorsement. For a first offense, proof of
98.6 completion is required only if treatment was ordered as part of a chemical use assessment.
98.7 A school district or contractor that employs a nonresident school bus driver must conduct
98.8 a background check of the employee's driving record and criminal history in both Minnesota
98.9 and the driver's state of residence. Convictions for disqualifying offenses, gross
98.10 misdemeanors, a fourth moving violation within the previous three years, or violations of
98.11 section 169A.20, or a similar statute or ordinance in another state, must be reported to the
98.12 Department of Public Safety.

98.13 Sec. 19. Minnesota Statutes 2016, section 299C.17, is amended to read:

98.14 **299C.17 REPORT BY COURT ADMINISTRATOR.**

98.15 The superintendent shall require the court administrator of every court which (1) sentences
98.16 a defendant for a felony, gross misdemeanor, or targeted misdemeanor, or (2) grants a stay
98.17 of adjudication pursuant to section 609.095, paragraph (b), clause (2), to electronically
98.18 transmit within 24 hours of the disposition of the case a report, in a form prescribed by the
98.19 superintendent providing information required by the superintendent with regard to the
98.20 prosecution and disposition of criminal cases. A copy of the report shall be kept on file in
98.21 the office of the court administrator.

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

98.23 Sec. 20. **299C.77] BACKGROUND CHECKS; ADDITIONAL DISCLOSURE.**

98.24 The superintendent shall disclose to each applicant for a background check or background
98.25 study required or authorized under section 122A.18, subdivision 8; 123B.03; 171.02,
98.26 subdivision 2a or 2b; or 171.3215, subdivision 3, all records of stays of adjudication granted
98.27 to the subject of the background check or background study that the superintendent receives
98.28 pursuant to section 299C.17, clause (2). The data required to be disclosed under this section
98.29 is in addition to other data on the subject of the background check or background study that
98.30 the superintendent is mandated to disclose.

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

99.1 Sec. 21. Minnesota Statutes 2016, section 609.095, is amended to read:

99.2 **609.095 LIMITS OF SENTENCES.**

99.3 (a) The legislature has the exclusive authority to define crimes and offenses and the
99.4 range of the sentences or punishments for their violation. No other or different sentence or
99.5 punishment shall be imposed for the commission of a crime than is authorized by this chapter
99.6 or other applicable law.

99.7 (b) Except as provided in:

99.8 (1) section 152.18 or 609.375²; or

99.9 (2) upon agreement of the parties, a court may not refuse to adjudicate the guilt of a
99.10 defendant who tenders a guilty plea in accordance with Minnesota Rules of Criminal
99.11 Procedure, rule 15, or who has been found guilty by a court or jury following a trial.

99.12 A stay of adjudication granted under clause (2) must be reported to the superintendent of
99.13 the Bureau of Criminal Apprehension pursuant to section 299C.17.

99.14 (c) Paragraph (b) does not supersede Minnesota Rules of Criminal Procedure, rule 26.04.

99.15 Sec. 22. Minnesota Statutes 2017 Supplement, section 609A.03, subdivision 7a, is amended
99.16 to read:

99.17 Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance
99.18 of an expungement order related to a charge supported by probable cause, the DNA samples
99.19 and DNA records held by the Bureau of Criminal Apprehension and collected under authority
99.20 other than section 299C.105 shall not be sealed, returned to the subject of the record, or
99.21 destroyed.

99.22 (b) Notwithstanding the issuance of an expungement order:

99.23 (1) except as provided in clause (2), an expunged record may be opened, used, or
99.24 exchanged between criminal justice agencies without a court order for the purposes of
99.25 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing
99.26 purposes or providing probation or other correctional services;

99.27 (2) when a criminal justice agency seeks access to a record that was sealed under section
99.28 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing
99.29 for lack of probable cause, for purposes of a criminal investigation, prosecution, or
99.30 sentencing, the requesting agency must obtain an ex parte court order after stating a
99.31 good-faith basis to believe that opening the record may lead to relevant information;

100.1 (3) an expunged record of a conviction may be opened for purposes of evaluating a
100.2 prospective employee in a criminal justice agency without a court order;

100.3 (4) an expunged record of a conviction may be opened for purposes of a background
100.4 study under section 245C.08 unless the commissioner had been properly served with notice
100.5 of the petition for expungement and the court order for expungement is directed specifically
100.6 to the commissioner of human services;

100.7 (5) an expunged record of a conviction may be opened for purposes of a background
100.8 check required under section 122A.18, subdivision 8, unless the court order for expungement
100.9 is directed specifically to the Professional Educator Licensing and Standards Board or the
100.10 licensing division of the Department of Education; and

100.11 (6) the court may order an expunged record opened upon request by the victim of the
100.12 underlying offense if the court determines that the record is substantially related to a matter
100.13 for which the victim is before the court.

100.14 (c) An agency or jurisdiction subject to an expungement order shall maintain the record
100.15 in a manner that provides access to the record by a criminal justice agency under paragraph
100.16 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau
100.17 of Criminal Apprehension shall notify the commissioner of human services, and the
100.18 Professional Educator Licensing and Standards Board, ~~or the licensing division of the~~
100.19 ~~Department of Education~~ of the existence of a sealed record and of the right to obtain access
100.20 under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to
100.21 the expungement order shall provide access to the record to the commissioner of human
100.22 services, the Professional Educator Licensing and Standards Board, or the licensing division
100.23 of the Department of Education under paragraph (b), clause (4) or (5).

100.24 (d) An expunged record that is opened or exchanged under this subdivision remains
100.25 subject to the expungement order in the hands of the person receiving the record.

100.26 (e) A criminal justice agency that receives an expunged record under paragraph (b),
100.27 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the
100.28 record to the investigation, prosecution, or sentencing for which it was obtained.

100.29 (f) For purposes of this section, a "criminal justice agency" means a court or government
100.30 agency that performs the administration of criminal justice under statutory authority.

100.31 (g) This subdivision applies to expungement orders subject to its limitations and effective
100.32 on or after January 1, 2015.

101.1 Sec. 23. Minnesota Statutes 2017 Supplement, section 626.556, subdivision 2, is amended
101.2 to read:

101.3 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
101.4 given them unless the specific content indicates otherwise:

101.5 (a) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence
101.6 or event which:

101.7 (1) is not likely to occur and could not have been prevented by exercise of due care; and

101.8 (2) if occurring while a child is receiving services from a facility, happens when the
101.9 facility and the employee or person providing services in the facility are in compliance with
101.10 the laws and rules relevant to the occurrence or event.

101.11 (b) "Commissioner" means the commissioner of human services.

101.12 (c) "Facility" means:

101.13 (1) a licensed or unlicensed day care facility, certified license-exempt child care center,
101.14 residential facility, agency, hospital, sanitarium, or other facility or institution required to
101.15 be licensed under sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16, or chapter
101.16 144H, 245D, or 245H;

101.17 (2) a school as defined in section 120A.05, subdivisions 9, 11, and 13; and chapter 124E;
101.18 or

101.19 (3) a nonlicensed personal care provider organization as defined in section 256B.0625,
101.20 subdivision 19a.

101.21 (d) "Family assessment" means a comprehensive assessment of child safety, risk of
101.22 subsequent child maltreatment, and family strengths and needs that is applied to a child
101.23 maltreatment report that does not allege sexual abuse or substantial child endangerment.
101.24 Family assessment does not include a determination as to whether child maltreatment
101.25 occurred but does determine the need for services to address the safety of family members
101.26 and the risk of subsequent maltreatment.

101.27 (e) "Investigation" means fact gathering related to the current safety of a child and the
101.28 risk of subsequent maltreatment that determines whether child maltreatment occurred and
101.29 whether child protective services are needed. An investigation must be used when reports
101.30 involve sexual abuse or substantial child endangerment, and for reports of maltreatment in
101.31 facilities required to be licensed or certified under chapter 245A, 245D, or 245H; under
101.32 sections 144.50 to 144.58 and 241.021; in a school as defined in section 120A.05,

102.1 subdivisions 9, 11, and 13, and chapter 124E; or in a nonlicensed personal care provider
102.2 association as defined in section 256B.0625, subdivision 19a.

102.3 (f) "Mental injury" means an injury to the psychological capacity or emotional stability
102.4 of a child as evidenced by an observable or substantial impairment in the child's ability to
102.5 function within a normal range of performance and behavior with due regard to the child's
102.6 culture.

102.7 (g) "Neglect" means the commission or omission of any of the acts specified under
102.8 clauses (1) to (9), other than by accidental means:

102.9 (1) failure by a person responsible for a child's care to supply a child with necessary
102.10 food, clothing, shelter, health, medical, or other care required for the child's physical or
102.11 mental health when reasonably able to do so;

102.12 (2) failure to protect a child from conditions or actions that seriously endanger the child's
102.13 physical or mental health when reasonably able to do so, including a growth delay, which
102.14 may be referred to as a failure to thrive, that has been diagnosed by a physician and is due
102.15 to parental neglect;

102.16 (3) failure to provide for necessary supervision or child care arrangements appropriate
102.17 for a child after considering factors as the child's age, mental ability, physical condition,
102.18 length of absence, or environment, when the child is unable to care for the child's own basic
102.19 needs or safety, or the basic needs or safety of another child in their care;

102.20 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
102.21 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
102.22 child with sympathomimetic medications, consistent with section 125A.091, subdivision
102.23 5;

102.24 (5) nothing in this section shall be construed to mean that a child is neglected solely
102.25 because the child's parent, guardian, or other person responsible for the child's care in good
102.26 faith selects and depends upon spiritual means or prayer for treatment or care of disease or
102.27 remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker,
102.28 or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of
102.29 medical care may cause serious danger to the child's health. This section does not impose
102.30 upon persons, not otherwise legally responsible for providing a child with necessary food,
102.31 clothing, shelter, education, or medical care, a duty to provide that care;

102.32 (6) prenatal exposure to a controlled substance, as defined in section 253B.02, subdivision
102.33 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in

103.1 the child at birth, results of a toxicology test performed on the mother at delivery or the
103.2 child at birth, medical effects or developmental delays during the child's first year of life
103.3 that medically indicate prenatal exposure to a controlled substance, or the presence of a
103.4 fetal alcohol spectrum disorder;

103.5 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

103.6 (8) chronic and severe use of alcohol or a controlled substance by a parent or person
103.7 responsible for the care of the child that adversely affects the child's basic needs and safety;
103.8 or

103.9 (9) emotional harm from a pattern of behavior which contributes to impaired emotional
103.10 functioning of the child which may be demonstrated by a substantial and observable effect
103.11 in the child's behavior, emotional response, or cognition that is not within the normal range
103.12 for the child's age and stage of development, with due regard to the child's culture.

103.13 (h) "Nonmaltreatment mistake" means:

103.14 (1) at the time of the incident, the individual was performing duties identified in the
103.15 center's child care program plan required under Minnesota Rules, part 9503.0045;

103.16 (2) the individual has not been determined responsible for a similar incident that resulted
103.17 in a finding of maltreatment for at least seven years;

103.18 (3) the individual has not been determined to have committed a similar nonmaltreatment
103.19 mistake under this paragraph for at least four years;

103.20 (4) any injury to a child resulting from the incident, if treated, is treated only with
103.21 remedies that are available over the counter, whether ordered by a medical professional or
103.22 not; and

103.23 (5) except for the period when the incident occurred, the facility and the individual
103.24 providing services were both in compliance with all licensing requirements relevant to the
103.25 incident.

103.26 This definition only applies to child care centers licensed under Minnesota Rules, chapter
103.27 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated
103.28 maltreatment by the individual, the commissioner of human services shall determine that a
103.29 nonmaltreatment mistake was made by the individual.

103.30 (i) "Operator" means an operator or agency as defined in section 245A.02.

103.31 (j) "Person responsible for the child's care" means (1) an individual functioning within
103.32 the family unit and having responsibilities for the care of the child such as a parent, guardian,

104.1 or other person having similar care responsibilities, or (2) an individual functioning outside
104.2 the family unit and having responsibilities for the care of the child such as a teacher, school
104.3 administrator, other school employees or agents, or other lawful custodian of a child having
104.4 either full-time or short-term care responsibilities including, but not limited to, day care,
104.5 babysitting whether paid or unpaid, counseling, teaching, and coaching.

104.6 (k) "Physical abuse" means any physical injury, mental injury, or threatened injury,
104.7 inflicted by a person responsible for the child's care on a child other than by accidental
104.8 means, or any physical or mental injury that cannot reasonably be explained by the child's
104.9 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
104.10 that have not been authorized under section 125A.0942 or 245.825.

104.11 Abuse does not include reasonable and moderate physical discipline of a child
104.12 administered by a parent or legal guardian which does not result in an injury. Abuse does
104.13 not include the use of reasonable force by a teacher, principal, or school employee as allowed
104.14 by section 121A.582. Actions which are not reasonable and moderate include, but are not
104.15 limited to, any of the following:

104.16 (1) throwing, kicking, burning, biting, or cutting a child;

104.17 (2) striking a child with a closed fist;

104.18 (3) shaking a child under age three;

104.19 (4) striking or other actions which result in any nonaccidental injury to a child under 18
104.20 months of age;

104.21 (5) unreasonable interference with a child's breathing;

104.22 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

104.23 (7) striking a child under age one on the face or head;

104.24 (8) striking a child who is at least age one but under age four on the face or head, which
104.25 results in an injury;

104.26 (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
104.27 substances which were not prescribed for the child by a practitioner, in order to control or
104.28 punish the child; or other substances that substantially affect the child's behavior, motor
104.29 coordination, or judgment or that results in sickness or internal injury, or subjects the child
104.30 to medical procedures that would be unnecessary if the child were not exposed to the
104.31 substances;

105.1 (10) unreasonable physical confinement or restraint not permitted under section 609.379,
105.2 including but not limited to tying, caging, or chaining; or

105.3 (11) in a school facility or school zone, an act by a person responsible for the child's
105.4 care that is a violation under section 121A.58.

105.5 (l) "Practice of social services," for the purposes of subdivision 3, includes but is not
105.6 limited to employee assistance counseling and the provision of guardian ad litem and
105.7 parenting time expeditor services.

105.8 (m) "Report" means any communication received by the local welfare agency, police
105.9 department, county sheriff, or agency responsible for child protection pursuant to this section
105.10 that describes neglect or physical or sexual abuse of a child and contains sufficient content
105.11 to identify the child and any person believed to be responsible for the neglect or abuse, if
105.12 known.

