

1.1 moves to amend H.F. No. 2400 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 2018, section 16A.152, subdivision 1b, is amended to read:

1.6 Subd. 1b. **Budget reserve level.** (a) The commissioner of management and budget shall
1.7 calculate the budget reserve level by multiplying the current biennium's general fund
1.8 nondedicated revenues and the most recent budget reserve percentage under subdivision 8.

1.9 (b) If, on the basis of a November forecast of general fund revenues and expenditures,
1.10 the commissioner of management and budget determines that there will be a positive
1.11 unrestricted general fund balance at the close of the biennium and that the provisions of
1.12 subdivision 2, paragraph (a), ~~clauses (1), (2), (3), and (4)~~, are satisfied, the commissioner
1.13 shall transfer to the budget reserve account in the general fund the amount necessary to
1.14 increase the budget reserve to the budget reserve level determined under paragraph (a). The
1.15 amount of the transfer authorized in this paragraph shall not exceed 33 percent of the positive
1.16 unrestricted general fund balance determined in the forecast.

1.17 **EFFECTIVE DATE.** This section is effective July 1, 2019.

1.18 Sec. 2. Minnesota Statutes 2018, section 16A.152, subdivision 2, is amended to read:

1.19 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
1.20 revenues and expenditures, the commissioner of management and budget determines that
1.21 there will be a positive unrestricted budgetary general fund balance at the close of the
1.22 biennium, the commissioner of management and budget must allocate money to the following
1.23 accounts and purposes in priority order:

2.1 (1) the cash flow account established in subdivision 1 until that account reaches
2.2 \$350,000,000;

2.3 (2) the budget reserve account established in subdivision 1a until that account reaches
2.4 \$1,596,522,000;

2.5 (3) the amount necessary to increase the aid payment schedule for school district aids
2.6 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
2.7 tenth of a percent without exceeding the amount available and with any remaining funds
2.8 deposited in the budget reserve;

2.9 (4) the amount necessary to restore all or a portion of the net aid reductions under section
2.10 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
2.11 subdivision 5, by the same amount; and

2.12 (5) ~~the clean water fund established in section 114D.50 until \$22,000,000 has been~~
2.13 ~~transferred into the fund.~~ the amount necessary to increase the special education aid payment
2.14 percentage under section 127A.45, subdivision 13, paragraph (b), to not more than 100
2.15 percent.

2.16 (b) The amounts necessary to meet the requirements of this section are appropriated
2.17 from the general fund within two weeks after the forecast is released or, in the case of
2.18 transfers under paragraph (a), clauses (3) ~~and~~ (4), and (5), as necessary to meet the
2.19 appropriations schedules otherwise established in statute.

2.20 (c) The commissioner of management and budget shall certify the total dollar amount
2.21 of the reductions under paragraph (a), clauses (3) ~~and~~ (4), and (5), to the commissioner of
2.22 education. The commissioner of education shall increase the aid payment percentage ~~and~~
2.23 reduce the property tax shift percentage, and increase the special education aid payment
2.24 percentage by these amounts and apply those reductions to the current fiscal year and
2.25 thereafter.

2.26 (d) ~~Paragraph (a), clause (5), expires after the entire amount of the transfer has been~~
2.27 ~~made.~~

2.28 **EFFECTIVE DATE.** This section is effective July 1, 2019.

2.29 Sec. 3. Minnesota Statutes 2018, section 120A.20, subdivision 2, is amended to read:

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

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

3.11 (c) Except as provided in paragraph (d), the serving district is responsible for transporting
3.12 a homeless pupil to and from the pupil's district of residence. The district may transport
3.13 from a permanent home in another district but only through the end of the academic school
3.14 year. When a pupil is enrolled in a charter school, the district or school that provides
3.15 transportation for other pupils enrolled in the charter school is responsible for providing
3.16 transportation. When a homeless ~~student~~ pupil with or without an individualized education
3.17 program attends a public school other than an independent or special school district or
3.18 charter school, the district of residence is responsible for transportation.

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

3.25 **EFFECTIVE DATE.** This section is effective July 1, 2019.

3.26 Sec. 4. **[120A.21] ENROLLMENT OF A STUDENT IN FOSTER CARE.**

3.27 A student placed in foster care must remain enrolled in the student's prior school unless
3.28 it is determined that remaining enrolled in the prior school is not in the student's best interests.
3.29 If the student does not remain enrolled in the prior school, the student must be enrolled in
3.30 a new school within seven school days.

3.31 **EFFECTIVE DATE.** This section is effective July 1, 2019.

4.1 Sec. 5. Minnesota Statutes 2018, section 120A.35, is amended to read:

4.2 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.**

4.3 Reasonable efforts must be made by a school district to accommodate any pupil who
4.4 wishes to be excused from a curricular activity for a religious observance. A school board
4.5 must provide annual notice to parents of the school district's policy relating to a pupil's
4.6 absence from school for a religious observance. A school board may satisfy the notice
4.7 requirement by including the notice in a student handbook containing school policies or by
4.8 posting the notice on the district website.

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

4.10 Sec. 6. Minnesota Statutes 2018, section 120A.40, is amended to read:

4.11 **120A.40 SCHOOL CALENDAR.**

4.12 (a) Except for learning programs during summer, flexible learning year programs
4.13 authorized under sections 124D.12 to 124D.127, and learning year programs under section
4.14 124D.128, a district must not commence an elementary or secondary school year before
4.15 Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops
4.16 may be held before Labor Day. Districts that enter into cooperative agreements are
4.17 encouraged to adopt similar school calendars.

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

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

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

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

4.24 (c) A school board may consider the community's religious observances when adopting
4.25 an annual school calendar.

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

4.27 Sec. 7. Minnesota Statutes 2018, section 123A.64, is amended to read:

4.28 **123A.64 DUTY TO MAINTAIN ELEMENTARY AND SECONDARY SCHOOLS.**

4.29 Each district must maintain classified elementary and secondary schools, ~~grades 1~~
4.30 kindergarten through grade 12, unless the district is exempt according to section 123A.61

5.1 or 123A.62, has made an agreement with another district or districts as provided in sections
5.2 123A.30, 123A.32, or sections 123A.35 to 123A.43, or 123A.17, subdivision 7, has received
5.3 a grant under sections 123A.441 to 123A.445, or has formed a cooperative under section
5.4 123A.482. A district that has an agreement according to sections 123A.35 to 123A.43 or
5.5 123A.32 must operate a school with the number of grades required by those sections. A
5.6 district that has an agreement according to section 123A.30 or 123A.17, subdivision 7, or
5.7 has received a grant under sections 123A.441 to 123A.445 must operate a school for the
5.8 grades not included in the agreement, but not fewer than three grades.

5.9 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

5.10 Sec. 8. Minnesota Statutes 2018, section 123B.143, subdivision 1, is amended to read:

5.11 Subdivision 1. **Contract; duties.** (a) All districts maintaining a classified secondary
5.12 school must employ a superintendent who ~~shall be~~ must serve as an ex officio nonvoting
5.13 member of the school board. The authority for selection and employment of a superintendent
5.14 must be vested in the board in all cases.

5.15 (b) An individual employed by a board as a superintendent ~~shall~~ must have an initial
5.16 employment contract for a period of time no longer than three years from the date of
5.17 employment. Any subsequent employment contract must not exceed a period of three years.
5.18 A board, at its discretion, may or may not renew an employment contract. A board must
5.19 not, by action or inaction, extend the duration of an existing employment contract. Beginning
5.20 365 days prior to the expiration date of an existing employment contract, a board may
5.21 negotiate and enter into a subsequent employment contract to take effect upon the expiration
5.22 of the existing contract. A subsequent contract must be contingent upon the employee
5.23 completing the terms of an existing contract. If a contract between a board and a
5.24 superintendent is terminated prior to the date specified in the contract, the board may not
5.25 enter into another superintendent contract with that same individual that has a term that
5.26 extends beyond the date specified in the terminated contract.

5.27 (c) A board may terminate a superintendent during the term of an employment contract
5.28 for any of the grounds specified in section 122A.40, subdivision 9 or 13. A superintendent
5.29 ~~shall~~ must not rely upon an employment contract with a board to assert any other continuing
5.30 contract rights in the position of superintendent under section 122A.40. Notwithstanding
5.31 the provisions of sections 122A.40, subdivision 10 or 11, 123A.32, 123A.75, or any other
5.32 law to the contrary, no individual ~~shall have~~ has a right to employment as a superintendent
5.33 based on order of employment in any district.

6.1 (d) If two or more districts enter into an agreement for the purchase or sharing of the
6.2 services of a superintendent, the contracting districts have the absolute right to select one
6.3 of the individuals employed to serve as superintendent in one of the contracting districts
6.4 and no individual has a right to employment as the superintendent to provide all or part of
6.5 the services based on order of employment in a contracting district.

6.6 (e) The superintendent of a district ~~shall~~ must perform the following:

6.7 (1) visit and supervise the schools in the district, report and make recommendations
6.8 about their condition when advisable or on request by the board;

6.9 (2) recommend to the board employment and dismissal of teachers;

6.10 (3) annually evaluate each school principal assigned responsibility for supervising a
6.11 school building within the district, consistent with section 123B.147, subdivision 3, paragraph
6.12 (b);

6.13 (4) superintend school grading practices and examinations for promotions;

6.14 (5) make reports required by the commissioner; and

6.15 (6) perform other duties prescribed by the board.

6.16 Sec. 9. Minnesota Statutes 2018, section 123B.41, subdivision 2, is amended to read:

6.17 Subd. 2. **Textbook.** (a) "Textbook" means any book or book substitute, including
6.18 electronic books as well as other printed materials delivered electronically, which a pupil
6.19 uses as a text or text substitute in a particular class or program in the school regularly
6.20 attended and a copy of which is expected to be available for the individual use of each pupil
6.21 in this class or program. Textbook includes an online book with an annual subscription cost.
6.22 Textbook includes a teacher's edition, teacher's guide, or other materials that accompany a
6.23 textbook that a pupil uses when the teacher's edition, teacher's guide, or other teacher
6.24 materials are packaged physically or electronically with textbooks for student use.

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

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

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

7.2 Sec. 10. Minnesota Statutes 2018, section 123B.41, subdivision 5, is amended to read:

7.3 Subd. 5. **Individualized instructional or cooperative learning materials.** (a)

7.4 "Individualized instructional or cooperative learning materials" means educational materials
7.5 which:

7.6 ~~(a)~~ (1) are designed primarily for individual pupil use or use by pupils in a cooperative
7.7 learning group in a particular class or program in the school the pupil regularly attends,
7.8 including teacher materials that accompany materials that a pupil uses;

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

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

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

7.21 (c) "Individualized instructional or cooperative learning materials" do not include
7.22 instructional equipment, instructional hardware, or ordinary daily consumable classroom
7.23 supplies.

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

7.25 Sec. 11. Minnesota Statutes 2018, section 123B.42, subdivision 3, is amended to read:

7.26 Subd. 3. **Cost; limitation.** (a) The cost per pupil of the textbooks, individualized
7.27 instructional or cooperative learning materials, software or other educational technology,
7.28 and standardized tests provided for in this section for each school year must not exceed the
7.29 statewide average expenditure per pupil, adjusted pursuant to ~~clause~~ paragraph (b), by the
7.30 Minnesota public elementary and secondary schools for textbooks, individualized
7.31 instructional materials and standardized tests as computed and established by the department

8.1 by February 1 of the preceding school year from the most recent public school year data
8.2 then available.

8.3 (b) The cost computed in ~~clause paragraph~~ (a) shall be increased by an inflation
8.4 adjustment equal to the percent of increase in the formula allowance, pursuant to section
8.5 126C.10, subdivision 2, from the second preceding school year to the current school year.
8.6 ~~Notwithstanding the amount of the formula allowance for fiscal years 2015 and 2016 in~~
8.7 ~~section 126C.10, subdivision 2, the commissioner shall use the amount of the formula~~
8.8 ~~allowance for the current year minus \$414 in determining the inflation adjustment for fiscal~~
8.9 ~~years 2015 and 2016.~~

8.10 (c) The commissioner shall allot to the districts or intermediary service areas the total
8.11 cost for each school year of providing or loaning the textbooks, individualized instructional
8.12 or cooperative learning materials, software or other educational technology, and standardized
8.13 tests for the pupils in each nonpublic school. The allotment shall not exceed the product of
8.14 the statewide average expenditure per pupil, according to ~~clause paragraph~~ (a), adjusted
8.15 pursuant to ~~clause paragraph~~ (b), multiplied by the number of nonpublic school pupils who
8.16 make requests pursuant to this section and who are enrolled as of September 15 of the current
8.17 school year.

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

8.19 Sec. 12. Minnesota Statutes 2018, section 123B.49, subdivision 4, is amended to read:

8.20 Subd. 4. **Board control of extracurricular activities.** (a) The board ~~may~~ must take
8.21 charge of and control all extracurricular activities of the teachers and children of the public
8.22 schools in the district. Extracurricular activities means all direct and personal services for
8.23 pupils for their enjoyment that are managed and operated under the guidance of an adult or
8.24 staff member. The board shall allow all resident pupils receiving instruction in a home
8.25 school as defined in section 123B.36, subdivision 1, paragraph (a), to be eligible to fully
8.26 participate in extracurricular activities on the same basis as public school students.

8.27 (b) Extracurricular activities have all of the following characteristics:

8.28 (1) they are not offered for school credit nor required for graduation;

8.29 (2) they are generally conducted outside school hours, or if partly during school hours,
8.30 at times agreed by the participants, and approved by school authorities;

8.31 (3) the content of the activities is determined primarily by the pupil participants under
8.32 the guidance of a staff member or other adult.

9.1 ~~(e) If the board does not take charge of and control extracurricular activities, these~~
9.2 ~~activities shall be self-sustaining with all expenses, except direct salary costs and indirect~~
9.3 ~~costs of the use of school facilities, met by dues, admissions, or other student fund-raising~~
9.4 ~~events. The general fund must reflect only those salaries directly related to and readily~~
9.5 ~~identified with the activity and paid by public funds. Other revenues and expenditures for~~
9.6 ~~extra-curricular activities must be recorded according to the Manual for Activity Fund~~
9.7 ~~Accounting. Extracurricular activities not under board control must have an annual financial~~
9.8 ~~audit and must also be audited annually for compliance with this section.~~

9.9 ~~(d) If the board takes charge of and controls extracurricular activities;~~ (c) Any or all
9.10 costs of these activities may be provided from school revenues and all revenues and
9.11 expenditures for these activities shall be recorded in the same manner as other revenues and
9.12 expenditures of the district.

9.13 ~~(e) If the board takes charge of and controls extracurricular activities;~~ (d) The teachers
9.14 or pupils in the district must not participate in such activity, nor shall the school name or
9.15 any allied name be used in connection therewith, except by consent and direction of the
9.16 board.

9.17 (e) A school district must reserve revenue raised for extracurricular activities and spend
9.18 the revenue only for extracurricular activities.

9.19 **EFFECTIVE DATE.** This section is effective for fiscal year 2020 and later.

9.20 Sec. 13. Minnesota Statutes 2018, section 124D.4531, is amended to read:

9.21 **124D.4531 CAREER AND TECHNICAL REVENUE.**

9.22 Subdivision 1. **Career and technical revenue.** (a) A district with a career and technical
9.23 program approved under this section for the fiscal year in which the levy is certified is
9.24 eligible for career and technical revenue equal to ~~35~~ 50 percent of approved expenditures
9.25 in the fiscal year in which the levy is certified for the following:

9.26 (1) salaries paid to essential, licensed personnel providing direct instructional services
9.27 to students in that fiscal year, including extended contracts, for services rendered in the
9.28 district's approved career and technical education programs, excluding salaries reimbursed
9.29 by another school district under clause (2);

9.30 (2) amounts paid to another Minnesota school district for salaries of essential, licensed
9.31 personnel providing direct instructional services to students in that fiscal year for services
9.32 rendered in the district's approved career and technical education programs;

10.1 (3) contracted services provided by a public or private agency other than a Minnesota
10.2 school district or cooperative center under chapter 123A or 136D;

10.3 (4) necessary travel between instructional sites by licensed career and technical education
10.4 personnel;

10.5 (5) necessary travel by licensed career and technical education personnel for vocational
10.6 student organization activities held within the state for instructional purposes;

10.7 (6) curriculum development activities that are part of a five-year plan for improvement
10.8 based on program assessment;

10.9 (7) necessary travel by licensed career and technical education personnel for noncollegiate
10.10 credit-bearing professional development; and

10.11 (8) specialized vocational instructional supplies.

10.12 (b) The district must recognize the full amount of this levy as revenue for the fiscal year
10.13 in which it is certified.

10.14 ~~(e) The amount of the revenue calculated under this subdivision may not exceed~~
10.15 ~~\$17,850,000 for taxes payable in 2012, \$15,520,000 for taxes payable in 2013, and~~
10.16 ~~\$20,657,000 for taxes payable in 2014.~~

10.17 ~~(d) If the estimated revenue exceeds the amount in paragraph (e), the commissioner must~~
10.18 ~~reduce the percentage in paragraph (a) until the estimated revenue no longer exceeds the~~
10.19 ~~limit in paragraph (e).~~

10.20 Subd. 1a. **Career and technical levy.** ~~(a) For fiscal year 2014 only, a district may levy~~
10.21 ~~an amount not more than the product of its career and technical revenue times the lesser of~~
10.22 ~~one or the ratio of its adjusted net tax capacity per adjusted pupil unit in the fiscal year in~~
10.23 ~~which the levy is certified to the career and technical revenue equalizing factor. The career~~
10.24 ~~and technical revenue equalizing factor for fiscal year 2014 equals \$7,612.~~

10.25 ~~(b) For fiscal year 2015 and later, A district may levy an amount not more than the~~
10.26 ~~product of its career and technical revenue times the lesser of one or the ratio of its adjusted~~
10.27 ~~net tax capacity per adjusted pupil unit in the fiscal year in which the levy is certified to the~~
10.28 ~~career and technical revenue equalizing factor. The career and technical revenue equalizing~~
10.29 ~~factor for fiscal year 2015 and later equals \$7,612 \$13,575.~~

10.30 Subd. 1b. **Career and technical aid.** ~~For fiscal year 2014 and later, A district's career~~
10.31 ~~and technical aid equals its career and technical revenue less its career and technical levy.~~

11.1 If the district levy is less than the permitted levy, the district's career and technical aid shall
11.2 be reduced proportionately.

11.3 Subd. 2. **Allocation from cooperative centers and intermediate districts.** For purposes
11.4 of this section, a cooperative center or an intermediate district must allocate its approved
11.5 expenditures for career and technical education programs among participating districts.

11.6 Subd. 3. **Revenue guarantee.** Notwithstanding subdivision 1, paragraph (a), the career
11.7 and technical education revenue for a district is not less than the lesser of:

11.8 (1) the district's career and technical education revenue for the previous fiscal year; or

11.9 (2) 100 percent of the approved expenditures for career and technical programs included
11.10 in subdivision 1, paragraph (a), for the fiscal year in which the levy is certified.

11.11 ~~Subd. 3a. **Revenue adjustments.** Notwithstanding subdivisions 1, 1a, and 3, for taxes~~
11.12 ~~payable in 2012 to 2014 only, the department must calculate the career and technical revenue~~
11.13 ~~for each district according to Minnesota Statutes 2010, section 124D.4531, and adjust the~~
11.14 ~~revenue for each district proportionately to meet the statewide revenue target under~~
11.15 ~~subdivision 1, paragraph (e). For purposes of calculating the revenue guarantee under~~
11.16 ~~subdivision 3, the career and technical education revenue for the previous fiscal year is the~~
11.17 ~~revenue according to Minnesota Statutes 2010, section 124D.4531, before adjustments to~~
11.18 ~~meet the statewide revenue target.~~

11.19 Subd. 4. **District reports.** Each district or cooperative center must report data to the
11.20 department for all career and technical education programs as required by the department
11.21 to implement the career and technical revenue formula.

11.22 Subd. 5. **Allocation from districts participating in agreements for secondary**
11.23 **education or interdistrict cooperation.** For purposes of this section, a district with a career
11.24 and technical program approved under this section that participates in an agreement under
11.25 section 123A.30 or 123A.32 must allocate its revenue authority under this section among
11.26 participating districts.

11.27 **EFFECTIVE DATE.** This section is effective for fiscal year 2021 and later.

11.28 Sec. 14. Minnesota Statutes 2018, section 124D.65, subdivision 5, is amended to read:

11.29 Subd. 5. **School district EL revenue.** (a) A district's English learner programs revenue
11.30 equals the product of (1) ~~\$704~~ \$740 times (2) the greater of 20 or the adjusted average daily
11.31 membership of eligible English learners enrolled in the district during the current fiscal
11.32 year.

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

12.4 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

12.5 Sec. 15. Minnesota Statutes 2018, section 124E.20, subdivision 1, is amended to read:

12.6 Subdivision 1. **Revenue calculation.** (a) General education revenue must be paid to a
12.7 charter school as though it were a district. The general education revenue for each adjusted
12.8 pupil unit is the state average general education revenue per pupil unit, plus the referendum
12.9 equalization aid allowance and first tier local optional aid allowance in the pupil's district
12.10 of residence, minus an amount equal to the product of the formula allowance according to
12.11 section 126C.10, subdivision 2, times .0466, calculated without declining enrollment revenue,
12.12 local optional revenue, basic skills revenue, extended time revenue, pension adjustment
12.13 revenue, transition revenue, and transportation sparsity revenue, plus declining enrollment
12.14 revenue, basic skills revenue, pension adjustment revenue, and transition revenue as though
12.15 the school were a school district.

12.16 (b) For a charter school operating an extended day, extended week, or summer program,
12.17 the general education revenue in paragraph (a) is increased by an amount equal to 25 percent
12.18 of the statewide average extended time revenue per adjusted pupil unit.

12.19 (c) Notwithstanding paragraph (a), the general education revenue for an eligible special
12.20 education charter school as defined in section 124E.21, subdivision 2, equals the sum of
12.21 the amount determined under paragraph (a) and the school's unreimbursed cost as defined
12.22 in section 124E.21, subdivision 2, for educating students not eligible for special education
12.23 services.

12.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

12.25 Sec. 16. Minnesota Statutes 2018, section 126C.05, subdivision 1, is amended to read:

12.26 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
12.27 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
12.28 average daily membership enrolled in the district of residence, in another district under
12.29 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
12.30 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
12.31 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
12.32 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

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

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

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

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

13.15 ~~(e)~~ (d) A kindergarten pupil who is not included in paragraph (e) is counted as 1.0 pupil
 13.16 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
 13.17 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in
 13.18 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
 13.19 every day kindergarten program available to all kindergarten pupils at the pupil's school.

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

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

13.22 ~~(h)~~ (g) A pupil who is in the postsecondary enrollment options program is counted as
 13.23 1.2 pupil units.

13.24 ~~(i) For fiscal years 2018 and 2019 only;~~ (h) A prekindergarten pupil who:

13.25 (1) is not included in paragraph (a), (b), or ~~(d)~~ (c);

13.26 (2) is enrolled in a school readiness plus program; and

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

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

14.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

14.2 Sec. 17. Minnesota Statutes 2018, section 126C.10, subdivision 2, is amended to read:

14.3 Subd. 2. **Basic revenue.** The basic revenue for each district equals the formula allowance
14.4 times the adjusted pupil units for the school year. ~~The formula allowance for fiscal year~~
14.5 ~~2017 is \$6,067. The formula allowance for fiscal year 2018 is \$6,188.~~ The formula allowance
14.6 for fiscal year 2019 ~~and later~~ is \$6,312. The formula allowance for fiscal year 2020 is \$6,501.
14.7 The formula allowance for fiscal year 2021 and later is \$6,631.

14.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

14.9 Sec. 18. Minnesota Statutes 2018, section 126C.10, subdivision 2d, is amended to read:

14.10 Subd. 2d. **Declining enrollment revenue.** (a) A school district's declining enrollment
14.11 revenue equals the greater of zero or the product of: (1) 28 percent of the formula allowance
14.12 for that year and (2) the difference between the adjusted pupil units for the preceding year
14.13 and the adjusted pupil units for the current year.

14.14 (b) Notwithstanding paragraph (a), for fiscal years 2015, 2016, and 2017 only, a pupil
14.15 enrolled at the Crosswinds school shall not generate declining enrollment revenue for the
14.16 district or charter school in which the pupil was last counted in average daily membership.

14.17 (c) Notwithstanding paragraph (a), for fiscal years 2017, 2018, and 2019 only,
14.18 prekindergarten pupil units under section 126C.05, subdivision 1, paragraph ~~(c)~~ (c), must
14.19 be excluded from the calculation of declining enrollment revenue.

14.20 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

14.21 Sec. 19. Minnesota Statutes 2018, section 126C.10, subdivision 2e, is amended to read:

14.22 Subd. 2e. **Local optional revenue.** (a) For fiscal year 2020, local optional revenue for
14.23 a school district equals \$424 times the adjusted pupil units of the district for that school
14.24 year. For fiscal year 2021 and later, local optional revenue for a school district equals the
14.25 sum of the district's first tier local optional revenue and second tier local optional revenue.
14.26 A district's first tier local optional revenue equals \$300 times the adjusted pupil units of the
14.27 district for that school year. A district's second tier local optional revenue equals \$424 times
14.28 the adjusted pupil units of the district for that school year.

14.29 (b) For fiscal year 2020, a district's local optional levy equals its local optional revenue
14.30 times the lesser of one or the ratio of its referendum market value per resident pupil unit to
14.31 \$510,000. For fiscal year 2021 and later, a district's local optional levy equals the sum of

15.1 the first tier local optional levy and the second tier local optional levy. A district's first tier
 15.2 local optional levy equals the district's first tier local optional revenue times the lesser of
 15.3 one or the ratio of the district's referendum market value per resident pupil unit to \$880,000.
 15.4 A district's second tier local optional levy equals the district's second tier local optional
 15.5 revenue times the lesser of one or the ratio of the district's referendum market value per
 15.6 resident pupil unit to \$510,000. The local optional revenue levy must be spread on referendum
 15.7 market value. A district may levy less than the permitted amount.