105.13 (n) "Sexual abuse" means the subjection of a child by a person responsible for the child's
105.14 care, by a person who has a significant relationship to the child, as defined in section 609.341,
105.15 or by a person in a position of authority, as defined in section 609.341, subdivision 10, to
105.16 any act which constitutes a violation of section 609.342 (criminal sexual conduct in the first
105.17 degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual
105.18 conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), ~~or~~
105.19 609.3451 (criminal sexual conduct in the fifth degree), or 609.352 (solicitation of children
105.20 to engage in sexual conduct; communication of sexually explicit materials to children).

105.21 Sexual abuse also includes any act which involves a minor which constitutes a violation of
105.22 prostitution offenses under sections 609.321 to 609.324 or 617.246. Effective May 29, 2017,
105.23 sexual abuse includes all reports of known or suspected child sex trafficking involving a
105.24 child who is identified as a victim of sex trafficking. Sexual abuse includes child sex
105.25 trafficking as defined in section 609.321, subdivisions 7a and 7b. Sexual abuse includes
105.26 threatened sexual abuse which includes the status of a parent or household member who
105.27 has committed a violation which requires registration as an offender under section 243.166,
105.28 subdivision 1b, paragraph (a) or (b), or required registration under section 243.166,
105.29 subdivision 1b, paragraph (a) or (b).

105.30 (o) "Substantial child endangerment" means a person responsible for a child's care, by
105.31 act or omission, commits or attempts to commit an act against a child under their care that
105.32 constitutes any of the following:

105.33 (1) egregious harm as defined in section 260C.007, subdivision 14;

105.34 (2) abandonment under section 260C.301, subdivision 2;

- 106.1 (3) neglect as defined in paragraph (g), clause (2), that substantially endangers the child's
106.2 physical or mental health, including a growth delay, which may be referred to as failure to
106.3 thrive, that has been diagnosed by a physician and is due to parental neglect;
- 106.4 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;
- 106.5 (5) manslaughter in the first or second degree under section 609.20 or 609.205;
- 106.6 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;
- 106.7 (7) solicitation, inducement, and promotion of prostitution under section 609.322;
- 106.8 (8) criminal sexual conduct under sections 609.342 to 609.3451;
- 106.9 (9) solicitation of children to engage in sexual conduct under section 609.352;
- 106.10 (10) malicious punishment or neglect or endangerment of a child under section 609.377
106.11 or 609.378;
- 106.12 (11) use of a minor in sexual performance under section 617.246; or
- 106.13 (12) parental behavior, status, or condition which mandates that the county attorney file
106.14 a termination of parental rights petition under section 260C.503, subdivision 2.
- 106.15 (p) "Threatened injury" means a statement, overt act, condition, or status that represents
106.16 a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes,
106.17 but is not limited to, exposing a child to a person responsible for the child's care, as defined
106.18 in paragraph (j), clause (1), who has:
- 106.19 (1) subjected a child to, or failed to protect a child from, an overt act or condition that
106.20 constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a similar law
106.21 of another jurisdiction;
- 106.22 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
106.23 (b), clause (4), or a similar law of another jurisdiction;
- 106.24 (3) committed an act that has resulted in an involuntary termination of parental rights
106.25 under section 260C.301, or a similar law of another jurisdiction; or
- 106.26 (4) committed an act that has resulted in the involuntary transfer of permanent legal and
106.27 physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201,
106.28 subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law
106.29 of another jurisdiction.

107.1 A child is the subject of a report of threatened injury when the responsible social services
107.2 agency receives birth match data under paragraph (q) from the Department of Human
107.3 Services.

107.4 (q) Upon receiving data under section 144.225, subdivision 2b, contained in a birth
107.5 record or recognition of parentage identifying a child who is subject to threatened injury
107.6 under paragraph (p), the Department of Human Services shall send the data to the responsible
107.7 social services agency. The data is known as "birth match" data. Unless the responsible
107.8 social services agency has already begun an investigation or assessment of the report due
107.9 to the birth of the child or execution of the recognition of parentage and the parent's previous
107.10 history with child protection, the agency shall accept the birth match data as a report under
107.11 this section. The agency may use either a family assessment or investigation to determine
107.12 whether the child is safe. All of the provisions of this section apply. If the child is determined
107.13 to be safe, the agency shall consult with the county attorney to determine the appropriateness
107.14 of filing a petition alleging the child is in need of protection or services under section
107.15 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is
107.16 determined not to be safe, the agency and the county attorney shall take appropriate action
107.17 as required under section 260C.503, subdivision 2.

107.18 (r) Persons who conduct assessments or investigations under this section shall take into
107.19 account accepted child-rearing practices of the culture in which a child participates and
107.20 accepted teacher discipline practices, which are not injurious to the child's health, welfare,
107.21 and safety.

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

107.23 Sec. 24. Minnesota Statutes 2017 Supplement, section 626.556, subdivision 3, is amended
107.24 to read:

107.25 Subd. 3. **Persons mandated to report; persons voluntarily reporting.** (a) A person
107.26 who knows or has reason to believe a child is being neglected or physically or sexually
107.27 abused, as defined in subdivision 2, or has been neglected or physically or sexually abused
107.28 within the preceding three years, shall immediately report the information to the local welfare
107.29 agency, agency responsible for assessing or investigating the report, police department,
107.30 county sheriff, tribal social services agency, or tribal police department if the person is:

107.31 (1) a professional or professional's delegate who is engaged in the practice of the healing
107.32 arts, social services, hospital administration, psychological or psychiatric treatment, child
107.33 care, education, correctional supervision, probation and correctional services, or law
107.34 enforcement; ~~or~~

108.1 (2) employed as a member of the clergy and received the information while engaged in
108.2 ministerial duties, provided that a member of the clergy is not required by this subdivision
108.3 to report information that is otherwise privileged under section 595.02, subdivision 1,
108.4 paragraph (c); or

108.5 (3) a member of a board or other entity whose licensees perform work within a school
108.6 facility.

108.7 (b) Any person may voluntarily report to the local welfare agency, agency responsible
108.8 for assessing or investigating the report, police department, county sheriff, tribal social
108.9 services agency, or tribal police department if the person knows, has reason to believe, or
108.10 suspects a child is being or has been neglected or subjected to physical or sexual abuse.

108.11 (c) A person mandated to report physical or sexual child abuse or neglect occurring
108.12 within a licensed facility shall report the information to the agency responsible for licensing
108.13 or certifying the facility under sections 144.50 to 144.58; 241.021; 245A.01 to 245A.16;
108.14 or chapter 144H, 245D, or 245H; or a nonlicensed personal care provider organization as
108.15 defined in section 256B.0625, subdivision 19a. A health or corrections agency receiving a
108.16 report may request the local welfare agency to provide assistance pursuant to subdivisions
108.17 10, 10a, and 10b. A board or other entity whose licensees perform work within a school
108.18 facility, upon receiving a complaint of alleged maltreatment, shall provide information about
108.19 the circumstances of the alleged maltreatment to the commissioner of education. Section
108.20 13.03, subdivision 4, applies to data received by the commissioner of education from a
108.21 licensing entity.

108.22 (d) Notification requirements under subdivision 10 apply to all reports received under
108.23 this section.

108.24 (e) For purposes of this section, "immediately" means as soon as possible but in no event
108.25 longer than 24 hours.

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

108.27 Sec. 25. Minnesota Statutes 2016, section 626.556, subdivision 10, is amended to read:

108.28 **Subd. 10. Duties of local welfare agency and local law enforcement agency upon**
108.29 **receipt of report; mandatory notification between police or sheriff and agency.** (a) The
108.30 police department or the county sheriff shall immediately notify the local welfare agency
108.31 or agency responsible for child protection reports under this section orally and in writing
108.32 when a report is received. The local welfare agency or agency responsible for child protection
108.33 reports shall immediately notify the local police department or the county sheriff orally and

109.1 in writing when a report is received. The county sheriff and the head of every local welfare
109.2 agency, agency responsible for child protection reports, and police department shall each
109.3 designate a person within their agency, department, or office who is responsible for ensuring
109.4 that the notification duties of this paragraph are carried out. When the alleged maltreatment
109.5 occurred on tribal land, the local welfare agency or agency responsible for child protection
109.6 reports and the local police department or the county sheriff shall immediately notify the
109.7 tribe's social services agency and tribal law enforcement orally and in writing when a report
109.8 is received. When a police department or county sheriff receives a report or otherwise has
109.9 information indicating that a child has been the subject of physical abuse, sexual abuse, or
109.10 neglect by a person licensed by the Professional Educator Licensing and Standards Board
109.11 or Board of School Administrators, it shall, in addition to its other duties under this section,
109.12 immediately inform the licensing board.

109.13 (b) Upon receipt of a report, the local welfare agency shall determine whether to conduct
109.14 a family assessment or an investigation as appropriate to prevent or provide a remedy for
109.15 child maltreatment. The local welfare agency:

109.16 (1) shall conduct an investigation on reports involving sexual abuse or substantial child
109.17 endangerment;

109.18 (2) shall begin an immediate investigation if, at any time when it is using a family
109.19 assessment response, it determines that there is reason to believe that sexual abuse or
109.20 substantial child endangerment or a serious threat to the child's safety exists;

109.21 (3) may conduct a family assessment for reports that do not allege sexual abuse or
109.22 substantial child endangerment. In determining that a family assessment is appropriate, the
109.23 local welfare agency may consider issues of child safety, parental cooperation, and the need
109.24 for an immediate response;

109.25 (4) may conduct a family assessment on a report that was initially screened and assigned
109.26 for an investigation. In determining that a complete investigation is not required, the local
109.27 welfare agency must document the reason for terminating the investigation and notify the
109.28 local law enforcement agency if the local law enforcement agency is conducting a joint
109.29 investigation; and

109.30 (5) shall provide immediate notice, according to section 260.761, subdivision 2, to an
109.31 Indian child's tribe when the agency has reason to believe the family assessment or
109.32 investigation may involve an Indian child. For purposes of this clause, "immediate notice"
109.33 means notice provided within 24 hours.

110.1 If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or
110.2 individual functioning within the family unit as a person responsible for the child's care, or
110.3 sexual abuse by a person with a significant relationship to the child when that person resides
110.4 in the child's household or by a sibling, the local welfare agency shall immediately conduct
110.5 a family assessment or investigation as identified in clauses (1) to (4). In conducting a family
110.6 assessment or investigation, the local welfare agency shall gather information on the existence
110.7 of substance abuse and domestic violence and offer services for purposes of preventing
110.8 future child maltreatment, safeguarding and enhancing the welfare of the abused or neglected
110.9 minor, and supporting and preserving family life whenever possible. If the report alleges a
110.10 violation of a criminal statute involving sexual abuse, physical abuse, or neglect or
110.11 endangerment, under section 609.378, the local law enforcement agency and local welfare
110.12 agency shall coordinate the planning and execution of their respective investigation and
110.13 assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews.
110.14 Each agency shall prepare a separate report of the results of its investigation or assessment.
110.15 In cases of alleged child maltreatment resulting in death, the local agency may rely on the
110.16 fact-finding efforts of a law enforcement investigation to make a determination of whether
110.17 or not maltreatment occurred. When necessary the local welfare agency shall seek authority
110.18 to remove the child from the custody of a parent, guardian, or adult with whom the child is
110.19 living. In performing any of these duties, the local welfare agency shall maintain appropriate
110.20 records.

110.21 If the family assessment or investigation indicates there is a potential for abuse of alcohol
110.22 or other drugs by the parent, guardian, or person responsible for the child's care, the local
110.23 welfare agency shall conduct a chemical use assessment pursuant to Minnesota Rules, part
110.24 9530.6615.

110.25 (c) When a local agency receives a report or otherwise has information indicating that
110.26 a child who is a client, as defined in section 245.91, has been the subject of physical abuse,
110.27 sexual abuse, or neglect at an agency, facility, or program as defined in section 245.91, it
110.28 shall, in addition to its other duties under this section, immediately inform the ombudsman
110.29 established under sections 245.91 to 245.97. The commissioner of education shall inform
110.30 the ombudsman established under sections 245.91 to 245.97 of reports regarding a child
110.31 defined as a client in section 245.91 that maltreatment occurred at a school as defined in
110.32 section 120A.05, subdivisions 9, 11, and 13, and chapter 124E.

110.33 (d) Authority of the local welfare agency responsible for assessing or investigating the
110.34 child abuse or neglect report, the agency responsible for assessing or investigating the report,
110.35 and of the local law enforcement agency for investigating the alleged abuse or neglect

111.1 includes, but is not limited to, authority to interview, without parental consent, the alleged
111.2 victim and any other minors who currently reside with or who have resided with the alleged
111.3 offender. The interview may take place at school or at any facility or other place where the
111.4 alleged victim or other minors might be found or the child may be transported to, and the
111.5 interview conducted at, a place appropriate for the interview of a child designated by the
111.6 local welfare agency or law enforcement agency. The interview may take place outside the
111.7 presence of the alleged offender or parent, legal custodian, guardian, or school official. For
111.8 family assessments, it is the preferred practice to request a parent or guardian's permission
111.9 to interview the child prior to conducting the child interview, unless doing so would
111.10 compromise the safety assessment. Except as provided in this paragraph, the parent, legal
111.11 custodian, or guardian shall be notified by the responsible local welfare or law enforcement
111.12 agency no later than the conclusion of the investigation or assessment that this interview
111.13 has occurred. Notwithstanding rule 32 of the Minnesota Rules of Procedure for Juvenile
111.14 Courts, the juvenile court may, after hearing on an ex parte motion by the local welfare
111.15 agency, order that, where reasonable cause exists, the agency withhold notification of this
111.16 interview from the parent, legal custodian, or guardian. If the interview took place or is to
111.17 take place on school property, the order shall specify that school officials may not disclose
111.18 to the parent, legal custodian, or guardian the contents of the notification of intent to interview
111.19 the child on school property, as provided under this paragraph, and any other related
111.20 information regarding the interview that may be a part of the child's school record. A copy
111.21 of the order shall be sent by the local welfare or law enforcement agency to the appropriate
111.22 school official.

111.23 (e) When the local welfare, local law enforcement agency, or the agency responsible
111.24 for assessing or investigating a report of maltreatment determines that an interview should
111.25 take place on school property, written notification of intent to interview the child on school
111.26 property must be received by school officials prior to the interview. The notification shall
111.27 include the name of the child to be interviewed, the purpose of the interview, and a reference
111.28 to the statutory authority to conduct an interview on school property. For interviews
111.29 conducted by the local welfare agency, the notification shall be signed by the chair of the
111.30 local social services agency or the chair's designee. The notification shall be private data
111.31 on individuals subject to the provisions of this paragraph. School officials may not disclose
111.32 to the parent, legal custodian, or guardian the contents of the notification or any other related
111.33 information regarding the interview until notified in writing by the local welfare or law
111.34 enforcement agency that the investigation or assessment has been concluded, unless a school
111.35 employee or agent is alleged to have maltreated the child. Until that time, the local welfare
111.36 or law enforcement agency or the agency responsible for assessing or investigating a report

112.1 of maltreatment shall be solely responsible for any disclosures regarding the nature of the
112.2 assessment or investigation.