15.8 (c) A district's local optional aid equals its local optional revenue ~~less~~ minus its local
 15.9 optional levy, ~~times the ratio of the actual amount levied to the permitted levy.~~ If a district's
 15.10 actual levy for first or second tier local optional revenue is less than its maximum levy limit
 15.11 for that tier, its aid must be proportionately reduced.

15.12 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

15.13 Sec. 20. Minnesota Statutes 2018, section 126C.10, subdivision 3, is amended to read:

15.14 Subd. 3. **Compensatory education revenue.** (a) The compensatory education revenue
 15.15 for each building in the district equals the formula allowance minus \$839 times the
 15.16 compensation revenue pupil units computed according to section 126C.05, subdivision 3.
 15.17 A district's compensatory revenue equals the sum of its compensatory revenue for each
 15.18 building in the district and the amounts designated under Laws 2015, First Special Session
 15.19 chapter 3, article 2, section 70, subdivision 8, for fiscal year 2017. Revenue shall be paid
 15.20 to the district and must be allocated according to section 126C.15, subdivision 2.

15.21 (b) When the district contracting with an alternative program under section 124D.69
 15.22 changes prior to the start of a school year, the compensatory revenue generated by pupils
 15.23 attending the program shall be paid to the district contracting with the alternative program
 15.24 for the current school year, and shall not be paid to the district contracting with the alternative
 15.25 program for the prior school year.

15.26 (c) When the fiscal agent district for an area learning center changes prior to the start of
 15.27 a school year, the compensatory revenue shall be paid to the fiscal agent district for the
 15.28 current school year, and shall not be paid to the fiscal agent district for the prior school year.

15.29 ~~(d) Of the amount of revenue under this subdivision, 1.7 percent for fiscal year 2018,~~
 15.30 ~~3.5 percent for fiscal year 2019, and for fiscal year 2020 and later, 3.5 percent plus the~~
 15.31 ~~percentage change in the formula allowance from fiscal year 2019, must be used for extended~~
 15.32 ~~time activities under subdivision 2a, paragraph (c).~~

15.33 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

16.1 Sec. 21. Minnesota Statutes 2018, section 126C.10, subdivision 13a, is amended to read:

16.2 Subd. 13a. **Operating capital levy.** To obtain operating capital revenue, a district may
16.3 levy an amount not more than the product of its operating capital revenue for the fiscal year
16.4 times the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to
16.5 the operating capital equalizing factor. The operating capital equalizing factor equals ~~\$15,740~~
16.6 ~~for fiscal year 2017, \$20,548 for fiscal year 2018, \$24,241 for fiscal year 2019, and \$22,912~~
16.7 \$23,902 for fiscal year 2020, \$23,885 for fiscal year 2021, \$23,895 for fiscal year 2022,
16.8 and \$23,974 for fiscal year 2023 and later.

16.9 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

16.10 Sec. 22. Minnesota Statutes 2018, section 126C.10, subdivision 24, is amended to read:

16.11 Subd. 24. **Equity revenue.** (a) A school district qualifies for equity revenue if:

16.12 (1) the school district's adjusted pupil unit amount of basic revenue, transition revenue,
16.13 first tier local optional revenue, and referendum revenue is less than the value of the school
16.14 district at or immediately above the 95th percentile of school districts in its equity region
16.15 for those revenue categories; and

16.16 (2) the school district's administrative offices are not located in a city of the first class
16.17 on July 1, 1999.

16.18 ~~(b) Equity revenue for a qualifying district that receives referendum revenue under~~
16.19 ~~section 126C.17, subdivision 4, equals the product of (1) the district's adjusted pupil units~~
16.20 ~~for that year; times (2) the sum of (i) \$14, plus (ii) \$80, times the school district's equity~~
16.21 ~~index computed under subdivision 27.~~

16.22 ~~(c) Equity revenue for a qualifying district that does not receive referendum revenue~~
16.23 ~~under section 126C.17, subdivision 4, equals the product of the district's adjusted pupil units~~
16.24 ~~for that year times \$14.~~

16.25 ~~(d)~~ (c) A school district's equity revenue is increased by the greater of zero or an amount
16.26 equal to the district's adjusted pupil units times the difference between ten percent of the
16.27 statewide average amount of referendum revenue and first tier local optional revenue per
16.28 adjusted pupil unit for that year and the sum of the district's referendum revenue and first
16.29 tier local optional revenue per adjusted pupil unit. A school district's revenue under this
16.30 paragraph must not exceed \$100,000 for that year.

16.31 ~~(e)~~ (d) A school district's equity revenue for a school district located in the metro equity
16.32 region equals the amount computed in paragraphs (b); and (c), ~~and (d)~~ multiplied by 1.25.

17.1 ~~(f) For fiscal years 2017, 2018, and 2019 for a school district not included in paragraph~~
 17.2 ~~(e), a district's equity revenue equals the amount computed in paragraphs (b), (c), and (d)~~
 17.3 ~~multiplied by 1.16. (e) For fiscal year 2020 and later for a school district not included in~~
 17.4 ~~paragraph (e) (d), a district's equity revenue equals the amount computed in paragraphs (b);~~
 17.5 ~~and (c), and (d) multiplied by 1.25.~~

17.6 ~~(g) (f) A school district's additional equity revenue equals \$50 times its adjusted pupil~~
 17.7 ~~units.~~

17.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

17.9 Sec. 23. Minnesota Statutes 2018, section 126C.126, is amended to read:

17.10 **126C.126 USE OF GENERAL EDUCATION REVENUE FOR ~~ALL-DAY~~**
 17.11 **KINDERGARTEN AND PREKINDERGARTEN.**

17.12 A school district may spend general education revenue on extended time kindergarten
 17.13 and prekindergarten programs. At the school board's discretion, the district may use revenue
 17.14 generated by the ~~all-day~~ kindergarten pupil count under section 126C.05, subdivision 1,
 17.15 paragraph (d), to meet the needs of three- and four-year-olds in the district. ~~A school district~~
 17.16 ~~may not use these funds on programs for three- and four-year-old children while maintaining~~
 17.17 ~~a fee-based all-day kindergarten program.~~

17.18 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

17.19 Sec. 24. Minnesota Statutes 2018, section 126C.17, subdivision 1, is amended to read:

17.20 Subdivision 1. **Referendum allowance.** (a) A district's initial referendum allowance for
 17.21 fiscal year 2021 and later equals the result of the following calculations:

17.22 ~~(1) multiply the referendum allowance the district would have received for fiscal year~~
 17.23 ~~2015 under Minnesota Statutes 2012, section 126C.17, subdivision 1, based on elections~~
 17.24 ~~held before July 1, 2013, by the resident marginal cost pupil units the district would have~~
 17.25 ~~counted for fiscal year 2015 under Minnesota Statutes 2012, section 126C.05;~~

17.26 ~~(2) add to the result of clause (1) the adjustment the district would have received under~~
 17.27 ~~Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based~~
 17.28 ~~on elections held before July 1, 2013;~~

17.29 ~~(3) divide the result of clause (2) by the district's adjusted pupil units for fiscal year~~
 17.30 ~~2015;~~

18.1 ~~(4) add to the result of clause (3) any additional referendum allowance per adjusted pupil~~
18.2 ~~unit authorized by elections held between July 1, 2013, and December 31, 2013;~~

18.3 ~~(5) add to the result in clause (4) any additional referendum allowance resulting from~~
18.4 ~~inflation adjustments approved by the voters prior to January 1, 2014;~~

18.5 ~~(6) subtract from the result of clause (5), the sum of a district's actual local optional levy~~
18.6 ~~and local optional aid under section 126C.10, subdivision 2e, divided by the adjusted pupil~~
18.7 ~~units of the district for that school year; and~~

18.8 (1) subtract \$424 from the district's allowance under Minnesota Statutes 2018, section
18.9 126C.17, subdivision 1, paragraph (a), clause (5);

18.10 (2) if the result of clause (1) is less than zero, set the allowance to zero;

18.11 (3) add to the result in clause (2) any new referendum allowance authorized between
18.12 July 1, 2013, and December 31, 2013, under Minnesota Statutes 2013, section 126C.17,
18.13 subdivision 9a;

18.14 (4) add to the result in clause (3) any additional referendum allowance per adjusted pupil
18.15 unit authorized between January 1, 2014, and June 30, 2019;

18.16 (5) subtract from the result in clause (4) any allowances expiring in fiscal year 2016,
18.17 2017, 2018, 2019, or 2020;

18.18 (6) subtract \$300 from the result in clause (5); and

18.19 (7) if the result of clause (6) is less than zero, set the allowance to zero.

18.20 (b) A district's referendum allowance equals the sum of the district's initial referendum
18.21 allowance, plus any new referendum allowance authorized ~~between July 1, 2013, and~~
18.22 ~~December 31, 2013, under subdivision 9a, plus any additional referendum allowance per~~
18.23 ~~adjusted pupil unit authorized after December 31, 2013~~ after July 1, 2019, minus any
18.24 allowances expiring in fiscal year ~~2016~~ 2021 or later, plus any inflation adjustments for
18.25 fiscal year 2021 and later approved by the voters prior to July 1, 2019, provided that the
18.26 allowance may not be less than zero. ~~For a district with more than one referendum allowance~~
18.27 ~~for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, the allowance calculated~~
18.28 ~~under paragraph (a), clause (3), must be divided into components such that the same~~
18.29 ~~percentage of the district's allowance expires at the same time as the old allowances would~~
18.30 ~~have expired under Minnesota Statutes 2012, section 126C.17. For a district with more than~~
18.31 ~~one allowance for fiscal year 2015 that expires in the same year, the reduction under~~
18.32 ~~paragraph (a), clause~~ clauses (1) and (6), to offset local optional revenue shall be made first
18.33 ~~from any allowances that do not have an inflation adjustment approved by the voters.~~

19.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

19.2 Sec. 25. Minnesota Statutes 2018, section 126C.17, subdivision 2, is amended to read:

19.3 Subd. 2. **Referendum allowance limit.** (a) Notwithstanding subdivision 1, for fiscal
19.4 year ~~2015~~ 2021 and later, a district's referendum allowance must not exceed ~~the annual~~
19.5 ~~inflationary increase as calculated under paragraph (b)~~ times the greatest ~~greatest~~ of:

19.6 (1) ~~\$1,845~~ the product of the annual inflationary increase as calculated under paragraph
19.7 (b), and \$2,079.50, minus \$300;

19.8 (2) the product of the annual inflationary increase as calculated under paragraph (b),
19.9 and the sum of the referendum revenue the district would have received for fiscal year 2015
19.10 under Minnesota Statutes 2012, section 126C.17, subdivision 4, based on elections held
19.11 before July 1, 2013, and the adjustment the district would have received under Minnesota
19.12 Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based on elections
19.13 held before July 1, 2013, divided by the district's adjusted pupil units for fiscal year 2015,
19.14 minus \$300;

19.15 (3) ~~the product of the referendum allowance limit the district would have received for~~
19.16 ~~fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 2, and the~~
19.17 ~~resident marginal cost pupil units the district would have received for fiscal year 2015 under~~
19.18 ~~Minnesota Statutes 2012, section 126C.05, subdivision 6, plus the adjustment the district~~
19.19 ~~would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7,~~
19.20 ~~paragraphs (a), (b), and (c), based on elections held before July 1, 2013, divided by the~~
19.21 ~~district's adjusted pupil units for fiscal year 2015; minus \$424 for a newly reorganized~~
19.22 district created on July 1, 2020, the referendum revenue authority for each reorganizing
19.23 district in the year preceding reorganization divided by its adjusted pupil units for the year
19.24 preceding reorganization, minus \$300; or

19.25 (4) for a newly reorganized district created after July 1, ~~2013~~ 2021, the referendum
19.26 revenue authority for each reorganizing district in the year preceding reorganization divided
19.27 by its adjusted pupil units for the year preceding reorganization.

19.28 (b) For purposes of this subdivision, for fiscal year ~~2016~~ 2022 and later, "inflationary
19.29 increase" means one plus the percentage change in the Consumer Price Index for urban
19.30 consumers, as prepared by the United States Bureau of Labor Standards Statistics, for the
19.31 current fiscal year to fiscal year 2015. ~~For fiscal year 2016 and later, for purposes of~~
19.32 ~~paragraph (a), clause (3), the inflationary increase equals one-fourth of the percentage~~

20.1 ~~increase in the formula allowance for that year compared with the formula allowance for~~
20.2 ~~fiscal year 2015~~ 2021.

20.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

20.4 Sec. 26. Minnesota Statutes 2018, section 126C.17, subdivision 5, is amended to read:

20.5 Subd. 5. **Referendum equalization revenue.** (a) A district's referendum equalization
20.6 revenue equals the sum of the first tier referendum equalization revenue and the second tier
20.7 referendum equalization revenue, ~~and the third tier referendum equalization revenue.~~

20.8 (b) A district's first tier referendum equalization revenue equals the district's first tier
20.9 referendum equalization allowance times the district's adjusted pupil units for that year.