112.3 Except where the alleged offender is believed to be a school official or employee, the
112.4 time and place, and manner of the interview on school premises shall be within the discretion
112.5 of school officials, but the local welfare or law enforcement agency shall have the exclusive
112.6 authority to determine who may attend the interview. The conditions as to time, place, and
112.7 manner of the interview set by the school officials shall be reasonable and the interview
112.8 shall be conducted not more than 24 hours after the receipt of the notification unless another
112.9 time is considered necessary by agreement between the school officials and the local welfare
112.10 or law enforcement agency. Where the school fails to comply with the provisions of this
112.11 paragraph, the juvenile court may order the school to comply. Every effort must be made
112.12 to reduce the disruption of the educational program of the child, other students, or school
112.13 staff when an interview is conducted on school premises.

112.14 (f) Where the alleged offender or a person responsible for the care of the alleged victim
112.15 or other minor prevents access to the victim or other minor by the local welfare agency, the
112.16 juvenile court may order the parents, legal custodian, or guardian to produce the alleged
112.17 victim or other minor for questioning by the local welfare agency or the local law
112.18 enforcement agency outside the presence of the alleged offender or any person responsible
112.19 for the child's care at reasonable places and times as specified by court order.

112.20 (g) Before making an order under paragraph (f), the court shall issue an order to show
112.21 cause, either upon its own motion or upon a verified petition, specifying the basis for the
112.22 requested interviews and fixing the time and place of the hearing. The order to show cause
112.23 shall be served personally and shall be heard in the same manner as provided in other cases
112.24 in the juvenile court. The court shall consider the need for appointment of a guardian ad
112.25 litem to protect the best interests of the child. If appointed, the guardian ad litem shall be
112.26 present at the hearing on the order to show cause.

112.27 (h) The commissioner of human services, the ombudsman for mental health and
112.28 developmental disabilities, the local welfare agencies responsible for investigating reports,
112.29 the commissioner of education, and the local law enforcement agencies have the right to
112.30 enter facilities as defined in subdivision 2 and to inspect and copy the facility's records,
112.31 including medical records, as part of the investigation. Notwithstanding the provisions of
112.32 chapter 13, they also have the right to inform the facility under investigation that they are
112.33 conducting an investigation, to disclose to the facility the names of the individuals under
112.34 investigation for abusing or neglecting a child, and to provide the facility with a copy of
112.35 the report and the investigative findings.

113.1 (i) The local welfare agency responsible for conducting a family assessment or
113.2 investigation shall collect available and relevant information to determine child safety, risk
113.3 of subsequent child maltreatment, and family strengths and needs and share not public
113.4 information with an Indian's tribal social services agency without violating any law of the
113.5 state that may otherwise impose duties of confidentiality on the local welfare agency in
113.6 order to implement the tribal state agreement. The local welfare agency or the agency
113.7 responsible for investigating the report shall collect available and relevant information to
113.8 ascertain whether maltreatment occurred and whether protective services are needed.
113.9 Information collected includes, when relevant, information with regard to the person reporting
113.10 the alleged maltreatment, including the nature of the reporter's relationship to the child and
113.11 to the alleged offender, and the basis of the reporter's knowledge for the report; the child
113.12 allegedly being maltreated; the alleged offender; the child's caretaker; and other collateral
113.13 sources having relevant information related to the alleged maltreatment. The local welfare
113.14 agency or the agency responsible for investigating the report may make a determination of
113.15 no maltreatment early in an investigation, and close the case and retain immunity, if the
113.16 collected information shows no basis for a full investigation.

113.17 Information relevant to the assessment or investigation must be asked for, and may
113.18 include:

113.19 (1) the child's sex and age; prior reports of maltreatment, including any maltreatment
113.20 reports that were screened out and not accepted for assessment or investigation; information
113.21 relating to developmental functioning; credibility of the child's statement; and whether the
113.22 information provided under this clause is consistent with other information collected during
113.23 the course of the assessment or investigation;

113.24 (2) the alleged offender's age, a record check for prior reports of maltreatment, and
113.25 criminal charges and convictions. The local welfare agency or the agency responsible for
113.26 assessing or investigating the report must provide the alleged offender with an opportunity
113.27 to make a statement. The alleged offender may submit supporting documentation relevant
113.28 to the assessment or investigation;

113.29 (3) collateral source information regarding the alleged maltreatment and care of the
113.30 child. Collateral information includes, when relevant: (i) a medical examination of the child;
113.31 (ii) prior medical records relating to the alleged maltreatment or the care of the child
113.32 maintained by any facility, clinic, or health care professional and an interview with the
113.33 treating professionals; and (iii) interviews with the child's caretakers, including the child's
113.34 parent, guardian, foster parent, child care provider, teachers, counselors, family members,

114.1 relatives, and other persons who may have knowledge regarding the alleged maltreatment
114.2 and the care of the child; and

114.3 (4) information on the existence of domestic abuse and violence in the home of the child,
114.4 and substance abuse.

114.5 Nothing in this paragraph precludes the local welfare agency, the local law enforcement
114.6 agency, or the agency responsible for assessing or investigating the report from collecting
114.7 other relevant information necessary to conduct the assessment or investigation.

114.8 Notwithstanding sections 13.384 or 144.291 to 144.298, the local welfare agency has access
114.9 to medical data and records for purposes of clause (3). Notwithstanding the data's
114.10 classification in the possession of any other agency, data acquired by the local welfare
114.11 agency or the agency responsible for assessing or investigating the report during the course
114.12 of the assessment or investigation are private data on individuals and must be maintained
114.13 in accordance with subdivision 11. Data of the commissioner of education collected or
114.14 maintained during and for the purpose of an investigation of alleged maltreatment in a school
114.15 are governed by this section, notwithstanding the data's classification as educational,
114.16 licensing, or personnel data under chapter 13.

114.17 In conducting an assessment or investigation involving a school facility as defined in
114.18 subdivision 2, paragraph (c), the commissioner of education shall collect investigative
114.19 reports and data that are relevant to a report of maltreatment and are from local law
114.20 enforcement and the school facility.

114.21 (j) Upon receipt of a report, the local welfare agency shall conduct a face-to-face contact
114.22 with the child reported to be maltreated and with the child's primary caregiver sufficient to
114.23 complete a safety assessment and ensure the immediate safety of the child. The face-to-face
114.24 contact with the child and primary caregiver shall occur immediately if sexual abuse or
114.25 substantial child endangerment is alleged and within five calendar days for all other reports.
114.26 If the alleged offender was not already interviewed as the primary caregiver, the local welfare
114.27 agency shall also conduct a face-to-face interview with the alleged offender in the early
114.28 stages of the assessment or investigation. At the initial contact, the local child welfare agency
114.29 or the agency responsible for assessing or investigating the report must inform the alleged
114.30 offender of the complaints or allegations made against the individual in a manner consistent
114.31 with laws protecting the rights of the person who made the report. The interview with the
114.32 alleged offender may be postponed if it would jeopardize an active law enforcement
114.33 investigation.

115.1 (k) When conducting an investigation, the local welfare agency shall use a question and
115.2 answer interviewing format with questioning as nondirective as possible to elicit spontaneous
115.3 responses. For investigations only, the following interviewing methods and procedures must
115.4 be used whenever possible when collecting information:

115.5 (1) audio recordings of all interviews with witnesses and collateral sources; and

115.6 (2) in cases of alleged sexual abuse, audio-video recordings of each interview with the
115.7 alleged victim and child witnesses.

115.8 (l) In conducting an assessment or investigation involving a school facility as defined
115.9 in subdivision 2, paragraph (c), the commissioner of education shall collect available and
115.10 relevant information and use the procedures in paragraphs (j) and (k), and subdivision 3d,
115.11 except that the requirement for face-to-face observation of the child and face-to-face interview
115.12 of the alleged offender is to occur in the initial stages of the assessment or investigation
115.13 provided that the commissioner may also base the assessment or investigation on investigative
115.14 reports and data received from the school facility and local law enforcement, to the extent
115.15 those investigations satisfy the requirements of paragraphs (j) and (k), and subdivision 3d.

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

115.17 Sec. 26. Minnesota Statutes 2017 Supplement, section 626.556, subdivision 10e, is amended
115.18 to read:

115.19 Subd. 10e. **Determinations.** (a) The local welfare agency shall conclude the family
115.20 assessment or the investigation within 45 days of the receipt of a report. The conclusion of
115.21 the assessment or investigation may be extended to permit the completion of a criminal
115.22 investigation or the receipt of expert information requested within 45 days of the receipt of
115.23 the report.

115.24 (b) After conducting a family assessment, the local welfare agency shall determine
115.25 whether services are needed to address the safety of the child and other family members
115.26 and the risk of subsequent maltreatment.

115.27 (c) After conducting an investigation, the local welfare agency shall make two
115.28 determinations: first, whether maltreatment has occurred; and second, whether child
115.29 protective services are needed. No determination of maltreatment shall be made when the
115.30 alleged perpetrator is a child under the age of ten.

115.31 (d) If the commissioner of education conducts an assessment or investigation, the
115.32 commissioner shall determine whether maltreatment occurred and what corrective or
115.33 protective action was taken by the school facility. If a determination is made that

116.1 maltreatment has occurred, the commissioner shall report to the employer, the school board,
116.2 and any appropriate licensing entity the determination that maltreatment occurred and what
116.3 corrective or protective action was taken by the school facility. In all other cases, the
116.4 commissioner shall inform the school board or employer and any appropriate licensing
116.5 entity that a report was received, the subject of the report, the date of the initial report, the
116.6 category of maltreatment alleged as defined in paragraph (f), the fact that maltreatment was
116.7 not determined, and a summary of the specific reasons for the determination.

116.8 (e) When maltreatment is determined in an investigation involving a facility, the
116.9 investigating agency shall also determine whether the facility or individual was responsible,
116.10 or whether both the facility and the individual were responsible for the maltreatment using
116.11 the mitigating factors in paragraph (i). Determinations under this subdivision must be made
116.12 based on a preponderance of the evidence and are private data on individuals or nonpublic
116.13 data as maintained by the commissioner of education.

116.14 (f) For the purposes of this subdivision, "maltreatment" means any of the following acts
116.15 or omissions:

116.16 (1) physical abuse as defined in subdivision 2, paragraph (k);

116.17 (2) neglect as defined in subdivision 2, paragraph (g);

116.18 (3) sexual abuse as defined in subdivision 2, paragraph (n);

116.19 (4) mental injury as defined in subdivision 2, paragraph (f); or

116.20 (5) maltreatment of a child in a facility as defined in subdivision 2, paragraph (c).

116.21 (g) For the purposes of this subdivision, a determination that child protective services
116.22 are needed means that the local welfare agency has documented conditions during the
116.23 assessment or investigation sufficient to cause a child protection worker, as defined in
116.24 section 626.559, subdivision 1, to conclude that a child is at significant risk of maltreatment
116.25 if protective intervention is not provided and that the individuals responsible for the child's
116.26 care have not taken or are not likely to take actions to protect the child from maltreatment
116.27 or risk of maltreatment.

116.28 (h) This subdivision does not mean that maltreatment has occurred solely because the
116.29 child's parent, guardian, or other person responsible for the child's care in good faith selects
116.30 and depends upon spiritual means or prayer for treatment or care of disease or remedial care
116.31 of the child, in lieu of medical care. However, if lack of medical care may result in serious
116.32 danger to the child's health, the local welfare agency may ensure that necessary medical
116.33 services are provided to the child.

117.1 (i) When determining whether the facility or individual is the responsible party, or
117.2 whether both the facility and the individual are responsible for determined maltreatment in
117.3 a facility, the investigating agency shall consider at least the following mitigating factors:

117.4 (1) whether the actions of the facility or the individual caregivers were according to,
117.5 and followed the terms of, an erroneous physician order, prescription, individual care plan,
117.6 or directive; however, this is not a mitigating factor when the facility or caregiver was
117.7 responsible for the issuance of the erroneous order, prescription, individual care plan, or
117.8 directive or knew or should have known of the errors and took no reasonable measures to
117.9 correct the defect before administering care;

117.10 (2) comparative responsibility between the facility, other caregivers, and requirements
117.11 placed upon an employee, including the facility's compliance with related regulatory standards
117.12 and the adequacy of facility policies and procedures, facility training, an individual's
117.13 participation in the training, the caregiver's supervision, and facility staffing levels and the
117.14 scope of the individual employee's authority and discretion; and

117.15 (3) whether the facility or individual followed professional standards in exercising
117.16 professional judgment.

117.17 The evaluation of the facility's responsibility under clause (2) must not be based on the
117.18 completeness of the risk assessment or risk reduction plan required under section 245A.66,
117.19 but must be based on the facility's compliance with the regulatory standards for policies
117.20 and procedures, training, and supervision as cited in Minnesota Statutes and Minnesota
117.21 Rules.

117.22 (j) Notwithstanding paragraph (i), when maltreatment is determined to have been
117.23 committed by an individual who is also the facility license or certification holder, both the
117.24 individual and the facility must be determined responsible for the maltreatment, and both
117.25 the background study disqualification standards under section 245C.15, subdivision 4, and
117.26 the licensing or certification actions under section 245A.06, 245A.07, 245H.06, or 245H.07
117.27 apply.

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

117.29 Sec. 27. Minnesota Statutes 2016, section 631.40, subdivision 1a, is amended to read:

117.30 Subd. 1a. **Certified copy of disqualifying offense convictions sent to public safety**
117.31 **and school districts.** When a person is convicted of committing a disqualifying offense,
117.32 as defined in section 171.3215, subdivision 1, a gross misdemeanor, a fourth moving violation
117.33 within the previous three years, or a violation of section 169A.20, or a similar statute or

118.1 ordinance from another state, or if the person received a stay of adjudication for an offense
118.2 that, if convicted of, would require predatory offender registration under section 243.166,
118.3 the court shall determine whether the offender is a school bus driver as defined in section
118.4 171.3215, subdivision 1, whether the offender possesses a school bus driver's endorsement
118.5 on the offender's driver's license and in what school districts the offender drives a school
118.6 bus. If the offender is a school bus driver or possesses a school bus driver's endorsement,
118.7 the court administrator shall send a certified copy of the conviction or stay of adjudication
118.8 to the Department of Public Safety and to the school districts in which the offender drives
118.9 a school bus within ten days after the conviction or stay of adjudication.

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

118.11 Sec. 28. **SURVEY OF TEACHER PREPARATION PROGRAMS.**

118.12 The Professional Educator Licensing and Standards Board must survey board-approved
118.13 teacher preparation programs for teachers of elementary education, early childhood education,
118.14 special education, and reading intervention to determine the extent of dyslexia instruction
118.15 offered by the programs. The board may consult with the dyslexia specialist at the Department
118.16 of Education when developing the survey and reviewing the teacher preparation program
118.17 responses. The board must report its findings to the chairs and ranking minority members
118.18 of the committees of the legislature having jurisdiction over kindergarten through grade 12
118.19 education policy and finance by January 2, 2019. The report must include information on
118.20 teacher preparation program instruction on screening for characteristics of dyslexia,
118.21 evidence-based instructional strategies for students showing characteristics of dyslexia, and
118.22 best practices for assisting students showing characteristics of dyslexia and their families.
118.23 The report must be submitted in accordance with Minnesota Statutes, section 3.195.

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

118.25 Sec. 29. **REPEALER.**

118.26 Minnesota Statutes 2017 Supplement, section 122A.09, subdivision 1, and Minnesota
118.27 Rules, part 8710.2100, subparts 1 and 2, are repealed.

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

118.29

ARTICLE 5

118.30

SPECIAL EDUCATION

118.31 Section 1. Minnesota Statutes 2016, section 125A.76, subdivision 1, is amended to read:

119.1 Subdivision 1. **Definitions.** (a) For the purposes of this section and section 125A.79,
119.2 the definitions in this subdivision apply.

119.3 (b) "Basic revenue" has the meaning given it in section 126C.10, subdivision 2. For the
119.4 purposes of computing basic revenue pursuant to this section, each child with a disability
119.5 shall be counted as prescribed in section 126C.05, subdivision 1.

119.6 (c) "Essential personnel" means teachers, cultural liaisons, related services, and support
119.7 services staff providing services to students. Essential personnel may also include special
119.8 education paraprofessionals or clericals providing support to teachers and students by
119.9 preparing paperwork and making arrangements related to special education compliance
119.10 requirements, including parent meetings and individualized education programs. Essential
119.11 personnel does not include administrators and supervisors.

119.12 (d) "Average daily membership" has the meaning given it in section 126C.05.

119.13 (e) "Program growth factor" means ~~1.046 for fiscal years 2012 through 2015, 1.0 for~~
119.14 ~~fiscal year 2016, 1.046 for fiscal year 2017, and~~ the product of 1.046 and the program growth
119.15 factor for the previous year for fiscal year 2018 and later.

119.16 (f) "Nonfederal special education expenditure" means all direct expenditures that are
119.17 necessary and essential to meet the district's obligation to provide special instruction and
119.18 services to children with a disability according to sections 124D.454, 125A.03 to 125A.24,
119.19 125A.259 to 125A.48, and 125A.65 as submitted by the district and approved by the
119.20 department under section 125A.75, subdivision 4, excluding expenditures:

119.21 (1) reimbursed with federal funds;

119.22 (2) reimbursed with other state aids under this chapter;

119.23 (3) for general education costs of serving students with a disability;

119.24 (4) for facilities;

119.25 (5) for pupil transportation; and

119.26 (6) for postemployment benefits.

119.27 (g) "Old formula special education expenditures" means expenditures eligible for revenue
119.28 under Minnesota Statutes 2012, section 125A.76, subdivision 2.

119.29 (h) For the Minnesota State Academy for the Deaf and the Minnesota State Academy
119.30 for the Blind, expenditures under paragraphs (f) and (g) are limited to the salary and fringe
119.31 benefits of one-to-one instructional and behavior management aides and one-to-one licensed,

120.1 certified professionals assigned to a child attending the academy, if the aides or professionals
120.2 are required by the child's individualized education program.

120.3 ~~(i) "Cross subsidy reduction aid percentage" means 1.0 percent for fiscal year 2014 and~~
120.4 ~~2.27 percent for fiscal year 2015.~~

120.5 ~~(j) "Cross subsidy reduction aid limit" means \$20 for fiscal year 2014 and \$48 for fiscal~~
120.6 ~~year 2015.~~

120.7 ~~(k)~~ (i) "Special education aid increase limit" means \$80 for fiscal year 2016, \$100 for
120.8 fiscal year 2017, and, for fiscal year 2018 and later, the sum of the special education aid
120.9 increase limit for the previous fiscal year and \$40.

120.10 ~~(h)~~ (j) "District" means a school district, a charter school, or a cooperative unit as defined
120.11 in section 123A.24, subdivision 2. Notwithstanding section 123A.26, cooperative units as
120.12 defined in section 123A.24, subdivision 2, are eligible to receive special education aid under
120.13 this section and section 125A.79.

120.14 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2019 and later.

120.15 Sec. 2. Laws 2017, First Special Session chapter 5, article 4, section 11, is amended to
120.16 read:

120.17 Sec. 11. **SPECIAL EDUCATION ADJUSTMENT; MONTICELLO SCHOOL**
120.18 **DISTRICT.**

120.19 (a) Notwithstanding Minnesota Statutes, sections 125A.76 and 127A.45, special education
120.20 aid payments to Independent School District No. 882, Monticello, must be increased by
120.21 \$800,000 in fiscal year 2018 to mitigate cash flow problems created by an unforeseeable
120.22 reduction in the district's special education aid for fiscal year 2016 as a result of the combined
120.23 effects of converting from a host district cooperative to a joint powers cooperative and
120.24 implementation of a new special education aid formula in the same fiscal year.

120.25 (b) Special education aid payments to Independent School District No. 882, Monticello,
120.26 must not be reduced by the same amount in fiscal year 2019 to offset the fiscal year 2018
120.27 increase.

120.28 (c) In addition to paragraphs (a) and (b), special education aid payments to Independent
120.29 School District No. 882, Monticello, must be increased by an additional \$800,000 for fiscal
120.30 year 2019.

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

121.1 Sec. 3. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 2, as
 121.2 amended by Laws 2017, First Special Session chapter 7, section 12, is amended to read:

121.3 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
 121.4 section 125A.75:

121.5		1,341,161,000		
121.6	\$	<u>1,366,903,000</u>	.....	2018
121.7		1,426,827,000		
121.8	\$	<u>1,469,521,000</u>	.....	2019

121.9 The 2018 appropriation includes \$156,403,000 for 2017 and ~~\$1,184,758,000~~
 121.10 \$1,210,500,000 for 2018.

121.11 The 2019 appropriation includes ~~\$166,667,000~~ \$170,291,000 for 2018 and
 121.12 ~~\$1,260,160,000~~ \$1,299,230,000 for 2019.

121.13 Sec. 4. **SPECIAL EDUCATION WORKING GROUP.**

121.14 Subdivision 1. Duties. (a) A working group on special education is created to review
 121.15 special education delivery and costs in Minnesota and submit a written report to the
 121.16 legislature recommending changes to contain costs. The report must:

121.17 (1) review how school districts, charter schools, intermediate school districts, special
 121.18 education cooperatives, education districts, and service cooperatives deliver special education
 121.19 services, and the costs and benefits associated with each model;

121.20 (2) compare relevant state and federal special education laws and regulations by reviewing
 121.21 the 2013 evaluation report by the Office of the Legislative Auditor on special education
 121.22 and other publicly available reports;

121.23 (3) analyze trends in special education enrollment and the reasons for the increased
 121.24 proportion of Minnesota students receiving special education, including identifying disparities
 121.25 in student identification;

121.26 (4) identify strategies or programs that would be effective in reducing the need for special
 121.27 education services or could provide less-intensive special education services, when
 121.28 appropriate;

121.29 (5) analyze funding for children receiving special education services in a nonresident
 121.30 district or charter school in accordance with Minnesota Statutes, sections 124E.21, 125A.11,
 121.31 and 127A.47;

121.32 (6) analyze the effect of the 2013 statutory changes to the state special education funding
 121.33 formula, including interactions and conformity with federal funding formulas;

122.1 (7) describe how school districts and charter schools use section 504 plans, including
122.2 criteria used to determine when a section 504 plan is appropriate and the prevalence of
122.3 section 504 plans in school districts and charter schools; and

122.4 (8) review the 2013 evaluation report by the Office of the Legislative Auditor on special
122.5 education and whether any recommendations have been enacted or implemented.

122.6 (b) In making its recommendations, the special education working group must develop
122.7 a ten-year strategic plan informed by the findings in paragraph (a) to help reduce the costs
122.8 contributing to the special education cross-subsidy and overall special education funding.

122.9 Subd. 2. **Members.** (a) By June 1, 2018, the executive director of the following
122.10 organizations may appoint one representative of that organization to serve as a member of
122.11 the working group:

122.12 (1) the National Alliance on Mental Illness Minnesota;

122.13 (2) the Parent Advocacy Coalition for Educational Rights;

122.14 (3) the Minnesota School Boards Association;

122.15 (4) the Minnesota Administrators for Special Education;

122.16 (5) the Minnesota Association of Charter Schools;

122.17 (6) Education Minnesota;

122.18 (7) the Minnesota Rural Education Association;

122.19 (8) the Association of Metropolitan School Districts;

122.20 (9) The Arc Minnesota;

122.21 (10) the Autism Society of Minnesota;

122.22 (11) the Minnesota Disability Law Center;

122.23 (12) the Minnesota Alliance with Youth;

122.24 (13) the Minnesota Education Equity Partnership;

122.25 (14) Service Employees International Union Local 284;

122.26 (15) the Minnesota Association of School Administrators;

122.27 (16) the Minnesota Association of School Business Officials;

122.28 (17) the Minnesota Association of Alternative Programs;

122.29 (18) Schools for Equity in Education;

- 123.1 (19) Decoding Dyslexia Minnesota; and
- 123.2 (20) the Minnesota Elementary School Principals' Association.
- 123.3 (b) The commissioner of education must solicit applications for membership in the
- 123.4 working group, and based on the applications received, designate by June 25, 2018, the
- 123.5 following individuals to serve as members of the working group:
- 123.6 (1) a representative from an intermediate school district;
- 123.7 (2) a representative from a special education cooperative, education district, or service
- 123.8 cooperative;
- 123.9 (3) a representative from the Governor's Council on Developmental Disabilities;
- 123.10 (4) a representative from the Commission of Deaf, DeafBlind and Hard of Hearing
- 123.11 Minnesotans;
- 123.12 (5) a representative from a school district in a city of the first class;
- 123.13 (6) two students receiving special education services and a parent of a student receiving
- 123.14 special education services; and
- 123.15 (7) one representative of a nonprofit organization specializing in early childhood
- 123.16 education issues.
- 123.17 Subd. 3. **Meetings.** The commissioner of education, or the commissioner's designee,
- 123.18 must convene the first meeting of the working group no later than July 15, 2018. The working
- 123.19 group must select a chair or cochairs from among its members at the first meeting. The
- 123.20 working group must meet periodically. Meetings of the working group must be open to the
- 123.21 public.
- 123.22 Subd. 4. **Compensation.** Working group members are not eligible to receive expenses
- 123.23 or per diem payments for serving on the working group.
- 123.24 Subd. 5. **Administrative support.** The commissioner of education must provide technical
- 123.25 and administrative assistance to the working group upon request.
- 123.26 Subd. 6. **Report.** (a) By January 15, 2019, the working group must submit a report
- 123.27 providing its findings and recommendations to the chairs and ranking minority members
- 123.28 of the legislative committees with jurisdiction over kindergarten through grade 12 education.
- 123.29 (b) The legislature convening in January 2019 is encouraged to convene a legislative
- 123.30 study group to review the recommendations and ten-year strategic plan to develop its own
- 123.31 recommendations for legislative changes, as necessary.

124.1 Subd. 7. Expiration. The working group expires on January 16, 2019, unless extended
124.2 by law.

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

124.4 ARTICLE 6

124.5 FACILITIES, TECHNOLOGY, AND LIBRARIES

124.6 Section 1. Minnesota Statutes 2016, section 123B.52, subdivision 6, is amended to read:

124.7 Subd. 6. **Disposing of surplus school computers.** (a) Notwithstanding section 471.345,
124.8 governing school district contracts made upon sealed bid or otherwise complying with the
124.9 requirements for competitive bidding, other provisions of this section governing school
124.10 district contracts, or other law to the contrary, a school district under this subdivision may
124.11 dispose of school computers, including a tablet device, according to this subdivision.

124.12 (b) A school district may dispose of a surplus school computer and related equipment
124.13 if the district disposes of the surplus property by conveying the property and title to:

124.14 (1) another school district;

124.15 (2) the state Department of Corrections;

124.16 (3) the Board of Trustees of the Minnesota State Colleges and Universities; or

124.17 (4) the family of a student residing in the district whose total family income meets the
124.18 federal definition of poverty.

124.19 (c) If surplus school computers are not disposed of under paragraph (b), upon adoption
124.20 of a written resolution of the school board, when updating or replacing school computers,
124.21 including tablet devices, used primarily by students, a school district may sell or give used
124.22 computers or tablets to qualifying students at the price specified in the written resolution.

124.23 A student is eligible to apply to the school board for a computer or tablet under this
124.24 subdivision if the student is currently enrolled in the school and intends to enroll in the
124.25 school in the year following the receipt of the computer or tablet. If more students apply
124.26 for computers or tablets than are available, the school must first qualify students whose
124.27 family is eligible for free or reduced-price meals, and then dispose of the remaining
124.28 computers or tablets by lottery.

124.29 EFFECTIVE DATE. This section is effective July 1, 2018.

125.1 Sec. 2. Minnesota Statutes 2016, section 123B.595, is amended by adding a subdivision
125.2 to read:

125.3 Subd. 13. Allocation from districts participating in agreements for secondary
125.4 education or interdistrict cooperation. For purposes of this section, a district with revenue
125.5 authority under subdivision 1 for indoor air quality, fire alarm and suppression, and asbestos
125.6 abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000
125.7 or more per site and that participates in an agreement under section 123A.30 or 123A.32
125.8 may allocate the revenue authority among participating districts.

125.9 Sec. 3. Minnesota Statutes 2016, section 124E.03, subdivision 5, is amended to read:

125.10 Subd. 5. **Records and data requirements.** (a) A charter school must comply with
125.11 chapter 13 governing government data; and sections 121A.75 governing access to juvenile
125.12 justice records, and 260B.171, subdivisions 3 and 5, governing juvenile justice records.

125.13 (b) A charter school must comply with section 120A.22, subdivision 7, governing the
125.14 transfer of students' educational records and sections 138.163 and 138.17 governing the
125.15 management of local records.