20.10 (c) A district's first tier referendum equalization allowance equals the lesser of the
20.11 district's referendum allowance under subdivision 1 or ~~\$300~~ \$460.

20.12 (d) A district's second tier referendum equalization revenue equals the district's second
20.13 tier referendum equalization allowance times the district's adjusted pupil units for that year.

20.14 (e) A district's second tier referendum equalization allowance equals the lesser of the
20.15 district's referendum allowance under subdivision 1 or ~~\$760, minus the district's first tier~~
20.16 ~~referendum equalization allowance.~~

20.17 ~~(f) A district's third tier referendum equalization revenue equals the district's third tier~~
20.18 ~~referendum equalization allowance times the district's adjusted pupil units for that year.~~

20.19 ~~(g) A district's third tier referendum equalization allowance equals the lesser of the~~
20.20 ~~district's referendum allowance under subdivision 1 or 25 percent of the formula allowance,~~
20.21 ~~minus the sum of \$300 and the district's first tier referendum equalization allowance and~~
20.22 ~~second tier referendum equalization allowance.~~

20.23 ~~(h)~~ (f) Notwithstanding paragraph ~~(g)~~ (e), the ~~third~~ second tier referendum allowance
20.24 for a district qualifying for secondary sparsity revenue under section 126C.10, subdivision
20.25 7, or elementary sparsity revenue under section 126C.10, subdivision 8, equals the district's
20.26 referendum allowance under subdivision 1 minus the ~~sum of the~~ district's first tier referendum
20.27 equalization allowance ~~and second tier referendum equalization allowance.~~

20.28 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

21.1 Sec. 27. Minnesota Statutes 2018, section 126C.17, subdivision 6, is amended to read:

21.2 Subd. 6. **Referendum equalization levy.** (a) A district's referendum equalization levy
21.3 equals the sum of the first tier referendum equalization levy; and the second tier referendum
21.4 equalization levy; ~~and the third tier referendum equalization levy.~~

21.5 (b) A district's first tier referendum equalization levy equals the district's first tier
21.6 referendum equalization revenue times the lesser of one or the ratio of the district's
21.7 referendum market value per resident pupil unit to ~~\$880,000~~ \$650,000.

21.8 (c) A district's second tier referendum equalization levy equals the district's second tier
21.9 referendum equalization revenue times the lesser of one or the ratio of the district's
21.10 referendum market value per resident pupil unit to ~~\$510,000~~ \$290,000.

21.11 ~~(d) A district's third tier referendum equalization levy equals the district's third tier
21.12 referendum equalization revenue times the lesser of one or the ratio of the district's
21.13 referendum market value per resident pupil unit to \$290,000.~~

21.14 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

21.15 Sec. 28. Minnesota Statutes 2018, section 126C.17, subdivision 7, is amended to read:

21.16 Subd. 7. **Referendum equalization aid.** (a) A district's referendum equalization aid
21.17 equals the difference between its referendum equalization revenue and levy.

21.18 (b) If a district's actual levy for first, second, or third tier referendum equalization revenue
21.19 is less than its maximum levy limit for that tier, aid shall be proportionately reduced.

21.20 (c) Notwithstanding paragraph (a), the referendum equalization aid for a district, ~~where~~
21.21 ~~the referendum equalization aid under paragraph (a) exceeds 90 percent of the referendum~~
21.22 ~~revenue,~~ must not exceed: (1) 25 percent of the formula allowance minus \$300; times (2)
21.23 the district's adjusted pupil units. A district's referendum levy is increased by the amount
21.24 of any reduction in referendum aid under this paragraph.

21.25 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

21.26 Sec. 29. Minnesota Statutes 2018, section 126C.17, subdivision 7a, is amended to read:

21.27 Subd. 7a. **Referendum tax base replacement aid.** For each school district that had a
21.28 referendum allowance for fiscal year 2002 exceeding \$415, for each separately authorized
21.29 referendum levy, the commissioner of revenue, in consultation with the commissioner of
21.30 education, shall certify the amount of the referendum levy in taxes payable year 2001
21.31 attributable to the portion of the referendum allowance exceeding \$415 levied against

22.1 property classified as class 2, noncommercial 4c(1), or 4c(4), under section 273.13, excluding
22.2 the portion of the tax paid by the portion of class 2a property consisting of the house, garage,
22.3 and surrounding one acre of land. The resulting amount must be used to reduce the district's
22.4 referendum levy or first tier local optional levy amount otherwise determined, and must be
22.5 paid to the district each year that the referendum or first tier local optional authority remains
22.6 in effect, is renewed, or new referendum authority is approved. The aid payable under this
22.7 subdivision must be subtracted from the district's referendum equalization aid under
22.8 subdivision 7. The referendum equalization aid and the first tier local optional aid after the
22.9 subtraction must not be less than zero.

22.10 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

22.11 Sec. 30. Minnesota Statutes 2018, section 126C.17, subdivision 9, is amended to read:

22.12 Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10,
22.13 subdivision 1, may be increased in the amount approved by the voters of the district at a
22.14 referendum called for the purpose. The referendum may be called by the board. The
22.15 referendum must be conducted one or two calendar years before the increased levy authority,
22.16 if approved, first becomes payable. Only one election to approve an increase may be held
22.17 in a calendar year. Unless the referendum is conducted by mail under subdivision 11,
22.18 paragraph (a), the referendum must be held on the first Tuesday after the first Monday in
22.19 November. The ballot must state the maximum amount of the increased revenue per adjusted
22.20 pupil unit. The ballot may state a schedule, determined by the board, of increased revenue
22.21 per adjusted pupil unit that differs from year to year over the number of years for which the
22.22 increased revenue is authorized or may state that the amount shall increase annually by the
22.23 rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase
22.24 calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum
22.25 levy authority is expiring. In this case, the ballot may also compare the proposed levy
22.26 authority to the existing expiring levy authority, and express the proposed increase as the
22.27 amount, if any, over the expiring referendum levy authority. The ballot must designate the
22.28 specific number of years, not to exceed ten, for which the referendum authorization applies,
22.29 and may state that the referendum may be renewed by school board resolution subject to a
22.30 reverse referendum. The ballot, including a ballot on the question to revoke or reduce the
22.31 increased revenue amount under paragraph (c), must abbreviate the term "per adjusted pupil
22.32 unit" as "per pupil." The notice required under section 275.60 may be modified to read, in
22.33 cases of renewing existing levies at the same amount per pupil as in the previous year:

23.1 "BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO
23.2 EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED
23.3 TO EXPIRE."

23.4 The ballot may contain a textual portion with the information required in this subdivision
23.5 and a question stating substantially the following:

23.6 "Shall the increase in the revenue proposed by (petition to) the board of, School
23.7 District No. ..., be approved?"

23.8 If approved, an amount equal to the approved revenue per adjusted pupil unit times the
23.9 adjusted pupil units for the school year beginning in the year after the levy is certified shall
23.10 be authorized for certification for the number of years approved, if applicable, or until
23.11 revoked or reduced by the voters of the district at a subsequent referendum.

23.12 (b) The board must deliver by mail at least 15 days but no more than 30 days before the
23.13 day of the referendum to each taxpayer a notice of the referendum and the proposed revenue
23.14 increase. The board need not mail more than one notice to any taxpayer. For the purpose
23.15 of giving mailed notice under this subdivision, owners must be those shown to be owners
23.16 on the records of the county auditor or, in any county where tax statements are mailed by
23.17 the county treasurer, on the records of the county treasurer. Every property owner whose
23.18 name does not appear on the records of the county auditor or the county treasurer is deemed
23.19 to have waived this mailed notice unless the owner has requested in writing that the county
23.20 auditor or county treasurer, as the case may be, include the name on the records for this
23.21 purpose. The notice must project the anticipated amount of tax increase in annual dollars
23.22 for typical residential homesteads, agricultural homesteads, apartments, and
23.23 commercial-industrial property within the school district.

23.24 The notice for a referendum may state that an existing referendum levy is expiring and
23.25 project the anticipated amount of increase over the existing referendum levy in the first
23.26 year, if any, in annual dollars for typical residential homesteads, agricultural homesteads,
23.27 apartments, and commercial-industrial property within the district.

23.28 The notice must include the following statement: "Passage of this referendum will result
23.29 in an increase in your property taxes." However, in cases of renewing existing levies, the
23.30 notice may include the following statement: "Passage of this referendum extends an existing
23.31 operating referendum at the same amount per pupil as in the previous year."

23.32 (c) A referendum on the question of revoking or reducing the increased revenue amount
23.33 authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke
23.34 or reduce the revenue amount must state the amount per adjusted pupil unit by which the

24.1 authority is to be reduced. Revenue authority approved by the voters of the district pursuant
24.2 to paragraph (a) must be available to the school district at least once before it is subject to
24.3 a referendum on its revocation or reduction for subsequent years. Only one revocation or
24.4 reduction referendum may be held to revoke or reduce referendum revenue for any specific
24.5 year and for years thereafter.

24.6 (d) The approval of 50 percent plus one of those voting on the question is required to
24.7 pass a referendum authorized by this subdivision.

24.8 (e) At least 15 days before the day of the referendum, the district must submit a copy of
24.9 the notice required under paragraph (b) to the commissioner and to the county auditor of
24.10 each county in which the district is located. Within 15 days after the results of the referendum
24.11 have been certified by the board, or in the case of a recount, the certification of the results
24.12 of the recount by the canvassing board, the district must notify the commissioner of the
24.13 results of the referendum.

24.14 Sec. 31. Minnesota Statutes 2018, section 126C.17, is amended by adding a subdivision
24.15 to read:

24.16 Subd. 9b. **Renewal by school board.** (a) Notwithstanding the election requirements of
24.17 subdivision 9, a school board may renew an expiring referendum approved by the voters
24.18 after July 1, 2019, by board action if:

24.19 (1) the ballot for the expiring referendum included a statement that the referendum may
24.20 be renewed by school board resolution subject to a reverse referendum;

24.21 (2) the per-pupil amount of the referendum is the same as the amount expiring or, for
24.22 an expiring referendum that was adjusted annually by the rate of inflation, the same as the
24.23 per-pupil amount of the expiring referendum, adjusted annually for inflation in the same
24.24 manner as if the expiring referendum had continued;

24.25 (3) the term of the renewed referendum is no longer than the initial term approved by
24.26 the voters; and

24.27 (4) the school board has adopted a written resolution authorizing the renewal after holding
24.28 a meeting and allowing public testimony on the proposed renewal.

24.29 (b) The resolution must be adopted by the school board by June 15 and becomes effective
24.30 60 days after its adoption.

25.1 (c) A referendum expires at the end of the last fiscal year in which the referendum
25.2 generates revenue for the school district. A school board may renew an expiring referendum
25.3 under this subdivision not more than two fiscal years before the referendum expires.

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

25.7 Sec. 32. Minnesota Statutes 2018, section 126C.17, is amended by adding a subdivision
25.8 to read:

25.9 Subd. 14. **Reverse referendum.** (a) For purposes of this subdivision, "board-renewed
25.10 referendum authority" means referendum authority renewed by the school board.

25.11 (b) A referendum on the question of revoking board-renewed referendum authority under
25.12 subdivision 9b shall be called by the board upon written petition of qualified voters of the
25.13 district. A referendum to revoke a district's board-renewed referendum authority must state
25.14 the authority to be revoked in total and per pupil unit. A revocation referendum may be held
25.15 to revoke board-renewed referendum authority for the subsequent fiscal year and for years
25.16 thereafter.

25.17 (c) A petition authorized by this subdivision is effective if:

25.18 (1) signed by more than 25 percent of the registered voters of the district on the day the
25.19 petition is filed with the board; and

25.20 (2) filed with the board by June 1 of that year.

25.21 A referendum invoked by petition must be held on the date required in subdivision 9.

25.22 (d) The approval of more than 50 percent of those voting on the question is required to
25.23 revoke board-renewed referendum authority.

25.24 Sec. 33. [127A.20] EVIDENCE-BASED EDUCATION GRANTS.

25.25 Subdivision 1. **Purpose and applicability.** The purpose of this section is to create a
25.26 process to describe, measure, and report on the effectiveness of any prekindergarten through
25.27 grade 12 grant programs funded in whole or in part through funds appropriated by the
25.28 legislature to the commissioner of education for grants to organizations. The evidence-based
25.29 evaluation required by this section applies to all grants awarded by the commissioner of
25.30 education on or after July 1, 2019.

26.1 Subd. 2. **Goals.** Each applicant for a grant awarded by the commissioner of education
26.2 must include in the grant application a statement of the goals of the grant. To the extent
26.3 practicable, the goals must be aligned to the state's world's best workforce and the federally
26.4 required Every Student Succeeds Act accountability systems.

26.5 Subd. 3. **Strategies and data.** Each applicant must include in the grant application a
26.6 description of the strategies that will be used to meet the goals specified in the application.
26.7 The applicant must also include a plan to collect data to measure the effectiveness of the
26.8 strategies outlined in the grant application.