125.16 (c) A charter school must comply with sections 125B.27 to 125B.28, governing
125.17 technology providers, school-issued devices, and educational data. A technology provider
125.18 contracting with a charter school must comply with sections 125B.27 to 125B.28.

125.19 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

125.20 Sec. 4. **[125B.27] TECHNOLOGY PROVIDER REQUIREMENTS.**

125.21 Subdivision 1. Technology provider definition. (a) "Technology provider" means a
125.22 person or entity who:

125.23 (1) provides technological devices for student use or provides access to a software or
125.24 online application; and

125.25 (2) creates, receives, or maintains educational data pursuant or incidental to a contract
125.26 with a school district.

125.27 (b) A technology provider does not include a not-for-profit organization that has the
125.28 primary purpose of expanding student access to postsecondary education and that obtains
125.29 a student's consent to utilize a student's personal information from education records for
125.30 that purpose.

126.1 Subd. 2. Educational data. (a) A technology provider is subject to the provisions of
126.2 section 13.05, subdivision 11. An assignee or delegee that creates, receives, or maintains
126.3 educational data is subject to the same restrictions and obligations under this section as the
126.4 technology provider.

126.5 (b) Educational data created, received, or maintained by a technology provider pursuant
126.6 or incidental to a contract with a school district are not the technology provider's property.

126.7 (c) If educational data maintained by the technology provider are subject to a breach of
126.8 the security of the data, as defined in section 13.055, the technology provider must, following
126.9 discovery of the breach, disclose to the school district all information necessary to fulfill
126.10 the requirements of section 13.055.

126.11 (d) Unless renewal of the contract is reasonably anticipated, within 30 days of the
126.12 expiration of the contract, a technology provider must destroy or return to the appropriate
126.13 school district all educational data created, received, or maintained pursuant or incidental
126.14 to the contract.

126.15 Subd. 3. Procedures. (a) A technology provider must establish written procedures to
126.16 ensure appropriate security safeguards are in place for educational data. A technology
126.17 provider's written procedures must require that:

126.18 (1) only authorized employees or contractors can access the educational data;

126.19 (2) a person is authorized to access educational data only if access is necessary to fulfill
126.20 official duties; and

126.21 (3) all actions in which educational data are entered, updated, accessed, shared, or
126.22 disseminated are recorded in a log-of-use that includes the identity of the person interacting
126.23 with the data and what action was performed. Information recorded in the log-of-use must
126.24 be retained for at least one year.

126.25 (b) A technology provider's written procedures establishing security safeguards for
126.26 educational data are public data, unless classified as not public under any other applicable
126.27 law.

126.28 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

126.29 Sec. 5. **[125B.28] SCHOOL DISTRICT REQUIREMENTS.**

126.30 Subdivision 1. **Contract.** A school board must provide a person who requests a copy
126.31 of a contract with a technology provider, a copy of the contract within two weeks of the
126.32 request.

127.1 Subd. 2. **Training.** (a) To promote understanding of and compliance with applicable
127.2 provisions of sections 121A.065, 125B.27 to 125B.28, and the Family Educational Rights
127.3 and Privacy Act, United States Code, title 20, section 1232g, and its regulations as provided
127.4 by Code of Federal Regulations, title 34, part 99, a school district must:

127.5 (1) provide information on available trainings on compliance with applicable provisions
127.6 of law under this subdivision to all employees with access to educational data; and

127.7 (2) provide all employees and independent contractors with access to educational data
127.8 written materials on compliance with applicable provisions of law under this subdivision.

127.9 (b) A school district employee with access to educational data is encouraged to participate
127.10 in training opportunities provided by a school district under paragraph (a), including free
127.11 online training on the Family Educational Rights and Privacy Act.

127.12 (c) The commissioner of education must provide a school district with information on
127.13 how employees and independent contractors with access to educational data may access
127.14 written materials on compliance with applicable provisions of law, in accordance with
127.15 paragraph (a), clause (2).

127.16 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

127.17 Sec. 6. Minnesota Statutes 2016, section 134.355, subdivision 10, is amended to read:

127.18 Subd. 10. **Award of funds.** (a) The commissioner of education ~~shall~~ must develop an
127.19 application and a reporting form and procedures for regional library telecommunications
127.20 aid. Aid shall be based on actual costs including, but not limited to, connections, as
127.21 documented in e-rate funding commitment decision letters for category one services and
127.22 acceptable documentation for category two services and funds available for this purpose.
127.23 The commissioner ~~shall~~ must make payments directly to the regional public library system.

127.24 (b) On March 15 of 2019, 2020, and 2021, the commissioner of education must reallocate
127.25 any unspent amounts appropriated for paragraph (a) to regional library systems for broadband
127.26 innovation programs, including equipment purchases, hot spot access devices, and other
127.27 programs designed to increase Internet access.

127.28 (c) By January 15 of 2020, 2021, and 2022, the commissioner of education must report
127.29 to the education committees of the legislature on the previous fiscal year's spending under
127.30 this subdivision and make any recommendations for necessary program changes.

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

128.1 Sec. 7. Minnesota Statutes 2016, section 205A.07, subdivision 2, is amended to read:

128.2 Subd. 2. **Sample ballot, posting.** (a) For every school district primary, general, or special
128.3 election, the school district clerk shall at least four days before the primary, general, or
128.4 special election, post a sample ballot in the administrative offices of the school district for
128.5 public inspection, and shall post a sample ballot in each polling place on election day.

128.6 (b) For a school district general or special election to issue bonds to finance a capital
128.7 project requiring review and comment under section 123B.71, the summary of the
128.8 commissioner's review and comment and supplemental information required under section
128.9 123B.71, subdivision 12, paragraph (a), shall be posted in the same manner as the sample
128.10 ballot under paragraph (a).

128.11 **EFFECTIVE DATE.** This section is effective for elections held on or after August 1,
128.12 2018.

128.13 Sec. 8. Minnesota Statutes 2016, section 475.58, subdivision 4, is amended to read:

128.14 Subd. 4. **Proper use of bond proceeds.** The proceeds of obligations issued after approval
128.15 of the electors under this section ~~may~~ must only be spent: (1) for the purposes stated in the
128.16 ballot language; or (2) to pay, redeem, or defease obligations and interest, penalties,
128.17 premiums, and costs of issuance of the obligations. The proceeds ~~may~~ must not be spent
128.18 for a different purpose or for an expansion of the original purpose without the approval by
128.19 a majority of the electors voting on the question of changing or expanding the purpose of
128.20 the obligations.

128.21 Sec. 9. Minnesota Statutes 2017 Supplement, section 475.59, subdivision 1, is amended
128.22 to read:

128.23 Subdivision 1. **Generally; notice.** (a) When the governing body of a municipality resolves
128.24 to issue bonds for any purpose requiring the approval of the electors, it shall provide for
128.25 submission of the proposition of their issuance at a general or special election or town or
128.26 school district meeting. Notice of such election or meeting shall be given in the manner
128.27 required by law and shall state the maximum amount and the purpose of the proposed issue.

128.28 (b) In any school district, the school board or board of education may, according to its
128.29 judgment and discretion, submit as a single ballot question or as two or more separate
128.30 questions in the notice of election and ballots the proposition of their issuance for any one
128.31 or more of the following, stated conjunctively or in the alternative: acquisition or enlargement
128.32 of sites, acquisition, betterment, erection, furnishing, equipping of one or more new

129.1 schoolhouses, remodeling, repairing, improving, adding to, betterment, furnishing, equipping
 129.2 of one or more existing schoolhouses. The ballot question or questions submitted by a school
 129.3 board must state the name of the plan or plans being proposed by the district as submitted
 129.4 to the commissioner of education for review and comment under section 123B.71.

129.5 (c) In any city, town, or county, the governing body may, according to its judgment and
 129.6 discretion, submit as a single ballot question or as two or more separate questions in the
 129.7 notice of election and ballots the proposition of their issuance, stated conjunctively or in
 129.8 the alternative, for the acquisition, construction, or improvement of any facilities at one or
 129.9 more locations.

129.10 **EFFECTIVE DATE.** This section is effective for elections held on or after August 1,
 129.11 2018.

129.12 Sec. 10. Laws 2017, First Special Session chapter 5, article 7, section 2, subdivision 5, is
 129.13 amended to read:

129.14 Subd. 5. **Regional library telecommunications aid.** (a) For regional library
 129.15 telecommunications aid under Minnesota Statutes, section 134.355:

129.16 \$ 2,300,000 2018

129.17 \$ 2,300,000 2019

129.18 (b) The 2018 appropriation includes \$230,000 for 2017 and \$2,070,000 for 2018.

129.19 (c) The 2019 appropriation includes \$230,000 for 2018 and \$2,070,000 for 2019.

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

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

129.22 **ARTICLE 7**

129.23 **NUTRITION**

129.24 Section 1. Minnesota Statutes 2017 Supplement, section 123B.52, subdivision 7, is amended
 129.25 to read:

129.26 Subd. 7. **Food service contracts.** A contract between a school board and a food service
 129.27 management company that complies with Code of Federal Regulations, title 7, section
 129.28 210.16, 225.15, paragraph (m), or 226.21 may be renewed annually after its initial term for
 129.29 not more than four additional years.

130.1 Sec. 2. Minnesota Statutes 2016, section 124D.111, is amended to read:

130.2 **124D.111 RESPECTFUL SCHOOL MEALS POLICY; LUNCH AID; FOOD**
130.3 **SERVICE ACCOUNTING.**

130.4 Subdivision 1. **School lunch aid computation.** Each school year, the state must pay
130.5 participants in the national school lunch program the amount of 12.5 cents for each full paid
130.6 and free student lunch and 52.5 cents for each reduced-price lunch served to students.

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

130.10 Subd. 2a. **Federal child and adult care food program; criteria and notice.** The
130.11 commissioner must post on the department's Web site eligibility criteria and application
130.12 information for nonprofit organizations interested in applying to the commissioner for
130.13 approval as a multisite sponsoring organization under the federal child and adult care food
130.14 program. The posted criteria and information must inform interested nonprofit organizations
130.15 about:

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

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

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

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

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

130.29 (c) Revenues and expenditures for food service activities must be recorded in the food
130.30 service fund. The costs of processing applications, accounting for meals, preparing and
130.31 serving food, providing kitchen custodial services, and other expenses involving the preparing
130.32 of meals or the kitchen section of the lunchroom may be charged to the food service fund
130.33 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial

131.1 services, lunchroom utilities, and other administrative costs of the food service program
131.2 must be charged to the general fund.

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

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

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

131.16 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
131.17 is not eliminated by revenues from food service operations in the next fiscal year, then the
131.18 deficit must be eliminated by a permanent fund transfer from the general fund at the end of
131.19 that second fiscal year. However, if a district contracts with a food service management
131.20 company during the period in which the deficit has accrued, the deficit must be eliminated
131.21 by a payment from the food service management company. A district's meal charge policy
131.22 may allow a district to collect unpaid meal debt that contributes to a food service fund
131.23 deficit. Such collection efforts must be consistent with subdivisions 4 and 5.

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

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

132.1 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must
132.2 make lunch available without charge and must not deny a school lunch to all participating
132.3 students who qualify for free or reduced-price meals, whether or not that student has an
132.4 outstanding balance in the student's meals account attributable to a la carte purchases or for
132.5 any other reason.

132.6 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to
132.7 participating students in a respectful manner and ensure that any reminders for payment of
132.8 outstanding student meal balances do not demean or stigmatize any child participating in
132.9 the school lunch program and conform to the participant's school meals policy.

132.10 (b) Once a participant has placed a meal on a tray or otherwise served the meal to a
132.11 student, the meal must not be subsequently withdrawn from the student by the cashier or
132.12 other school official whether or not the student has an outstanding meals balance.

132.13 (c) Notwithstanding section 123B.38, the participant must not limit a student's
132.14 participation in any school activities, graduation ceremonies, field trips, athletics, activity
132.15 clubs, or other extracurricular activities or access to materials, technology, or other items
132.16 provided to other students because of unpaid meal balances. The participant must not impose
132.17 any other restriction prohibited under section 123B.37 due to unpaid student meal balances.

132.18 (d) The participant must not discipline a student due to an unpaid student meal balance.

132.19 **EFFECTIVE DATE.** This section is effective July 1, 2018.

132.20

ARTICLE 8

132.21

EARLY CHILDHOOD AND FAMILY SUPPORT

132.22 Section 1. Minnesota Statutes 2016, section 124D.151, subdivision 2, is amended to read:

132.23 Subd. 2. **Program requirements.** (a) A voluntary prekindergarten program provider
132.24 must:

132.25 (1) provide instruction through play-based learning to foster children's social and
132.26 emotional development, cognitive development, physical and motor development, and
132.27 language and literacy skills, including the native language and literacy skills of English
132.28 learners, to the extent practicable;

132.29 (2) measure each child's cognitive and social skills using a formative measure aligned
132.30 to the state's early learning standards when the child enters and again before the child leaves
132.31 the program, screening and progress monitoring measures, and ~~others~~ other age-appropriate
132.32 versions from the state-approved menu of kindergarten entry profile measures;

133.1 (3) provide comprehensive program content including the implementation of curriculum,
133.2 assessment, and instructional strategies aligned with the state early learning standards, and
133.3 kindergarten through grade 3 academic standards;

133.4 (4) provide instructional content and activities that are of sufficient length and intensity
133.5 to address learning needs including offering a program with at least 350 hours of instruction
133.6 per school year for a prekindergarten student;

133.7 (5) provide voluntary prekindergarten instructional staff salaries comparable to the
133.8 salaries of local kindergarten through grade 12 instructional staff;

133.9 (6) coordinate appropriate kindergarten transition with families, community-based
133.10 prekindergarten programs, and school district kindergarten programs;

133.11 (7) involve parents in program planning and transition planning by implementing parent
133.12 engagement strategies that include culturally and linguistically responsive activities in
133.13 prekindergarten through third grade that are aligned with early childhood family education
133.14 under section 124D.13;

133.15 (8) coordinate with relevant community-based services, including health and social
133.16 service agencies, to ensure children have access to comprehensive services;

133.17 (9) coordinate with all relevant school district programs and services including early
133.18 childhood special education, homeless students, and English learners;

133.19 (10) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children;

133.20 (11) provide high-quality coordinated professional development, training, and coaching
133.21 for both school district and community-based early learning providers that is informed by
133.22 a measure of adult-child interactions and enables teachers to be highly knowledgeable in
133.23 early childhood curriculum content, assessment, native and English language development
133.24 programs, and instruction; and

133.25 (12) implement strategies that support the alignment of professional development,
133.26 instruction, assessments, and prekindergarten through grade 3 curricula.

133.27 (b) A voluntary prekindergarten program must have teachers knowledgeable in early
133.28 childhood curriculum content, assessment, native and English language programs, and
133.29 instruction.

133.30 (c) Districts and charter schools must include their strategy for implementing and
133.31 measuring the impact of their voluntary prekindergarten program under section 120B.11

134.1 and provide results in their world's best workforce annual summary to the commissioner of
134.2 education.

134.3 Sec. 2. Minnesota Statutes 2017 Supplement, section 124D.151, subdivision 5, is amended
134.4 to read:

134.5 Subd. 5. **Application process; priority for high poverty schools.** (a) ~~To qualify for~~
134.6 ~~program approval for fiscal year 2017, a district or charter school must submit an application~~
134.7 ~~to the commissioner by July 1, 2016.~~ To qualify for program approval for fiscal year 2018
134.8 and later, a district or charter school must submit an application to the commissioner by
134.9 January 30 of the fiscal year prior to the fiscal year in which the program will be
134.10 implemented. The application must include:

134.11 (1) a description of the proposed program, including the number of hours per week the
134.12 program will be offered at each school site or mixed-delivery location;

134.13 (2) an estimate of the number of eligible children to be served in the program at each
134.14 school site or mixed-delivery location; and

134.15 (3) a statement of assurances signed by the superintendent or charter school director that
134.16 the proposed program meets the requirements of subdivision 2.

134.17 (b) The commissioner must review all applications ~~submitted for fiscal year 2017 by~~
134.18 ~~August 1, 2016, and must review all applications~~ submitted for fiscal year 2018 and later
134.19 by March 1 of the fiscal year in which the applications are received and determine whether
134.20 each application meets the requirements of paragraph (a).

134.21 (c) The commissioner must divide all applications for new or expanded voluntary
134.22 prekindergarten programs under this section meeting the requirements of paragraph (a) and
134.23 school readiness plus programs into ~~four~~ five groups as follows: the Minneapolis ~~and school~~
134.24 district; the St. Paul school ~~districts~~ district; other school districts located in the metropolitan
134.25 equity region as defined in section 126C.10, subdivision 28; school districts located in the
134.26 rural equity region as defined in section 126C.10, subdivision 28; and charter schools.
134.27 Within each group, the applications must be ordered by rank using a sliding scale based on
134.28 the following criteria:

134.29 (1) concentration of kindergarten students eligible for free or reduced-price lunches by
134.30 school site on October 1 of the previous school year. A school site may contract to partner
134.31 with a community-based provider or Head Start under subdivision 3 or establish an early
134.32 childhood center and use the concentration of kindergarten students eligible for free or
134.33 reduced-price meals from a specific school site as long as those eligible children are

135.1 prioritized and guaranteed services at the mixed-delivery site or early education center. For
135.2 school district programs to be operated at locations that do not have free and reduced-price
135.3 lunch concentration data for kindergarten programs for October 1 of the previous school
135.4 year, including mixed-delivery programs, the school district average concentration of
135.5 kindergarten students eligible for free or reduced-price lunches must be used for the rank
135.6 ordering;

135.7 (2) presence or absence of a three- or four-star Parent Aware rated program within the
135.8 school district or close proximity of the district. School sites with the highest concentration
135.9 of kindergarten students eligible for free or reduced-price lunches that do not have a three-
135.10 or four-star Parent Aware program within the district or close proximity of the district shall
135.11 receive the highest priority, and school sites with the lowest concentration of kindergarten
135.12 students eligible for free or reduced-price lunches that have a three- or four-star Parent
135.13 Aware rated program within the district or close proximity of the district shall receive the
135.14 lowest priority; and

135.15 (3) whether the district has implemented a mixed delivery system.

135.16 (d) The limit on participation for the programs as specified in subdivision 6 must initially
135.17 be allocated among the ~~four~~ five groups based on each group's percentage share of the
135.18 statewide kindergarten enrollment on October 1 of the previous school year. Within each
135.19 group, the participation limit for fiscal years 2018 and 2019 must first be allocated to school
135.20 sites approved for aid in the previous year to ensure that those sites are funded for the same
135.21 number of participants as approved for the previous year. The remainder of the participation
135.22 limit for each group must be allocated among school sites in priority order until that region's
135.23 share of the participation limit is reached. If the participation limit is not reached for all
135.24 groups, the remaining amount must be allocated to the highest priority school sites, as
135.25 designated under this section, not funded in the initial allocation on a statewide basis. For
135.26 fiscal year 2020 and later, the participation limit must first be allocated to school sites
135.27 approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year
135.28 2018 based on the statewide rankings under paragraph (c).

135.29 (e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid
135.30 under this subdivision, it shall remain eligible for aid if it continues to meet program
135.31 requirements, regardless of changes in the concentration of students eligible for free or
135.32 reduced-price lunches.

135.33 (f) If the total number of participants approved based on applications submitted under
135.34 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must

136.1 notify all school districts and charter schools of the amount that remains available within
136.2 30 days of the initial application deadline under paragraph (a), and complete a second round
136.3 of allocations based on applications received within 60 days of the initial application deadline.

136.4 (g) Procedures for approving applications submitted under paragraph (f) shall be the
136.5 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the
136.6 highest priority school sites not funded in the initial allocation on a statewide basis.

136.7 Sec. 3. Minnesota Statutes 2016, section 124D.162, is amended to read:

136.8 **124D.162 KINDERGARTEN READINESS ASSESSMENT.**

136.9 The commissioner of education ~~may~~ must implement a kindergarten readiness assessment
136.10 representative of incoming kindergartners. The assessment must be based on the Department
136.11 of Education Kindergarten Readiness Assessment at kindergarten entrance study. The
136.12 commissioner of education must provide districts with a process for measuring, on a
136.13 comparable basis, the kindergarten readiness of incoming kindergartners. Districts that use
136.14 the commissioner-provided process must annually report school readiness results under this
136.15 section to the department in the form and manner determined by the commissioner. The
136.16 commissioner must publicly report school readiness results as part of the performance
136.17 reports required under section 120B.36, and consistent with section 120B.35, subdivision
136.18 3, paragraph (a), clause (2).

136.19 Sec. 4. Minnesota Statutes 2017 Supplement, section 124D.165, subdivision 2, is amended
136.20 to read:

136.21 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
136.22 parents or guardians must meet the following eligibility requirements:

136.23 (1) have an eligible child; and

136.24 (2) have income equal to or less than 185 percent of federal poverty level income in the
136.25 current calendar year, or be able to document their child's current participation in the free
136.26 and reduced-price lunch program or Child and Adult Care Food Program, National School
136.27 Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution
136.28 Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections
136.29 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act
136.30 of 2007; Minnesota family investment program under chapter 256J; child care assistance
136.31 programs under chapter 119B; the supplemental nutrition assistance program; or placement
136.32 in foster care under section 260C.212. Parents or guardians are not required to provide

137.1 income verification under this clause if the child is an eligible child under paragraph (b),
137.2 clause (4) or (5).

137.3 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

137.4 (1) at least three but not yet five years of age on September 1 of the current school year;

137.5 (2) a sibling from birth to age five of a child who has been awarded a scholarship under
137.6 this section provided the sibling attends the same program as long as funds are available;

137.7 (3) the child of a parent under age 21 who is pursuing a high school degree or a course
137.8 of study for a high school equivalency test; ~~or~~

137.9 ~~(4) homeless, in foster care, or in need of child protective services.~~

137.10 (4) designated as a child in need of protection or services as defined under section
137.11 260C.007; or

137.12 (5) designated as homeless under the federal McKinney-Vento Homeless Assistance
137.13 Act, United States Code, title 42, section 11434a.

137.14 (c) A child who has received a scholarship under this section must continue to receive
137.15 a scholarship each year until that child is eligible for kindergarten under section 120A.20
137.16 and as long as funds are available.

137.17 (d) Early learning scholarships may not be counted as earned income for the purposes
137.18 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
137.19 family investment program under chapter 256J, child care assistance programs under chapter
137.20 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
137.21 2007.

137.22 (e) A child from an adjoining state whose family resides at a Minnesota address as
137.23 assigned by the United States Postal Service, who has received developmental screening
137.24 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
137.25 and whose family meets the criteria of paragraph (a) is eligible for an early learning
137.26 scholarship under this section.

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

137.28 Sec. 5. Minnesota Statutes 2017 Supplement, section 124D.165, subdivision 3, is amended
137.29 to read:

137.30 Subd. 3. **Administration.** (a) The commissioner shall establish application timelines
137.31 and determine the schedule for awarding scholarships that meets operational needs of eligible

138.1 families and programs. The commissioner must give highest priority to applications from
138.2 children who:

138.3 (1) have a parent under age 21 who is pursuing a high school diploma or a course of
138.4 study for a high school equivalency test;

138.5 (2) are in foster care or otherwise in need of protection or services; or

138.6 (3) have experienced homelessness in the last 24 months, as defined under the federal
138.7 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

138.8 The commissioner may prioritize applications on additional factors including family
138.9 income, geographic location, and whether the child's family is on a waiting list for a publicly
138.10 funded program providing early education or child care services.

138.11 (b) The commissioner shall establish a target for the average scholarship amount per
138.12 child based on the results of the rate survey conducted under section 119B.02.

138.13 (c) A four-star rated program that has children eligible for a scholarship enrolled in or
138.14 on a waiting list for a program beginning in July, August, or September may notify the
138.15 commissioner, in the form and manner prescribed by the commissioner, each year of the
138.16 program's desire to enhance program services or to serve more children than current funding
138.17 provides. The commissioner may designate a predetermined number of scholarship slots
138.18 for that program and notify the program of that number. For fiscal year 2018 and later, the
138.19 statewide amount of funding directly designated by the commissioner must not exceed the
138.20 funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district
138.21 or Head Start program qualifying under this paragraph may use its established registration
138.22 process to enroll scholarship recipients and may verify a scholarship recipient's family
138.23 income in the same manner as for other program participants.

138.24 (d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not
138.25 been accepted and subsequently enrolled in a rated program within ten months of the
138.26 awarding of the scholarship, the scholarship cancels and the recipient must reapply in order
138.27 to be eligible for another scholarship. A child may not be awarded more than one scholarship
138.28 in a 12-month period.

138.29 (e) A child over the age of three who receives a scholarship ~~who~~ and has not completed
138.30 development screening under sections 121A.16 to 121A.19 must complete that screening
138.31 within 90 days of first attending an eligible program. A child who receives a scholarship
138.32 before the age of three must complete the developmental screening no later than 90 days
138.33 after the child's third birthday.

139.1 (f) For fiscal year 2017 and later, a school district or Head Start program enrolling
139.2 scholarship recipients under paragraph (c) may apply to the commissioner, in the form and
139.3 manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of
139.4 the application, the commissioner must pay each program directly for each approved
139.5 scholarship recipient enrolled under paragraph (c) according to the metered payment system
139.6 or another schedule established by the commissioner.

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

139.8 Sec. 6. Minnesota Statutes 2017 Supplement, section 124D.165, subdivision 4, is amended
139.9 to read:

139.10 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an
139.11 early learning scholarship, a program must:

139.12 (1) participate in the quality rating and improvement system under section 124D.142;
139.13 and

139.14 (2) beginning July 1, 2020, have a three- or four-star rating in the quality rating and
139.15 improvement system.

139.16 (b) Any program accepting scholarships must use the revenue to supplement and not
139.17 supplant federal funding.

139.18 ~~(c) Notwithstanding paragraph (a), all Minnesota early learning foundation scholarship~~
139.19 ~~program pilot sites are eligible to accept an early learning scholarship under this section.~~

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

139.21 Sec. 7. Minnesota Statutes 2016, section 245C.02, is amended by adding a subdivision to
139.22 read:

139.23 Subd. 5a. **National criminal history record check.** (a) "National criminal history record
139.24 check" means a check of records maintained by the Federal Bureau of Investigation through
139.25 submission of fingerprints through the Minnesota Bureau of Criminal Apprehension to the
139.26 Federal Bureau of Investigation when specifically required by law.

139.27 (b) For purposes of this chapter, "national crime information database," "national criminal
139.28 records repository," "criminal history with the Federal Bureau of Investigation," and "national
139.29 criminal record check" mean a national criminal history record check defined in paragraph
139.30 (a).

140.1 Sec. 8. Minnesota Statutes 2016, section 245C.12, is amended to read:

140.2 **245C.12 BACKGROUND STUDY; TRIBAL ORGANIZATIONS.**

140.3 (a) For the purposes of background studies completed by tribal organizations performing
140.4 licensing activities otherwise required of the commissioner under this chapter, after obtaining
140.5 consent from the background study subject, tribal licensing agencies shall have access to
140.6 criminal history data in the same manner as county licensing agencies and private licensing
140.7 agencies under this chapter.

140.8 (b) Tribal organizations may contract with the commissioner to obtain background study
140.9 data on individuals under tribal jurisdiction related to adoptions according to section 245C.34.
140.10 Tribal organizations may also contract with the commissioner to obtain background study
140.11 data on individuals under tribal jurisdiction related to child foster care according to section
140.12 245C.34.

140.13 (c) For the purposes of background studies completed to comply with a tribal
140.14 organization's licensing requirements for individuals affiliated with a tribally licensed nursing
140.15 facility, the commissioner shall obtain criminal history data from the National Criminal
140.16 Records Repository in accordance with section 245C.32.

140.17 (d) Tribal organizations may contract with the commissioner to conduct background
140.18 studies or obtain background study data on individuals affiliated with a child care program
140.19 sponsored, managed, or licensed by a tribal organization. Studies conducted under this
140.20 paragraph require the commissioner to conduct a national criminal history record check as
140.21 defined in section 245C.02, subdivision 5a. Any tribally affiliated child care program that
140.22 does not contract with the commissioner to conduct background studies is exempt from the
140.23 relevant requirements in this chapter. A study conducted under this paragraph must include
140.24 all components of studies for certified license-exempt child care centers under this chapter
140.25 to be transferable to other child care entities.

140.26 **Sec. 9. 245C.121] BACKGROUND STUDY; HEAD START PROGRAMS.**

140.27 Head Start programs that receive funding disbursed under section 119A.52 may contract
140.28 with the commissioner to conduct background studies and obtain background study data
140.29 on individuals affiliated with a Head Start program. Studies conducted under this paragraph
140.30 require the commissioner to conduct a national criminal history record check as defined in
140.31 section 245C.02, subdivision 5a. Any Head Start program site that does not contract with
140.32 the commissioner, is not licensed, and is not registered to receive funding under chapter
140.33 119B is exempt from the relevant requirements in this chapter. Nothing in this paragraph

141.1 supersedes requirements for background studies in this chapter, chapter 119B, or child care
141.2 centers under chapter 245H that are related to licensed child care programs or programs
141.3 registered to receive funding under chapter 119B. A study conducted under this paragraph
141.4 must include all components of studies for certified license-exempt child care centers under
141.5 this chapter to be transferable to other child care entities.