26.9 Subd. 4. **Reporting.** Within 180 days of the end of the grant period, each grant recipient
26.10 must compile a report that describes the data that was collected and evaluate the effectiveness
26.11 of the strategies. The evidence-based report may identify or propose alternative strategies
26.12 based on the results of the data. The report must be submitted to the commissioner of
26.13 education and to the chairs and ranking minority members of the legislative committees
26.14 with jurisdiction over prekindergarten through grade 12 education. The report must be filed
26.15 with the Legislative Reference Library according to section 3.195.

26.16 Subd. 5. **Grant defined.** For purposes of this section, a grant means money appropriated
26.17 from the state general fund to the commissioner of education for distribution to the grant
26.18 recipients.

26.19 **EFFECTIVE DATE.** This section is effective July 1, 2019.

26.20 Sec. 34. Minnesota Statutes 2018, section 127A.45, subdivision 13, is amended to read:

26.21 Subd. 13. **Aid payment percentage.** (a) Except as provided in subdivisions 11, 12, 12a,
26.22 and 14, each fiscal year, all education aids and credits in this chapter and chapters 120A,
26.23 120B, 121A, 122A, 123A, 123B, 124D, 124E, 125A, 125B, 126C, 134, and section 273.1392,
26.24 shall be paid at the current year aid payment percentage of the estimated entitlement during
26.25 the fiscal year of the entitlement.

26.26 (b) For the purposes of this subdivision, a district's estimated entitlement for special
26.27 education aid under section 125A.76 ~~for fiscal year 2014 and later~~ equals 97.4 percent of
26.28 the district's entitlement for the current fiscal year.

26.29 (c) The final adjustment payment, according to subdivision 9, must be the amount of
26.30 the actual entitlement, after adjustment for actual data, minus the payments made during
26.31 the fiscal year of the entitlement.

26.32 **EFFECTIVE DATE.** This section is effective July 1, 2019.

27.1 Sec. 35. Minnesota Statutes 2018, section 127A.49, subdivision 2, is amended to read:

27.2 Subd. 2. **Abatements.** Whenever by virtue of chapter 278, sections 270C.86, 375.192,
27.3 or otherwise, the net tax capacity or referendum market value of any district for any taxable
27.4 year is changed after the taxes for that year have been spread by the county auditor and the
27.5 local tax rate as determined by the county auditor based upon the original net tax capacity
27.6 is applied upon the changed net tax capacities, the county auditor ~~shall~~ must, prior to February
27.7 1 of each year, certify to the commissioner of education the amount of any resulting net
27.8 revenue loss that accrued to the district during the preceding year. Each year, the
27.9 commissioner ~~shall~~ must pay an abatement adjustment to the district in an amount calculated
27.10 according to the provisions of this subdivision. This amount ~~shall~~ must be deducted from
27.11 the amount of the levy authorized by section 126C.46. The amount of the abatement
27.12 adjustment must be the product of:

27.13 (1) the net revenue loss as certified by the county auditor, times

27.14 (2) the ratio of:

27.15 (i) the sum of the amounts of the district's certified levy in the third preceding year
27.16 according to the following:

27.17 (A) section ~~123B.57~~ 123B.595, if the district received ~~health and safety~~ long-term
27.18 facilities maintenance aid according to that section for the second preceding year;

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

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

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

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

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

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

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

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

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

28.5 (K) section ~~123B.591, subdivision 3~~ 126C.10, subdivision 2e, paragraph (b), if the district
28.6 received ~~deferred maintenance~~ local optional aid according to section ~~123B.591, subdivision~~
28.7 4 126C.10, subdivision 2e, paragraph (c), in the second preceding year; and

28.8 (L) section 122A.415, subdivision 5, if the district received alternative teacher
28.9 compensation equalization aid according to section 122A.415, subdivision 6, paragraph (a),
28.10 in the second preceding year; to

28.11 (ii) the total amount of the district's certified levy in the third preceding December, plus
28.12 or minus auditor's adjustments.

28.13 Sec. 36. Minnesota Statutes 2018, section 257.0725, is amended to read:

28.14 **257.0725 ANNUAL REPORT.**

28.15 The commissioner of human services shall publish an annual report on child maltreatment
28.16 and on children in out-of-home placement. The commissioner shall confer with counties,
28.17 child welfare organizations, child advocacy organizations, the courts, and other groups on
28.18 how to improve the content and utility of the department's annual report. In regard to child
28.19 maltreatment, the report shall include the number and kinds of maltreatment reports received
28.20 and any other data that the commissioner determines is appropriate to include in a report
28.21 on child maltreatment. In regard to children in out-of-home placement, the report shall
28.22 include, by county and statewide, information on legal status, living arrangement, age, sex,
28.23 race, accumulated length of time in placement, reason for most recent placement, race of
28.24 family with whom placed, school enrollments within seven days of placement pursuant to
28.25 section 120A.21, and other information deemed appropriate on all children in out-of-home
28.26 placement. Out-of-home placement includes placement in any facility by an authorized
28.27 child-placing agency.

28.28 Sec. 37. **SCHOOL START DATE FOR THE 2020-2021 AND 2021-2022 SCHOOL**
28.29 **YEARS ONLY.**

28.30 Notwithstanding Minnesota Statutes, section 120A.40, or any other law to the contrary,
28.31 for the 2020-2021 school year only, school districts may begin the school year on August

29.1 31, and for the 2021-2022 school year only, school districts may begin the school year on
29.2 August 30.

29.3 **Sec. 38. PUPIL TRANSPORTATION WORKING GROUP.**

29.4 Subdivision 1. **Duties.** (a) A working group on pupil transportation is created to review
29.5 pupil transportation and transportation efficiencies in Minnesota, to consult with stakeholders,
29.6 and to submit a written report to the legislature recommending policy and formula changes.
29.7 The pupil transportation working group must examine and consider:

29.8 (1) how school districts, charter schools, intermediate school districts, special education
29.9 cooperatives, education districts, and service cooperatives deliver pupil transportation
29.10 services and the costs associated with each model;

29.11 (2) relevant state laws and rules;

29.12 (3) trends in pupil transportation services;

29.13 (4) strategies or programs that would be effective in funding necessary pupil
29.14 transportation services; and

29.15 (5) the effect of the elimination of categorical funding for pupil transportation services.

29.16 (b) In making its recommendations, the pupil transportation working group must consider
29.17 a ten-year strategic plan informed by the policy findings in paragraph (a) to help make pupil
29.18 transportation funding more fair.

29.19 Subd. 2. **Members.** (a) By June 1, 2019, the executive director of each of the following
29.20 organizations must appoint one representative of that organization to serve as a member of
29.21 the working group:

29.22 (1) the Minnesota School Boards Association;

29.23 (2) the Minnesota Association of Charter Schools;

29.24 (3) Education Minnesota;

29.25 (4) the Minnesota Rural Education Association;

29.26 (5) the Association of Metropolitan School Districts;

29.27 (6) the Minnesota Association for Pupil Transportation;

29.28 (7) the Minnesota School Bus Operators Association;

29.29 (8) the Minnesota Association of School Administrators;

29.30 (9) the Minnesota Association of School Business Officials;

30.1 (10) Schools for Equity in Education;

30.2 (11) Service Employees International Union Local 284;

30.3 (12) the Minnesota Association of Secondary School Principals;

30.4 (13) the Minnesota Administrators of Special Education; and

30.5 (14) the Minnesota Transportation Alliance.

30.6 (b) The commissioner of education must solicit applications for membership in the
30.7 working group. By June 25, 2019, the commissioner must designate from the applicants
30.8 the following to serve as members of the working group:

30.9 (1) a representative from an intermediate school district;

30.10 (2) a representative from a special education cooperative, education district, or service
30.11 cooperative;

30.12 (3) a representative from a school district in a city of the first class;

30.13 (4) a representative from a school district in a first tier suburb;

30.14 (5) a representative from a rural school district; and

30.15 (6) a representative from a statewide nonprofit advocacy organization serving students
30.16 with disabilities and their parents.

30.17 Subd. 3. **Meetings.** The commissioner of education, or the commissioner's designee,
30.18 must convene the first meeting of the working group no later than July 15, 2019. The working
30.19 group must select a chair or cochairs from among its members at the first meeting. The
30.20 working group must meet periodically. Meetings of the working group are subject to
30.21 Minnesota Statutes, chapter 13D.

30.22 Subd. 4. **Compensation.** Working group members are not eligible to receive expenses
30.23 or per diem payments for serving on the working group.

30.24 Subd. 5. **Administrative support.** The commissioner of education must provide technical
30.25 and administrative assistance to the working group upon request.

30.26 Subd. 6. **Report.** (a) By January 15, 2020, the working group must submit a report
30.27 providing its findings and recommendations to the chairs and ranking minority members
30.28 of the legislative committees with jurisdiction over kindergarten through grade 12 education.

30.29 (b) At its 2020 annual session, the legislature is encouraged to convene a legislative
30.30 study group to review the recommendations and ten-year strategic plan to develop its own
30.31 recommendations for legislative changes, as necessary.

31.1 Subd. 7. **Expiration.** The working group expires upon submission of the report required
 31.2 in subdivision 6.

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

31.4 Sec. 39. **APPROPRIATIONS.**

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

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

31.10 \$ 7,446,529,000 2020

31.11 \$ 7,660,500,000 2021

31.12 The 2020 appropriation includes \$701,293,000 for 2019 and \$6,745,236,000 for 2020.

31.13 The 2021 appropriation includes \$749,470,000 for 2020 and \$6,911,030,000 for 2021.

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

31.17 \$ 24,000 2020

31.18 \$ 26,000 2021

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

31.20 \$ 2,897,000 2020

31.21 \$ 2,971,000 2021

31.22 The 2020 appropriation includes \$274,000 for 2019 and \$2,623,000 for 2020.

31.23 The 2021 appropriation includes \$291,000 for 2020 and \$2,680,000 for 2021.

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

31.26 \$ 0 2020

31.27 \$ 270,000 2021

31.28 The 2020 appropriation includes \$0 for 2019 and \$0 for 2020.

31.29 The 2021 appropriation includes \$0 for 2020 and \$270,000 for 2021.

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

32.3 \$ 18,135,000 2020

32.4 \$ 18,728,000 2021

32.5 The 2020 appropriation includes \$1,791,000 for 2019 and \$16,344,000 for 2020.

32.6 The 2021 appropriation includes \$1,816,000 for 2020 and \$16,912,000 for 2021.

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

32.9 \$ 19,649,000 2020

32.10 \$ 19,920,000 2021

32.11 The 2020 appropriation includes \$1,844,000 for 2019 and \$17,805,000 for 2020.

32.12 The 2021 appropriation includes \$1,978,000 for 2020 and \$17,942,000 for 2021.

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

32.15 \$ 65,000 2020

32.16 \$ 65,000 2021

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

32.19 \$ 3,751,000 2020

32.20 \$ 15,471,000 2021

32.21 The 2020 appropriation includes \$420,000 for 2019 and \$3,331,000 for 2020.

32.22 The 2021 appropriation includes \$370,000 for 2020 and \$15,101,000 for 2021.

32.23 Sec. 40. **REPEALER.**

32.24 Minnesota Statutes 2018, sections 126C.17, subdivision 9a; and 127A.14, are repealed.

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

33.1 **ARTICLE 2**

33.2 **EDUCATION EXCELLENCE**

33.3 Section 1. Minnesota Statutes 2018, section 5A.03, subdivision 2, is amended to read:

33.4 Subd. 2. **Placing Minnesota students in travel abroad programs.** (a) A school district
33.5 or charter school with enrolled students who participate in a foreign exchange or study or
33.6 other travel abroad program or whose enrolled students participate in a foreign exchange
33.7 or study or other travel abroad program under a written agreement between the district or
33.8 charter school and the program provider must use a form developed by the Department of
33.9 Education to annually report to the department by November 1 the following data from the
33.10 previous school year:

33.11 (1) the number of Minnesota student deaths that occurred while Minnesota students were
33.12 participating in the foreign exchange or study or other travel abroad program and that resulted
33.13 from Minnesota students participating in the program;

33.14 (2) the number of Minnesota students hospitalized due to accidents and the illnesses that
33.15 occurred while Minnesota students were participating in the foreign exchange or study or
33.16 other travel abroad program and that resulted from Minnesota students participating in the
33.17 program; and

33.18 (3) the name and type of the foreign exchange or study or other travel abroad program
33.19 and the city or region where the reported death, hospitalization due to accident, or the illness
33.20 occurred.

33.21 (b) School districts and charter schools must ask but must not require enrolled eligible
33.22 students and the parents or guardians of other enrolled students who complete a foreign
33.23 exchange or study or other travel abroad program to disclose the information under paragraph
33.24 (a).

33.25 (c) When reporting the data under paragraph (a), a school district or charter school may
33.26 supplement the data with a brief explanatory statement. The Department of Education
33.27 annually must aggregate and publish the reported data on the department website in a format
33.28 that facilitates public access to the aggregated data and include links to both the United
33.29 States Department of State's Consular Information Program that informs the public of
33.30 conditions abroad that may affect students' safety and security and the publicly available
33.31 reports on sexual assaults and other criminal acts affecting students participating in a foreign
33.32 exchange or study or other travel abroad program.

34.1 (d) School districts and charter schools with enrolled students who participate in foreign
34.2 exchange or study or other travel abroad programs under a written agreement between the
34.3 district or charter school and the program provider are encouraged to adopt policies
34.4 supporting the programs and to include program standards in their policies to ensure students'
34.5 health and safety.

34.6 (e) To be eligible under this subdivision to provide a foreign exchange or study or other
34.7 travel abroad program to Minnesota students enrolled in a school district or charter school,
34.8 a program provider annually must register with the secretary of state and provide the
34.9 following information on a form developed by the secretary of state: the name, address, and
34.10 telephone number of the program provider, its chief executive officer, and the person within
34.11 the provider's organization who is primarily responsible for supervising programs within
34.12 the state; the program provider's unified business identification number, if any; whether the
34.13 program provider is exempt from federal income tax; a list of the program provider's
34.14 placements in foreign countries for the previous school year including the number of
34.15 Minnesota students placed, where Minnesota students were placed, and the length of their
34.16 placement; the terms and limits of the medical and accident insurance available to cover
34.17 participating students and the process for filing a claim; and the signatures of the program
34.18 provider's chief executive officer and the person primarily responsible for supervising
34.19 Minnesota students' placements in foreign countries. If the secretary of state determines the
34.20 registration is complete, the secretary of state shall file the registration and the program
34.21 provider is registered. Registration with the secretary of state must not be considered or
34.22 represented as an endorsement of the program provider by the secretary of state. The secretary
34.23 of state annually must publish on its website aggregated data under paragraph (c) received
34.24 from the Department of Education.

34.25 (f) Program providers, annually by August 1, must provide the data required under
34.26 paragraph (a), clauses (1) to (3), to the districts and charter schools with enrolled students
34.27 participating in the provider's program.

34.28 (g) The Department of Education must publish the information it has under paragraph
34.29 (c), but it is not responsible for any errors or omissions in the information provided to it by
34.30 a school district or charter school. A school district or charter school is not responsible for
34.31 omissions in the information provided to it by students and programs.

34.32 Sec. 2. Minnesota Statutes 2018, section 120A.22, subdivision 5, is amended to read:

34.33 Subd. 5. **Ages and terms.** (a) Every child between ~~seven~~ six and 17 years of age must
34.34 receive instruction unless the child has graduated. Every child under the age of ~~seven~~ six

35.1 who is enrolled in a ~~half-day kindergarten, or a full-day kindergarten program on alternate~~
35.2 ~~days, or other kindergarten programs shall~~ must receive instruction for the hours established
35.3 for that program. Except as provided in subdivision 6, a parent may withdraw a child under
35.4 the age of ~~seven~~ six from enrollment at any time.

35.5 (b) A school district by annual board action may require children subject to this
35.6 subdivision to receive instruction in summer school. A district that acts to require children
35.7 to receive instruction in summer school ~~shall~~ must establish at the time of its action the
35.8 criteria for determining which children must receive instruction.

35.9 (c) A pupil 16 years of age or older who meets the criteria of section 124D.68, subdivision
35.10 2, and under clause (5) of that subdivision has been excluded or expelled from school or
35.11 under clause (11) of that subdivision has been chronically truant may be referred to an area
35.12 learning center. Such referral may be made only after consulting the principal, area learning
35.13 center director, student, and parent or guardian and only if, in the school administrator's
35.14 professional judgment, the referral is in the best educational interest of the pupil. Nothing
35.15 in this paragraph limits a pupil's eligibility to apply to enroll in other eligible programs
35.16 under section 124D.68.

35.17 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

35.18 Sec. 3. Minnesota Statutes 2018, section 120A.22, subdivision 6, is amended to read:

35.19 Subd. 6. **Children under ~~seven~~ age six.** (a) Once a pupil under the age of ~~seven~~ six is
35.20 enrolled in kindergarten or a higher grade in a public school, the pupil is subject to the
35.21 compulsory attendance provisions of this chapter and section 120A.34, unless the board of
35.22 the district in which the pupil is enrolled has a policy that exempts children under ~~seven~~ six
35.23 from this subdivision.

35.24 (b) In a district in which children under ~~seven~~ the age of six are subject to compulsory
35.25 attendance under this subdivision, paragraphs (c) to (e) apply.

35.26 (c) A parent or guardian may withdraw the pupil from enrollment in the school for good
35.27 cause by notifying the district. Good cause includes, but is not limited to, enrollment of the
35.28 pupil in another school, as defined in subdivision 4, or the immaturity of the child.

35.29 (d) When the pupil enrolls, the enrolling official must provide the parent or guardian
35.30 who enrolls the pupil with a written explanation of the provisions of this subdivision.

35.31 (e) A pupil under the age of ~~seven~~ six who is withdrawn from enrollment in the public
35.32 school under paragraph (c) is no longer subject to the compulsory attendance provisions of
35.33 this chapter.

36.1 (f) In a district that had adopted a policy to exempt children under ~~seven~~ the age of six
36.2 from this subdivision, the district's chief attendance officer must keep the truancy enforcement
36.3 authorities supplied with a copy of the board's current policy certified by the clerk of the
36.4 board.

36.5 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

36.6 Sec. 4. Minnesota Statutes 2018, section 120A.22, subdivision 11, is amended to read:

36.7 Subd. 11. **Assessment of performance.** (a) Each year the performance of every child
36.8 ages ~~seven~~ six through 16 and every child ages 16 through 17 for which an initial report
36.9 was filed pursuant to section 120A.24, subdivision 1, after the child is 16 and who is not
36.10 enrolled in a public school must be assessed using a nationally norm-referenced standardized
36.11 achievement examination. The superintendent of the district in which the child receives
36.12 instruction and the person in charge of the child's instruction must agree about the specific
36.13 examination to be used and the administration and location of the examination.

36.14 (b) To the extent the examination in paragraph (a) does not provide assessment in all of
36.15 the subject areas in subdivision 9, the parent must assess the child's performance in the
36.16 applicable subject area. This requirement applies only to a parent who provides instruction
36.17 and does not meet the requirements of subdivision 10, clause (1), (2), or (3).

36.18 (c) If the results of the assessments in paragraphs (a) and (b) indicate that the child's
36.19 performance on the total battery score is at or below the 30th percentile or one grade level
36.20 below the performance level for children of the same age, the parent must obtain additional
36.21 evaluation of the child's abilities and performance for the purpose of determining whether
36.22 the child has learning problems.

36.23 (d) A child receiving instruction from a nonpublic school, person, or institution that is
36.24 accredited by an accrediting agency, recognized according to section 123B.445, or recognized
36.25 by the commissioner, is exempt from the requirements of this subdivision.

36.26 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

36.27 Sec. 5. Minnesota Statutes 2018, section 120A.24, subdivision 1, is amended to read:

36.28 Subdivision 1. **Reports to superintendent.** (a) The person or nonpublic school in charge
36.29 of providing instruction to a child must submit to the superintendent of the district in which
36.30 the child resides the name, birth date, and address of the child; the annual tests intended to
36.31 be used under section 120A.22, subdivision 11, if required; the name of each instructor;

37.1 and evidence of compliance with one of the requirements specified in section 120A.22,
37.2 subdivision 10:

37.3 (1) by October 1 of the first school year the child receives instruction after reaching the
37.4 age of ~~seven~~ six;

37.5 (2) within 15 days of when a parent withdraws a child from public school after age ~~seven~~
37.6 six to provide instruction in a nonpublic school that is not accredited by a state-recognized
37.7 accredited agency;

37.8 (3) within 15 days of moving out of a district; and

37.9 (4) by October 1 after a new resident district is established.

37.10 (b) The person or nonpublic school in charge of providing instruction to a child between
37.11 the ages of ~~seven~~ six and 16 and every child ages 16 through 17 for which an initial report
37.12 was filed pursuant to this subdivision after the child is 16 must submit, by October 1 of each
37.13 school year, a letter of intent to continue to provide instruction under this section for all
37.14 students under the person's or school's supervision and any changes to the information
37.15 required in paragraph (a) for each student.

37.16 (c) The superintendent may collect the required information under this section through
37.17 an electronic or web-based format, but must not require electronic submission of information
37.18 under this section from the person in charge of reporting under this subdivision.

37.19 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

37.20 Sec. 6. Minnesota Statutes 2018, section 120B.11, subdivision 2, is amended to read:

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

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

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

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

38.8 (4) strategies for improving instruction, curriculum, and student achievement, including:
 38.9 (i) the English and, where practicable, the native language development and the academic
 38.10 achievement of English learners and (ii) for all learners, access to culturally relevant or
 38.11 ethnic studies curriculum using culturally responsive methodologies;

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

38.16 (6) education effectiveness practices that integrate high-quality instruction; rigorous
 38.17 curriculum; technology; inclusive and respectful learning and work environments for all
 38.18 students, families, and employees; and a collaborative professional culture that ~~develops~~
 38.19 ~~and supports~~ retains qualified, racially, and ethnically diverse staff effective at working
 38.20 with diverse students while developing and supporting teacher quality, performance, and
 38.21 effectiveness; and

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

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

38.25 Sec. 7. Minnesota Statutes 2018, section 120B.11, subdivision 3, is amended to read:

38.26 Subd. 3. **District advisory committee.** (a) Each school board ~~shall~~ must establish an
 38.27 advisory committee to ensure active community participation in all phases of planning and
 38.28 improving the instruction and curriculum affecting state and district academic standards,
 38.29 consistent with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~
 38.30 must reflect the diversity of the district and its school sites, include teachers, parents, support
 38.31 staff, students, and other community residents, and provide translation to the extent
 38.32 appropriate and practicable. The district advisory committee ~~shall~~ must pursue community
 38.33 support to accelerate the academic and native literacy and achievement of English learners

39.1 with varied needs, from young children to adults, consistent with section 124D.59,
39.2 subdivisions 2 and 2a. The district may establish site teams as subcommittees of the district
39.3 advisory committee under subdivision 4.

39.4 (b) The district advisory committee ~~shall~~ must recommend to the school board:

39.5 (1) rigorous academic standards;

39.6 (2) student achievement goals and measures consistent with subdivision 1a and sections
39.7 120B.022, subdivisions 1a and 1b, and 120B.35;

39.8 (3) district assessments;

39.9 (4) means to improve students' equitable access to effective and more diverse teachers;

39.10 (5) strategies to ensure the curriculum and learning and work environments are inclusive
39.11 and respectful toward all racial and ethnic groups; and

39.12 (6) program evaluations.

39.13 (c) School sites may expand upon district evaluations of instruction, curriculum,
39.14 assessments, or programs. Whenever possible, parents and other community residents ~~shall~~
39.15 must comprise at least two-thirds of advisory committee members.

39.16 Sec. 8. Minnesota Statutes 2018, section 120B.12, subdivision 2, is amended to read:

39.17 Subd. 2. **Identification; report.** (a) Each school district ~~shall~~ must identify before the
39.18 end of kindergarten, grade 1, and grade 2 all students who are not reading at grade level
39.19 ~~before the end of the current school year and shall~~. Students identified as not reading at
39.20 grade level by the end of kindergarten, grade 1, and grade 2 must be screened for
39.21 characteristics of dyslexia.

39.22 (b) ~~identify~~ Students in grade 3 or higher who demonstrate a reading difficulty to a
39.23 classroom teacher must be screened for characteristics of dyslexia, unless a different reason
39.24 for the reading difficulty has been identified.

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

40.1 (d) The district also must annually report to the commissioner by July 1 a summary of
40.2 the district's efforts to screen and identify students with:

40.3 (1) dyslexia, using screening tools such as those recommended by the department's
40.4 dyslexia specialist; or

40.5 (2) convergence insufficiency disorder.

40.6 ~~(b)~~ (e) A student identified under this subdivision must be provided with alternate
40.7 instruction under section 125A.56, subdivision 1.

40.8 **EFFECTIVE DATE.** This section is effective July 1, 2020.

40.9 Sec. 9. Minnesota Statutes 2018, section 120B.30, subdivision 1, is amended to read:

40.10 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with
40.11 appropriate technical qualifications and experience and stakeholders, consistent with
40.12 subdivision 1a, shall include in the comprehensive assessment system, for each grade level
40.13 to be tested, state-constructed tests developed as computer-adaptive reading and mathematics
40.14 assessments for students that are aligned with the state's required academic standards under
40.15 section 120B.021, include multiple choice questions, and are administered annually to all
40.16 students in grades 3 through 8. State-developed high school tests aligned with the state's
40.17 required academic standards under section 120B.021 and administered to all high school
40.18 students in a subject other than writing must include multiple choice questions. The
40.19 commissioner shall establish one or more months during which schools shall administer
40.20 the tests to students each school year.

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

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

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

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

41.5 (1) mathematics;

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

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

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

41.10 (3) language arts and reading; grades 3 through 8 and high school level beginning in the
41.11 2012-2013 school year.