141.6 Sec. 10. Laws 2017, First Special Session chapter 5, article 8, section 9, subdivision 2,
141.7 the effective date, is amended to read:

141.8 Subd. 2. **Program requirements.** A school readiness plus program provider must:

141.9 (1) assess each child's cognitive and language skills with a an age-appropriate
141.10 comprehensive child assessment instrument when the child enters and again before the child
141.11 leaves the program to improve program planning and implementation, communicate with
141.12 parents, and promote kindergarten readiness;

141.13 (2) provide comprehensive program content and intentional instructional practice aligned
141.14 with the state early childhood learning guidelines and kindergarten standards and based on
141.15 early childhood research and professional practice that is focused on children's cognitive,
141.16 social, emotional, and physical skills and development and prepares children for the transition
141.17 to kindergarten, including early literacy and language skills;

141.18 (3) coordinate appropriate kindergarten transition with parents and kindergarten teachers;

141.19 (4) involve parents in program planning and decision making;

141.20 (5) coordinate with relevant community-based services;

141.21 (6) cooperate with adult basic education programs and other adult literacy programs;

141.22 (7) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children
141.23 with at least one ~~licensed~~ teacher;

141.24 (8) have teachers knowledgeable in early childhood curriculum content, assessment,
141.25 native and English language development programs, and instruction; and

141.26 (9) provide instructional content and activities that are of sufficient length and intensity
141.27 to address learning needs including offering a program with at least 350 hours of instruction
141.28 per school year.

141.29 A teacher in a school readiness plus program must meet the criteria of a school readiness
141.30 teacher under section 124D.15 or the criteria for a voluntary prekindergarten teacher under
141.31 section 124D.151.

142.1 **EFFECTIVE DATE.** This section is effective retroactively to July 1, 2017.

142.2 **ARTICLE 9**

142.3 **COMMUNITY EDUCATION, PREVENTION, SELF-SUFFICIENCY, AND**
142.4 **LIFELONG LEARNING**

142.5 Section 1. Minnesota Statutes 2017 Supplement, section 124D.549, is amended to read:

142.6 **124D.549 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY**

142.7 **TEST TESTS.**

142.8 The commissioner, in consultation with adult basic education stakeholders, must select
142.9 ~~a~~ at least one high school equivalency test. The commissioner may issue a high school
142.10 equivalency diploma to a Minnesota resident 19 years of age or older who has not earned
142.11 a high school diploma, who has not previously been issued a ~~general education development~~
142.12 ~~(GED) certification~~ high school equivalency diploma, and who has exceeded or achieved
142.13 a minimum passing score on ~~the~~ an approved equivalency test established by the publisher.
142.14 The commissioner of education may waive the minimum age requirement if supportive
142.15 evidence is provided by an employer or a recognized education or rehabilitation provider.

142.16 Sec. 2. Minnesota Statutes 2017 Supplement, section 124D.99, subdivision 3, is amended
142.17 to read:

142.18 Subd. 3. **Administration; design.** (a) The commissioner shall establish program
142.19 requirements, an application process and timeline for each tier of grants specified in
142.20 subdivision 4, criteria for evaluation of applications, and a grant awards process. The
142.21 commissioner's process must minimize administrative costs, minimize burdens for applicants
142.22 and grant recipients, and provide a framework that permits flexibility in program design
142.23 and implementation among grant recipients.

142.24 (b) To the extent practicable, the commissioner shall design the program to align with
142.25 programs implemented or proposed by organizations in Minnesota that:

142.26 (1) identify and increase the capacity of organizations that are focused on achieving
142.27 data-driven, locally controlled positive outcomes for children and youth throughout an entire
142.28 neighborhood or geographic area through programs such as Strive Together, Promise
142.29 Neighborhood, and the Education Partnerships Coalition members;

142.30 (2) build a continuum of educational family and community supports with academically
142.31 rigorous schools at the center;

- 143.1 (3) maximize program efficiencies by integrating programmatic activities and eliminating
 143.2 administrative barriers;
- 143.3 (4) develop local infrastructure needed to sustain and scale up proven and effective
 143.4 solutions beyond the initial neighborhood or geographic area; ~~and~~
- 143.5 (5) utilize appropriate outcome measures based on unique community needs and interests
 143.6 and apply rigorous evaluation on a periodic basis to be used to both monitor outcomes and
 143.7 allow for continuous improvements to systems;
- 143.8 (6) collect and utilize data to improve student outcomes;
- 143.9 (7) share disaggregated performance data with the community to set community-level
 143.10 outcomes;
- 143.11 (8) employ continuous improvement processes;
- 143.12 (9) have an anchor entity to manage the partnership;
- 143.13 (10) convene a cross-sector leadership group and have a documented accountability
 143.14 structure; and
- 143.15 (11) demonstrate use of nonstate funds, from multiple sources, including in-kind
 143.16 contributions.
- 143.17 (c) A grant recipient's supportive services programming must address:
- 143.18 (1) kindergarten readiness and youth development;
- 143.19 (2) grade 3 reading proficiency;
- 143.20 (3) middle school mathematics;
- 143.21 ~~(3)~~ (4) high school graduation;
- 143.22 ~~(4)~~ (5) postsecondary educational attainment enrollment;
- 143.23 (6) postsecondary education completion;
- 143.24 ~~(5)~~ (7) physical and mental health;
- 143.25 ~~(6)~~ (8) development of career skills and readiness;
- 143.26 ~~(7)~~ (9) parental engagement and development;
- 143.27 ~~(8)~~ (10) community engagement and programmatic alignment; and
- 143.28 ~~(9)~~ (11) reduction of remedial education.
- 143.29 (d) The commissioner, in consultation with grant recipients, must:

144.1 (1) develop and revise core indicators of progress toward outcomes specifying impacts
144.2 for each tier identified under subdivision 4;

144.3 (2) establish a reporting system for grant recipients to measure program outcomes using
144.4 data sources and program goals; and

144.5 (3) evaluate effectiveness based on the core indicators established by each partnership
144.6 for each tier.

144.7 Sec. 3. Minnesota Statutes 2017 Supplement, section 136A.246, subdivision 4, is amended
144.8 to read:

144.9 Subd. 4. **Application.** Applications must be made to the commissioner on a form provided
144.10 by the commissioner. The commissioner must, to the extent possible, make the application
144.11 form as short and simple to complete as is reasonably possible. The commissioner shall
144.12 establish a schedule for applications and grants. The application must include, without
144.13 limitation:

144.14 (1) the projected number of employee trainees;

144.15 (2) the number of projected employee trainees who graduated from high school or passed
144.16 ~~the~~ a commissioner of education-selected high school equivalency test in the current or
144.17 immediately preceding calendar year;

144.18 (3) the competency standard for which training will be provided;

144.19 (4) the credential the employee will receive upon completion of training;

144.20 (5) the name and address of the training institution or program and a signed statement
144.21 by the institution or program that it is able and agrees to provide the training;

144.22 (6) the period of the training; and

144.23 (7) the cost of the training charged by the training institution or program and certified
144.24 by the institution or program. The cost of training includes tuition, fees, and required books
144.25 and materials.

144.26 An application may be made for training of employees of multiple employers either by
144.27 the employers or by an organization on their behalf.

145.1 Sec. 4. Minnesota Statutes 2017 Supplement, section 155A.30, subdivision 12, is amended
145.2 to read:

145.3 Subd. 12. **Minnesota state authorization.** A cosmetology school licensed or applying
145.4 for licensure under this section shall maintain recognition as an institution of postsecondary
145.5 study by meeting the following conditions, in addition to the provisions of Minnesota Rules,
145.6 ~~parts~~ part 2110.0310 and 2110.0370:

145.7 (1) the school must admit as regular students only those individuals who have a high
145.8 school diploma or a diploma based on passing a commissioner of education-selected high
145.9 school equivalency ~~tests or their equivalent test~~, or who are beyond the age of compulsory
145.10 education as prescribed by section 120A.22; and

145.11 (2) the school must be licensed by name and authorized by the Office of Higher Education
145.12 and the board to offer one or more training programs beyond the secondary level.

145.13 Sec. 5. Laws 2017, First Special Session chapter 5, article 9, section 2, subdivision 7, is
145.14 amended to read:

145.15 Subd. 7. **Tier 2 implementing grants.** (a) For Tier 2 implementing grants under
145.16 Minnesota Statutes, section 124D.99:

145.17 \$ 480,000 2018

145.18 ~~480,000~~

145.19 \$ 560,000 2019

145.20 (b) For fiscal years 2018 and 2019 only, \$160,000 each year is for the Northfield Healthy
145.21 Community Initiative in Northfield; \$160,000 is for the Jones Family Foundation for the
145.22 Every Hand Joined program in Red Wing; and \$160,000 is for the United Way of Central
145.23 Minnesota for the Partners for Student Success program.

145.24 (c) For fiscal year 2019 only, \$80,000 is for the United Way of Central Minnesota for
145.25 the Promise Neighborhood of Central Minnesota.

145.26 (d) The base funding for Tier 2 implementing grants is \$480,000. The commissioner
145.27 must competitively award all grants under this subdivision for fiscal year 2020 and later
145.28 according to the criteria in Minnesota Statutes, section 124D.99, subdivision 3. For grants
145.29 authorized in fiscal year 2020 and later, priority must be given to past grant recipients.

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

146.1

ARTICLE 10

146.2

STATE AGENCIES

146.3 Section 1. Laws 2017, First Special Session chapter 5, article 11, section 9, is amended
146.4 to read:

146.5 **Sec. 9. APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

146.6 Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated
146.7 in this section are appropriated from the general fund to the Department of Education for
146.8 the fiscal years designated.

146.9 Subd. 2. **Department.** (a) For the Department of Education:

146.10 \$ 27,158,000 2018

146.11 \$ 24,874,000 2019

146.12 Of these amounts:

146.13 (1) \$231,000 each year is for the Board of School Administrators, and beginning in fiscal
146.14 year 2020, the amount indicated is from the educator licensure account in the special revenue
146.15 fund;

146.16 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
146.17 section 120B.115;

146.18 (3) \$500,000 each year is for the school safety technical assistance center under Minnesota
146.19 Statutes, section 127A.052;

146.20 (4) \$250,000 each year is for the School Finance Division to enhance financial data
146.21 analysis;

146.22 (5) \$720,000 each year is for implementing Minnesota's Learning for English Academic
146.23 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

146.24 (6) \$2,750,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for the Department
146.25 of Education's mainframe update;

146.26 (7) \$123,000 each year is for a dyslexia specialist; and

146.27 (8) \$2,000,000 each year is for legal fees and costs associated with litigation.

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

146.29 (c) None of the amounts appropriated under this subdivision may be used for Minnesota's
146.30 Washington, D.C. office.

147.1 (d) The expenditures of federal grants and aids as shown in the biennial budget document
147.2 and its supplements are approved and appropriated and shall be spent as indicated.

147.3 (e) This appropriation includes funds for information technology project services and
147.4 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
147.5 information technology costs will be incorporated into the service level agreement and will
147.6 be paid to the Office of MN.IT Services by the Department of Education under the rates
147.7 and mechanism specified in that agreement.

147.8 (f) The agency's base is ~~\$22,054,000~~ \$21,054,000 for fiscal year 2020 and ~~\$21,965,000~~
147.9 \$20,965,000 for 2021.

147.10 Sec. 2. Laws 2017, First Special Session chapter 5, article 11, section 12, is amended to
147.11 read:

147.12 **Sec. 12. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

147.13 (a) The sums in this section are appropriated from the general fund to the Perpich Center
147.14 for Arts Education for the fiscal years designated:

147.15		8,173,000		
147.16	\$	<u>7,298,000</u>	.....	2018
147.17	\$	6,973,000	.....	2019

147.18 (b) Of the amounts appropriated in paragraph (a), \$370,000 is for fiscal years 2018 or
147.19 2019 only for arts integration and Turnaround Arts programs.

147.20 (c) ~~\$1,200,000~~ \$325,000 in fiscal year 2018 is for severance payments related to the
147.21 closure of Crosswinds school and is available until June 30, ~~2019~~ 2018.

147.22 (d) For fiscal year 2020 and later, the base for the Perpich Center for Arts Education is
147.23 \$5,373,000. This base is calculated with an operational fixed cost of \$2,518,000 and a
147.24 variable cost of \$16,000 times the estimated number of pupil units served times the ratio of
147.25 the basic formula allowance for the current year to the formula allowance for fiscal year
147.26 2019.

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

147.28 Sec. 3. Laws 2017, First Special Session chapter 5, article 11, section 13, is amended to
147.29 read:

147.30 **Sec. 13. CROSSWINDS DISPOSITION COSTS.**

148.1 ~~\$162,000~~ \$21,000 in fiscal year 2018 only is appropriated from the general fund to the
 148.2 Perpich Center for Arts Education. The amount appropriated in this section is for transfer
 148.3 to the commissioner of administration for costs related to the sale of the Crosswinds school
 148.4 and is available until June 30, 2019.

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

148.6 **ARTICLE 11**

148.7 **FORECAST ADJUSTMENTS**

148.8 **A. GENERAL EDUCATION**

148.9 Section 1. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision
 148.10 3, is amended to read:

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

148.14 ~~29,000~~
 148.15 \$ 25,000 2018

148.16 ~~31,000~~
 148.17 \$ 27,000 2019

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

148.19 Sec. 2. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 4, is
 148.20 amended to read:

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

148.22 ~~2,374,000~~
 148.23 \$ 2,584,000 2018

148.24 ~~2,163,000~~
 148.25 \$ 3,218,000 2019

148.26 The 2018 appropriation includes \$262,000 for 2017 and ~~\$2,112,000~~ \$2,322,000 for
 148.27 2018.

148.28 The 2019 appropriation includes ~~\$234,000~~ \$258,000 for 2018 and ~~\$1,929,000~~ \$2,960,000
 148.29 for 2019.

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

149.1 Sec. 3. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 5, is
149.2 amended to read:

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

149.5		185,000		
149.6	\$	<u>0</u>	.....	2018
149.7		382,000		
149.8	\$	<u>270,000</u>	.....	2019

149.9 The 2018 appropriation includes \$0 for 2017 and ~~\$185,000~~ \$0 for 2018.

149.10 The 2019 appropriation includes ~~\$20,000~~ \$0 for 2018 and ~~\$362,000~~ \$270,000 for 2019.

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

149.12 Sec. 4. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 6, is
149.13 amended to read:

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

149.16		18,197,000		
149.17	\$	<u>17,779,000</u>	.....	2018
149.18		19,225,000		
149.19	\$	<u>17,910,000</u>	.....	2019

149.20 The 2018 appropriation includes \$1,687,000 for 2017 and ~~\$16,510,000~~ \$16,092,000 for
149.21 2018.

149.22 The 2019 appropriation includes ~~\$1,834,000~~ \$1,787,000 for 2018 and ~~\$17,391,000~~
149.23 \$16,123,000 for 2019.