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

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

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

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

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

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

42.14 (e) Though not a high school graduation requirement, students are encouraged to
42.15 participate in a nationally recognized college entrance exam. To the extent state funding
42.16 for college entrance exam fees is available, a district must pay the cost, one time, for an
42.17 interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take
42.18 a nationally recognized college entrance exam before graduating. A student must be able
42.19 to take the exam under this paragraph at the student's high school during the school day and
42.20 at any one of the multiple exam administrations available to students in the district. A district
42.21 may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph.
42.22 If the district administers only one of these two tests and a free or reduced-price meal eligible
42.23 student opts not to take that test and chooses instead to take the other of the two tests, the
42.24 student may take the other test at a different time or location and remains eligible for the
42.25 examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school
42.26 district may require a student that is not eligible for a free or reduced-price meal to pay the
42.27 cost of taking a nationally recognized college entrance exam. The district must waive the
42.28 cost for a student unable to pay.

42.29 (f) The commissioner and the chancellor of the Minnesota State Colleges and Universities
42.30 must collaborate in aligning instruction and assessments for adult basic education students
42.31 and English learners to provide the students with diagnostic information about any targeted
42.32 interventions, accommodations, modifications, and supports they need so that assessments
42.33 and other performance measures are accessible to them and they may seek postsecondary
42.34 education or employment without need for postsecondary remediation. When administering
42.35 formative or summative assessments used to measure the academic progress, including the

43.1 oral academic development, of English learners and inform their instruction, schools must
43.2 ensure that the assessments are accessible to the students and students have the modifications
43.3 and supports they need to sufficiently understand the assessments.

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

43.15 (h) A student who demonstrates attainment of required state academic standards, which
43.16 include career and college readiness benchmarks, on high school assessments under
43.17 subdivision 1a is academically ready for a career or college and is encouraged to participate
43.18 in courses awarding college credit to high school students. Such courses and programs may
43.19 include sequential courses of study within broad career areas and technical skill assessments
43.20 that extend beyond course grades.

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

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

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

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

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

44.17 (n) The grades 3 through 8 computer-adaptive assessments and high school tests must
44.18 be aligned with state academic standards. The commissioner shall determine the testing
44.19 process and the order of administration. The statewide results shall be aggregated at the site
44.20 and district level, consistent with subdivision 1a.

44.21 (o) The commissioner shall include the following components in the statewide public
44.22 reporting system:

44.23 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
44.24 8 and testing at the high school levels that provides appropriate, technically sound
44.25 accommodations or alternate assessments;

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

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

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

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

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

45.11 Sec. 10. Minnesota Statutes 2018, section 120B.30, subdivision 1a, is amended to read:

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

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

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

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

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

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

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

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

46.9 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through
46.10 8, and high school reading, writing, and mathematics tests; and

46.11 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades
46.12 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the
46.13 commissioner must not require students to achieve a passing score on high school science
46.14 assessments as a condition of receiving a high school diploma.

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

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

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

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

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

46.29 ~~(e)~~ (d) The commissioner must ensure that all state tests administered to elementary and
46.30 secondary students measure students' academic knowledge and skills and not students'
46.31 values, attitudes, and beliefs.

46.32 ~~(f)~~ (e) Reporting of state assessment results must:

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

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

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

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

47.8 ~~(h)~~ (g) A school, school district, and charter school must administer statewide assessments
47.9 under this section, as the assessments become available, to evaluate student progress toward
47.10 career and college readiness in the context of the state's academic standards. A school,
47.11 school district, or charter school may use a student's performance on a statewide assessment
47.12 as one of multiple criteria to determine grade promotion or retention. A school, school
47.13 district, or charter school may use a high school student's performance on a statewide
47.14 assessment as a percentage of the student's final grade in a course, or place a student's
47.15 assessment score on the student's transcript.

47.16 Sec. 11. Minnesota Statutes 2018, section 120B.35, subdivision 3, is amended to read:

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

47.22 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and
47.23 report separate categories of information using the student categories identified under the
47.24 federal Elementary and Secondary Education Act, as most recently reauthorized, and, in
47.25 addition to "other" for each race and ethnicity, and the Karen community, seven of the most
47.26 populous Asian and Pacific Islander groups, three of the most populous Native groups,
47.27 seven of the most populous Hispanic/Latino groups, and five of the most populous Black
47.28 and African Heritage groups as determined by the total Minnesota population based on the
47.29 most recent American Community Survey; English learners under section 124D.59; home
47.30 language; free or reduced-price lunch; and all students enrolled in a Minnesota public school
47.31 who are currently or were previously in foster care, except that such disaggregation and
47.32 cross tabulation is not required if the number of students in a category is insufficient to yield

48.1 statistically reliable information or the results would reveal personally identifiable information
48.2 about an individual student.

48.3 (b) The commissioner, in consultation with a stakeholder group that includes assessment
48.4 and evaluation directors, district staff, experts in culturally responsive teaching, and
48.5 researchers, must implement a growth model that uses a value-added growth indicator and
48.6 that compares the difference in students' achievement scores over time, and includes criteria
48.7 for identifying schools and school districts that demonstrate medium and high growth under
48.8 section 120B.299, subdivisions 8 and 9, and may recommend other value-added measures
48.9 under section 120B.299, subdivision 3 academic progress. The model may be used to advance
48.10 educators' professional development and replicate programs that succeed in meeting students'
48.11 diverse learning needs. Data on individual teachers generated under the model are personnel
48.12 data under section 13.43. The model must allow users to:

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

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

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

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

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

49.1 (2) a rigorous coursework measure indicating the number and percentage of high school
49.2 graduates in the most recent school year who successfully completed one or more
49.3 college-level advanced placement, international baccalaureate, postsecondary enrollment
49.4 options including concurrent enrollment, other rigorous courses of study under section
49.5 120B.021, subdivision 1a, or industry certification courses or programs.

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

49.10 (d) When reporting student performance under section 120B.36, subdivision 1, the
49.11 commissioner annually, beginning July 1, 2014, must report summary data on school safety
49.12 and students' engagement and connection at school, consistent with the student categories
49.13 identified under paragraph (a), clause (2). The summary data under this paragraph are
49.14 separate from and must not be used for any purpose related to measuring or evaluating the
49.15 performance of classroom teachers. The commissioner, in consultation with qualified experts
49.16 on student engagement and connection and classroom teachers, must identify highly reliable
49.17 variables that generate summary data under this paragraph. The summary data may be used
49.18 at school, district, and state levels only. Any data on individuals received, collected, or
49.19 created that are used to generate the summary data under this paragraph are nonpublic data
49.20 under section 13.02, subdivision 9.

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

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

49.27 (2) the percent of students under this paragraph whose progress and performance levels
49.28 are meeting career and college readiness benchmarks under section 120B.30, subdivision
49.29 1; and

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

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

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

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

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

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

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

50.13 (g) When reporting four- and six-year graduation rates, the commissioner or school
50.14 district must disaggregate the data by student categories according to paragraph (a), clause
50.15 (2).

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

50.21 Sec. 12. Minnesota Statutes 2018, section 120B.36, subdivision 1, is amended to read:

50.22 Subdivision 1. **School performance reports and public reporting.** (a) The commissioner
50.23 shall report student academic performance data under section 120B.35, subdivisions 2 and
50.24 3; ~~the percentages of students showing low, medium, and high growth under section 120B.35,~~
50.25 ~~subdivision 3, paragraph (b) academic progress consistent with federal expectations;~~ school
50.26 safety and student engagement and connection under section 120B.35, subdivision 3,
50.27 paragraph (d); rigorous coursework under section 120B.35, subdivision 3, paragraph (c);
50.28 the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause (2),
50.29 whose progress and performance levels are meeting career and college readiness benchmarks
50.30 under sections 120B.30, subdivision 1, and 120B.35, subdivision 3, paragraph (e);
50.31 longitudinal data on the progress of eligible districts in reducing disparities in students'
50.32 academic achievement and realizing racial and economic integration under section 124D.861;
50.33 the acquisition of English, and where practicable, native language academic literacy,

51.1 including oral academic language, and the academic progress of all English learners enrolled
51.2 in a Minnesota public school course or program who are currently or were previously counted
51.3 as English learners under section 124D.59; two separate student-to-teacher ratios that clearly
51.4 indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes
51.5 of determining these ratios; staff characteristics excluding salaries; student enrollment
51.6 demographics; foster care status, including all students enrolled in a Minnesota public school
51.7 course or program who are currently or were previously in foster care, student homelessness,
51.8 and district mobility; and extracurricular activities.

51.9 (b) The school performance report for a school site and a school district must include
51.10 school performance reporting information and calculate proficiency rates as required by the
51.11 most recently reauthorized Elementary and Secondary Education Act.

51.12 (c) The commissioner shall develop, annually update, and post on the department website
51.13 school performance reports consistent with paragraph (a) and section 120B.11.

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

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

51.19 (f) School performance data are nonpublic data under section 13.02, subdivision 9, until
51.20 the commissioner publicly releases the data. The commissioner shall annually post school
51.21 performance reports to the department's public website no later than September 1, except
51.22 that in years when the reports reflect new performance standards, the commissioner shall
51.23 post the school performance reports no later than October 1.

51.24 Sec. 13. Minnesota Statutes 2018, section 121A.41, is amended by adding a subdivision
51.25 to read:

51.26 Subd. 12. **Nonexclusionary disciplinary policies and practices; alternatives to pupil**
51.27 **removal and dismissal.** "Nonexclusionary disciplinary policies and practices" means
51.28 policies and practices that are alternatives to removing a pupil from class or dismissing a
51.29 pupil from school, including evidence-based positive behavioral interventions and supports,
51.30 social and emotional services, school-linked mental health services, counseling services,
51.31 social work services, referrals for special education or 504 evaluations, academic screening
51.32 for Title I services or reading interventions, and alternative education services.
51.33 Nonexclusionary disciplinary policies and practices require school officials to intervene in,

52.1 redirect, and support a pupil's behavior before removing a pupil from class or beginning
52.2 dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are
52.3 not limited to the policies and practices under sections 120B.12; 121A.031, subdivision 4,
52.4 paragraph (a), clause (1); 121A.575, clauses (1) and (2); 121A.61, subdivision 3, paragraph
52.5 (q); 122A.627, clause (3); and 123A.56.

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

52.7 Sec. 14. Minnesota Statutes 2018, section 121A.41, is amended by adding a subdivision
52.8 to read:

52.9 Subd. 13. **Pupil withdrawal agreements.** "Pupil withdrawal agreements" means a verbal
52.10 or written agreement between a school or district administrator and a pupil's parent or
52.11 guardian to withdraw a student from the school district to avoid expulsion or exclusion
52.12 dismissal proceedings. The duration of the withdrawal agreement may be no longer than
52.13 12 months.

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

52.15 Sec. 15. Minnesota Statutes 2018, section 121A.45, subdivision 1, is amended to read:

52.16 Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil
52.17 without attempting to ~~provide alternative educational services~~ use nonexclusionary
52.18 disciplinary policies and practices before a dismissal proceedings proceeding or a pupil
52.19 withdrawal agreement, except where it appears that the pupil will create an immediate and
52.20 substantial danger to self or to surrounding persons or property.

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

52.22 Sec. 16. Minnesota Statutes 2018, section 121A.46, is amended by adding a subdivision
52.23 to read:

52.24 Subd. 5. **Suspensions exceeding five consecutive school days.** A school administrator
52.25 must ensure that when a pupil is suspended for more than five consecutive school days,
52.26 alternative education services are provided.

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

53.1 Sec. 17. Minnesota Statutes 2018, section 121A.46, is amended by adding a subdivision
53.2 to read:

53.3 Subd. 6. **Minimum education services.** School officials must give a suspended pupil
53.4 a reasonable opportunity to complete all school work assigned during the pupil's suspension
53.5 and to receive full credit for satisfactorily completing the assignments. The school principal
53.6 or other person having administrative control of the school building or program is encouraged
53.7 to designate a district or school employee as a liaison to work with the pupil's teachers to
53.8 allow the suspended pupil to (1) receive timely course materials and other information, and
53.9 (2) complete daily and weekly assignments and receive teachers' feedback. Nothing in this
53.10 subdivision limits the teacher's authority to assign alternative work for the completion of
53.11 assignments during a suspension.

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

53.13 Sec. 18. Minnesota Statutes 2018, section 121A.47, subdivision 2, is amended to read:

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

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

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

53.18 ~~(c)~~ (3) state the date, time, and place of the hearing;

53.19 ~~(d)~~ (4) be accompanied by a copy of sections 121A.40 to 121A.56;

53.20 ~~(e)~~ (5) describe ~~alternative educational services~~ the nonexclusionary disciplinary policies
53.21 and practices accorded the pupil in an attempt to avoid the expulsion proceedings; and

53.22 ~~(f)~~ (6) inform the pupil and parent or guardian of the right to:

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

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

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

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

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

54.1 Sec. 19. Minnesota Statutes 2018, section 121A.47, subdivision 14, is amended to read:

54.2 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare
54.3 and enforce an admission or readmission plan for any pupil who is excluded or expelled
54.4 from school. The plan ~~may include~~ must address measures to improve the pupil's behavior;
54.5 ~~including and may include~~ completing a character education program, consistent with section
54.6 120B.232, subdivision 1, ~~and social and emotional learning, counseling, social work services,~~
54.7 mental health services, referrals for special education or 504 evaluation, and evidence-based
54.8 academic interventions. The plan must require parental involvement in the admission or
54.9 readmission process, and may indicate the consequences to the pupil of not improving the
54.10 pupil's behavior.