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

149.25 Sec. 5. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 7, is
149.26 amended to read:

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

149.29		18,372,000		
149.30	\$	<u>17,549,000</u>	.....	2018
149.31		18,541,000		
149.32	\$	<u>18,309,000</u>	.....	2019

150.1 The 2018 appropriation includes \$1,835,000 for 2017 and ~~\$16,537,000~~ \$15,714,000 for
150.2 2018.

150.3 The 2019 appropriation includes ~~\$1,837,000~~ \$1,745,000 for 2018 and ~~\$16,704,000~~
150.4 \$16,564,000 for 2019.

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

150.6 Sec. 6. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 9, is
150.7 amended to read:

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

150.10 ~~4,561,000~~
150.11 \$ 4,757,000 2018

150.12 ~~4,125,000~~
150.13 \$ 4,384,000 2019

150.14 The 2018 appropriation includes \$476,000 for 2017 and ~~\$4,085,000~~ \$4,281,000 for
150.15 2018.

150.16 The 2019 appropriation includes ~~\$453,000~~ \$475,000 for 2018 and ~~\$3,672,000~~ \$3,909,000
150.17 for 2019.

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

150.19 **B. EDUCATION EXCELLENCE**

150.20 Sec. 7. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 2, is
150.21 amended to read:

150.22 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under
150.23 Minnesota Statutes, section 124D.862:

150.24 ~~71,249,000~~
150.25 \$ 71,693,000 2018

150.26 ~~73,267,000~~
150.27 \$ 73,926,000 2019

150.28 The 2018 appropriation includes \$6,725,000 for 2017 and ~~\$64,524,000~~ \$64,968,000 for
150.29 2018.

150.30 The 2019 appropriation includes ~~\$7,169,000~~ \$7,218,000 for 2018 and ~~\$66,098,000~~
150.31 \$66,708,000 for 2019.

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

151.1 Sec. 8. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 3, is
151.2 amended to read:

151.3 Subd. 3. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes,
151.4 section 124D.98:

151.5		47,264,000		
151.6	\$	<u>46,517,000</u>	.....	2018
151.7		47,763,000		
151.8	\$	<u>46,188,000</u>	.....	2019

151.9 The 2018 appropriation includes \$4,597,000 for 2017 and ~~\$42,667,000~~ \$41,920,000 for
151.10 2018.

151.11 The 2019 appropriation includes ~~\$4,740,000~~ \$4,657,000 for 2018 and ~~\$43,023,000~~
151.12 \$41,531,000 for 2019.

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

151.14 Sec. 9. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 4, is
151.15 amended to read:

151.16 Subd. 4. **Interdistrict desegregation or integration transportation grants.** For
151.17 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
151.18 section 124D.87:

151.19		13,337,000		
151.20	\$	<u>14,328,000</u>	.....	2018
151.21		14,075,000		
151.22	\$	<u>15,065,000</u>	.....	2019

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

151.24 Sec. 10. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 5,
151.25 is amended to read:

151.26 Subd. 5. **Tribal contract schools.** For tribal contract school aid under Minnesota Statutes,
151.27 section 124D.83:

151.28		3,623,000		
151.29	\$	<u>2,954,000</u>	.....	2018
151.30		4,018,000		
151.31	\$	<u>3,381,000</u>	.....	2019

151.32 The 2018 appropriation includes \$323,000 for 2017 and ~~\$3,300,000~~ \$2,631,000 for
151.33 2018.

152.1 The 2019 appropriation includes ~~\$366,000~~ \$292,000 for 2018 and ~~\$3,652,000~~ \$3,089,000
 152.2 for 2019.

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

152.4 Sec. 11. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 6,
 152.5 is amended to read:

152.6 Subd. 6. **American Indian education aid.** For American Indian education aid under
 152.7 Minnesota Statutes, section 124D.81, subdivision 2a:

152.8 \$ 9,244,000 2018

152.9 ~~9,464,000~~

152.10 \$ 9,409,000 2019

152.11 The 2018 appropriation includes \$886,000 for 2017 and \$8,358,000 for 2018.

152.12 The 2019 appropriation includes \$928,000 for 2018 and ~~\$8,536,000~~ \$8,481,000 for
 152.13 2019.

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

152.15 Sec. 12. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 21,
 152.16 is amended to read:

152.17 Subd. 21. **Charter school building lease aid.** For building lease aid under Minnesota
 152.18 Statutes, section 124E.22:

152.19 ~~73,341,000~~

152.20 \$ 73,334,000 2018

152.21 ~~78,802,000~~

152.22 \$ 79,098,000 2019

152.23 The 2018 appropriation includes \$6,850,000 for 2017 and ~~\$66,491,000~~ \$66,484,000 for
 152.24 2018.

152.25 The 2019 appropriation includes \$7,387,000 for 2018 and ~~\$71,415,000~~ \$71,711,000 for
 152.26 2019.

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

152.28 Sec. 13. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 26,
 152.29 is amended to read:

152.30 Subd. 26. **Alternative teacher compensation aid.** For alternative teacher compensation
 152.31 aid under Minnesota Statutes, section 122A.415, subdivision 4:

153.1 ~~89,863,000~~
 153.2 \$ 90,131,000 2018
 153.3 ~~89,623,000~~
 153.4 \$ 89,789,000 2019

153.5 The 2018 appropriation includes \$8,917,000 for 2017 and ~~\$80,946,000~~ \$81,214,000 for
 153.6 2018.

153.7 The 2019 appropriation includes ~~\$8,994,000~~ \$9,023,000 for 2018 and ~~\$80,629,000~~
 153.8 \$80,766,000 for 2019.

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

153.10 **C. SPECIAL EDUCATION**

153.11 Sec. 14. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 3,
 153.12 is amended to read:

153.13 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
 153.14 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
 153.15 the district boundaries for whom no district of residence can be determined:

153.16 ~~1,597,000~~
 153.17 \$ 1,022,000 2018
 153.18 ~~1,830,000~~
 153.19 \$ 1,204,000 2019

153.20 If the appropriation for either year is insufficient, the appropriation for the other year is
 153.21 available.

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

153.23 Sec. 15. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 4,
 153.24 is amended to read:

153.25 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
 153.26 services under Minnesota Statutes, section 125A.75, subdivision 1:

153.27 ~~508,000~~
 153.28 \$ 412,000 2018
 153.29 ~~532,000~~
 153.30 \$ 421,000 2019

153.31 The 2018 appropriation includes \$48,000 for 2017 and ~~\$460,000~~ \$364,000 for 2018.

153.32 The 2019 appropriation includes ~~\$51,000~~ \$40,000 for 2018 and ~~\$481,000~~ \$381,000 for
 153.33 2019.

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

154.2 Sec. 16. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 5,
154.3 is amended to read:

154.4 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
154.5 districts for unreimbursed eligible expenditures attributable to children placed in the serving
154.6 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

154.7		46,000		
154.8	\$	<u>40,000</u>	.....	2018
154.9		47,000		
154.10	\$	<u>41,000</u>	.....	2019

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

154.12 **D. FACILITIES AND TECHNOLOGY**

154.13 Sec. 17. Laws 2017, First Special Session chapter 5, article 5, section 14, subdivision 2,
154.14 is amended to read:

154.15 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
154.16 Minnesota Statutes, section 123B.53, subdivision 6:

154.17	\$	24,908,000	.....	2018
154.18		22,360,000		
154.19	\$	<u>23,137,000</u>	.....	2019

154.20 The 2018 appropriation includes \$2,324,000 for 2017 and \$22,584,000 for 2018.

154.21 The 2019 appropriation includes \$2,509,000 for 2018 and ~~\$19,851,000~~ \$20,628,000 for
154.22 2019.

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

154.24 Sec. 18. Laws 2017, First Special Session chapter 5, article 5, section 14, subdivision 3,
154.25 is amended to read:

154.26 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
154.27 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

154.28		80,179,000		
154.29	\$	<u>81,053,000</u>	.....	2018
154.30		103,460,000		
154.31	\$	<u>102,374,000</u>	.....	2019

155.1 The 2018 appropriation includes \$5,815,000 for 2017 and ~~\$74,364,000~~ \$75,238,000 for
155.2 2018.

155.3 The 2019 appropriation includes ~~\$8,262,000~~ \$8,359,000 for 2018 and ~~\$95,198,000~~
155.4 \$94,015,000 for 2019.

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

155.6 **E. NUTRITION**

155.7 Sec. 19. Laws 2017, First Special Session chapter 5, article 6, section 3, subdivision 2, is
155.8 amended to read:

155.9 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
155.10 and Code of Federal Regulations, title 7, section 210.17:

155.11		16,721,000		
155.12	\$	<u>16,143,000</u>	.....	2018
155.13		17,223,000		
155.14	\$	<u>16,477,000</u>	.....	2019

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

155.16 Sec. 20. Laws 2017, First Special Session chapter 5, article 6, section 3, subdivision 3, is
155.17 amended to read:

155.18 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
155.19 section 124D.1158:

155.20		10,601,000		
155.21	\$	<u>10,474,000</u>	.....	2018
155.22		11,359,000		
155.23	\$	<u>11,282,000</u>	.....	2019

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

155.25 Sec. 21. Laws 2017, First Special Session chapter 5, article 6, section 3, subdivision 4, is
155.26 amended to read:

155.27 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
155.28 section 124D.118:

155.29		758,000		
155.30	\$	<u>734,000</u>	.....	2018
155.31		758,000		
155.32	\$	<u>734,000</u>	.....	2019

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

156.1

F. EARLY CHILDHOOD AND FAMILY SUPPORT

156.2 Sec. 22. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 3,
156.3 is amended to read:

156.4 Subd. 3. **Mixed delivery prekindergarten programs.** (a) For mixed delivery
156.5 prekindergarten programs and school readiness plus programs:

156.6		21,429,000		
156.7	\$	<u>0</u>	.....	2018
156.8		28,571,000		
156.9	\$	<u>0</u>	.....	2019

156.10 (b) The fiscal year 2018 appropriation includes \$0 for 2017 and ~~\$21,429,000~~ \$0 for
156.11 2018.

156.12 (c) The fiscal year 2019 appropriation includes ~~\$2,381,000~~ \$0 for 2018 and ~~\$26,190,000~~
156.13 \$0 for 2019.

156.14 (d) The commissioner must proportionately allocate the amounts appropriated in this
156.15 subdivision among each education funding program affected by the enrollment of mixed
156.16 delivery system prekindergarten pupils.

156.17 (e) The appropriation under this subdivision is reduced by any other amounts specifically
156.18 appropriated for those purposes.

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

156.20 Sec. 23. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 5a,
156.21 is amended to read:

156.22 Subd. 5a. **Early childhood family education aid.** For early childhood family education
156.23 aid under Minnesota Statutes, section 124D.135:

156.24		30,405,000		
156.25	\$	<u>29,760,000</u>	.....	2018
156.26		31,977,000		
156.27	\$	<u>30,870,000</u>	.....	2019

156.28 The 2018 appropriation includes \$2,904,000 for 2017 and ~~\$27,501,000~~ \$26,856,000 for
156.29 2018.

156.30 The 2019 appropriation includes ~~\$3,055,000~~ \$2,983,000 for 2018 and ~~\$28,922,000~~
156.31 \$27,887,000 for 2019.

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

157.1 Sec. 24. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 6,
157.2 is amended to read:

157.3 Subd. 6. **Developmental screening aid.** For developmental screening aid under
157.4 Minnesota Statutes, sections 121A.17 and 121A.19:

157.5		3,606,000		
157.6	\$	<u>3,663,000</u>	.....	2018
157.7		3,629,000		
157.8	\$	<u>3,688,000</u>	.....	2019

157.9 The 2018 appropriation includes \$358,000 for 2017 and ~~\$3,248,000~~ \$3,305,000 for
157.10 2018.

157.11 The 2019 appropriation includes ~~\$360,000~~ \$367,000 for 2018 and ~~\$3,269,000~~ \$3,321,000
157.12 for 2019.

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

157.14 Sec. 25. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 12,
157.15 is amended to read:

157.16 Subd. 12. **Home visiting aid.** For home visiting aid under Minnesota Statutes, section
157.17 124D.135:

157.18		527,000		
157.19	\$	<u>503,000</u>	.....	2018
157.20		571,000		
157.21	\$	<u>525,000</u>	.....	2019

157.22 The 2018 appropriation includes \$0 for 2017 and ~~\$527,000~~ \$503,000 for 2018.

157.23 The 2019 appropriation includes ~~\$58,000~~ \$55,000 for 2018 and ~~\$513,000~~ \$470,000 for
157.24 2019.

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

157.26 **G. COMMUNITY EDUCATION AND PREVENTION**

157.27 Sec. 26. Laws 2017, First Special Session chapter 5, article 9, section 2, subdivision 2, is
157.28 amended to read:

157.29 Subd. 2. **Community education aid.** For community education aid under Minnesota
157.30 Statutes, section 124D.20:

157.31		483,000		
157.32	\$	<u>477,000</u>	.....	2018

158.1 ~~393,000~~
 158.2 \$ 410,000 2019

158.3 The 2018 appropriation includes \$53,000 for 2017 and ~~\$430,000~~ \$424,000 for 2018.

158.4 The 2019 appropriation includes \$47,000 for 2018 and ~~\$346,000~~ \$363,000 for 2019.

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

158.6 **H. SELF-SUFFICIENCY AND LIFELONG LEARNING**

158.7 Sec. 27. Laws 2017, First Special Session chapter 5, article 10, section 6, subdivision 2,
 158.8 is amended to read:

158.9 Subd. 2. **Adult basic education aid.** For adult basic education aid under Minnesota
 158.10 Statutes, section 124D.531:

158.11 ~~50,010,000~~
 158.12 \$ 48,708,000 2018

158.13 ~~51,497,000~~
 158.14 \$ 50,109,000 2019

158.15 The 2018 appropriation includes \$4,881,000 for 2017 and ~~\$45,129,000~~ \$43,827,000 for
 158.16 2018.

158.17 The 2019 appropriation includes ~~\$5,014,000~~ \$4,869,000 for 2018 and ~~\$46,483,000~~
 158.18 \$45,240,000 for 2019.

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

158.20 Amend the title accordingly