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

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

54.24 Sec. 20. Minnesota Statutes 2018, section 121A.53, subdivision 1, is amended to read:

54.25 Subdivision 1. **Exclusions and expulsions; student withdrawals; physical**
54.26 **assaults.** Consistent with subdivision 2, the school board must report through the department
54.27 electronic reporting system each exclusion or expulsion ~~and,~~ each physical assault of a
54.28 district employee by a ~~student~~ pupil, and each pupil withdrawal agreement within 30 days
54.29 of the effective date of the dismissal action, pupil withdrawal, or assault to the commissioner
54.30 of education. This report must include a statement of ~~alternative educational services~~
54.31 nonexclusionary disciplinary policies and practices, or other sanction, intervention, or
54.32 resolution in response to the assault given the pupil and the reason for, the effective date,
54.33 and the duration of the exclusion or expulsion or other sanction, intervention, or resolution.

55.1 The report must also include the ~~student's~~ pupil's age, grade, gender, race, and special
55.2 education status.

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

55.4 Sec. 21. Minnesota Statutes 2018, section 121A.55, is amended to read:

55.5 **121A.55 POLICIES TO BE ESTABLISHED.**

55.6 (a) The commissioner of education shall promulgate guidelines to assist each school
55.7 board. Each school board ~~shall~~ must establish uniform criteria for dismissal and adopt written
55.8 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies
55.9 ~~shall~~ must include nonexclusionary disciplinary policies and practices consistent with section
55.10 121A.41, subdivision 12, and emphasize preventing dismissals through early detection of
55.11 problems and shall. The policies must be designed to address students' inappropriate behavior
55.12 from recurring.

55.13 (b) The policies shall recognize the continuing responsibility of the school for the
55.14 education of the pupil during the dismissal period. The school is responsible for ensuring
55.15 that the alternative educational services, if provided to the pupil ~~wishes to take advantage~~
55.16 ~~of them, must be~~ are adequate to allow the pupil to make progress ~~towards~~ toward meeting
55.17 the graduation standards adopted under section 120B.02 ~~and~~, help prepare the pupil for
55.18 readmission, and are consistent with section 121A.46, subdivision 6.

55.19 (c) For expulsion and exclusion dismissals, as well as pupil withdrawal agreements as
55.20 defined in section 121A.41, subdivision 13:

55.21 (1) the school district's continuing responsibility includes reviewing the pupil's school
55.22 work and grades on a quarterly basis to ensure the pupil is on track for readmission with
55.23 the pupil's peers. School districts must communicate on a regular basis with the pupil's
55.24 parent or guardian to ensure the pupil is completing the work assigned through the alternative
55.25 educational services;

55.26 (2) if school-linked mental health services are provided in the district under section
55.27 245.4889, pupils continue to be eligible for those services until they are enrolled in a new
55.28 district; and

55.29 (3) the school district must provide to the pupil's parent or guardian a list of mental
55.30 health and counseling services that offer free or sliding fee services. The list must also be
55.31 posted on the district's website.

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

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

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

56.9 Sec. 22. **[121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.**

56.10 **Subdivision 1. Definitions.** (a) For purposes of this section, the terms defined in this
 56.11 subdivision have the meanings given them.

56.12 (b) "School-sponsored media" means material that is:

56.13 (1) prepared, wholly or substantially written, published, broadcast, or otherwise
 56.14 disseminated by a student journalist enrolled in a school district or charter school;

56.15 (2) distributed or generally made available to students in the school; and

56.16 (3) prepared by a student journalist under the supervision of a student media adviser.

56.17 School-sponsored media does not include material prepared solely for distribution or
 56.18 transmission in the classroom in which the material is produced.

56.19 (c) "School official" means a school principal under section 123B.147 or other person
 56.20 having administrative control or supervision of a school.

56.21 (d) "Student journalist" means a school district or charter school student in grades 6
 56.22 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares
 56.23 information for dissemination in school-sponsored media.

56.24 (e) "Student media adviser" means a person a school district or charter school employs,
 56.25 appoints, or designates to supervise student journalists or provide instruction relating to
 56.26 school-sponsored media.

56.27 **Subd. 2. Student journalists; protected conduct.** (a) Except as provided in subdivision
 56.28 3, a student journalist has the right to exercise freedom of speech and freedom of the press
 56.29 in school-sponsored media regardless of whether the school-sponsored media receives
 56.30 financial support from the school or district, uses school equipment or facilities in its
 56.31 production, or is produced as part of a class or course in which the student journalist is

57.1 enrolled. Consistent with subdivision 3, a student journalist has the right to determine the
 57.2 news, opinion, feature, and advertising content of school-sponsored media. A school district
 57.3 or charter school must not discipline a student journalist for exercising rights or freedoms
 57.4 under this paragraph or the First Amendment of the United States Constitution.

57.5 (b) A school district or charter school must not retaliate or take adverse employment
 57.6 action against a student media adviser for supporting a student journalist exercising rights
 57.7 or freedoms under paragraph (a) or the First Amendment of the United States Constitution.

57.8 (c) Notwithstanding the rights or freedoms of this subdivision or the First Amendment
 57.9 of the United States Constitution, nothing in this section inhibits a student media adviser
 57.10 from teaching professional standards of English and journalism to student journalists.

57.11 Subd. 3. **Unprotected expression.** (a) This section does not authorize or protect student
 57.12 expression that: (1) is defamatory; (2) is profane, harassing, threatening, or intimidating;
 57.13 (3) constitutes an unwarranted invasion of privacy; (4) violates federal or state law; (5)
 57.14 causes a material and substantial disruption of school activities; or (6) is directed to inciting
 57.15 or producing imminent lawless action on school premises or the violation of lawful school
 57.16 policies or rules, including a policy adopted in accordance with section 121A.03 or 121A.031.

57.17 (b) A school or district must not authorize any prior restraint of school-sponsored media
 57.18 except under paragraph (a).

57.19 Subd. 4. **Student journalist policy.** School districts and charter schools must adopt and
 57.20 post a student journalist policy consistent with this section.

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

57.22 Sec. 23. Minnesota Statutes 2018, section 124D.02, subdivision 1, is amended to read:

57.23 Subdivision 1. **Kindergarten instruction.** (a) The board ~~may establish and maintain~~
 57.24 ~~one or more kindergartens for the instruction of children and after July 1, 1974, shall~~ **must**
 57.25 provide kindergarten instruction ~~for~~ **for free of charge** to all eligible children, ~~either~~ in the
 57.26 district ~~or in another district. All children to be eligible for kindergarten must be~~ **A child is**
 57.27 **eligible for kindergarten if the child is** at least five years of age on September 1 of the
 57.28 calendar year in which the school year commences. ~~In addition all children selected, or is~~
 57.29 **admitted** under an early admissions policy established by the school board ~~may be admitted.~~

57.30 (b) If established, a board-adopted early admissions policy must describe the process
 57.31 and procedures for comprehensive evaluation in cognitive, social, and emotional
 57.32 developmental domains to help determine the child's ability to meet kindergarten grade
 57.33 expectations and progress to first grade in the subsequent year. The comprehensive evaluation

58.1 must use valid and reliable instrumentation, be aligned with state kindergarten expectations,
58.2 and include a parent report and teacher observations of the child's knowledge, skills, and
58.3 abilities. The early admissions policy must be made available to parents in an accessible
58.4 format and is subject to review by the commissioner of education. The evaluation is subject
58.5 to section 127A.41.

58.6 (c) Nothing in this section shall prohibit a school district from establishing Head Start,
58.7 prekindergarten, or nursery school classes for children below kindergarten age. Any school
58.8 board with evidence that providing kindergarten will cause an extraordinary hardship on
58.9 the school district may apply to the commissioner of education for an exception.

58.10 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

58.11 Sec. 24. Minnesota Statutes 2018, section 124D.09, subdivision 3, is amended to read:

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

58.14 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,
58.15 nonprofit two-year trade and technical school granting associate degrees, an opportunities
58.16 industrialization center accredited by ~~the North Central Association of Colleges and Schools~~
58.17 a United States Department of Education recognized accrediting agency, or a private,
58.18 residential, two-year or four-year, liberal arts, degree-granting college or university located
58.19 in Minnesota.

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

58.21 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under
58.22 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by
58.23 a secondary teacher or a postsecondary faculty member, and are offered at a high school
58.24 for which the district is eligible to receive concurrent enrollment program aid under section
58.25 124D.091.

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

58.27 Sec. 25. Minnesota Statutes 2018, section 124D.09, subdivision 7, is amended to read:

58.28 Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier
58.29 of (1) three weeks prior to the date by which a student must register for district courses for
58.30 the following school year, or (2) March 1 of each year, a district must provide up-to-date
58.31 information on the district's website and in materials that are distributed to parents and
58.32 students about the program, including information about enrollment requirements and the

59.1 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the
 59.2 district in planning, a pupil ~~shall~~ must inform the district by May 30 of each year of the
 59.3 pupil's intent to enroll in postsecondary courses during the following school year. A pupil
 59.4 is bound by notifying or not notifying the district by May 30.

59.5 **EFFECTIVE DATE.** This section is effective July 1, 2019.

59.6 Sec. 26. Minnesota Statutes 2018, section 124D.091, is amended to read:

59.7 **124D.091 CONCURRENT ENROLLMENT PROGRAM AID.**

59.8 Subdivision 1. **Accreditation.** To establish a uniform standard by which concurrent
 59.9 enrollment courses and professional development activities may be measured, postsecondary
 59.10 institutions must adopt and implement the National Alliance of Concurrent Enrollment
 59.11 Partnership's program standards and required evidence for accreditation by the 2020-2021
 59.12 school year and later.

59.13 Subd. 2. **Eligibility.** A district that offers a concurrent enrollment course according to
 59.14 an agreement under section 124D.09, subdivision 10, is eligible to receive aid for the costs
 59.15 of providing postsecondary courses at the high school. ~~Beginning in fiscal year 2011, districts~~
 59.16 A district is only ~~are~~ eligible for aid if the college or university concurrent enrollment courses
 59.17 offered by the district are accredited by the National Alliance of Concurrent Enrollment
 59.18 Partnership, in the process of being accredited, or are shown by clear evidence to be of
 59.19 comparable standard to accredited courses, or are technical courses within a recognized
 59.20 career and technical education program of study approved by the commissioner of education
 59.21 and the chancellor of the Minnesota State Colleges and Universities.

59.22 Subd. 3. **Aid.** An eligible ~~district shall receive~~ district's concurrent enrollment aid equals
 59.23 \$150 per pupil times the number of pupils enrolled in a concurrent enrollment course during
 59.24 that school year. ~~The money~~ Concurrent enrollment aid must be used to defray the cost of
 59.25 ~~delivering the course~~ concurrent enrollment courses at the high school. The commissioner
 59.26 shall establish application procedures and deadlines for receipt of aid payments.

59.27 Sec. 27. Minnesota Statutes 2018, section 124D.2211, is amended to read:

59.28 **124D.2211 AFTER-SCHOOL COMMUNITY LEARNING PROGRAMS.**

59.29 Subdivision 1. **Establishment.** A competitive statewide after-school community learning
 59.30 grant program is established to provide grants to ~~community or nonprofit organizations,~~
 59.31 ~~political subdivisions, for-profit or nonprofit child care centers, or school-based programs~~
 59.32 ~~that serve youth after school or during non-school hours~~ organizations that offer academic

60.1 and enrichment activities for elementary and secondary school students during nonschool
 60.2 hours. Grants must be used to offer a broad array of enrichment activities that promote
 60.3 positive after-school activities, including art, music, community engagement, literacy,
 60.4 science, technology, engineering, math, health, and recreation programs. The commissioner
 60.5 ~~shall~~ must develop criteria for after-school community learning programs. The commissioner
 60.6 may award grants under this section to community or nonprofit organizations, political
 60.7 subdivisions, public libraries, for-profit or nonprofit child care centers, or school-based
 60.8 programs that serve youth after school or during nonschool hours.

60.9 Subd. 2. ~~Program outcomes~~ Objectives. The ~~expected outcomes~~ objectives of the
 60.10 after-school community learning programs are to ~~increase~~:

60.11 (1) ~~school connectedness of participants~~ increase access to protective factors that build
 60.12 young people's capacity to become productive adults, such as through connections to a
 60.13 caring adult in order to promote healthy behavior, attitudes, and relationships;

60.14 (2) ~~academic achievement of participating students in one or more core academic areas~~
 60.15 develop skills and behaviors necessary to succeed in postsecondary education or career
 60.16 opportunities; and

60.17 (3) ~~the capacity of participants to become productive adults; and~~ encourage school
 60.18 attendance and improve academic performance in accordance with the state's world's best
 60.19 workforce goals under section 120B.11.

60.20 (4) ~~prevent truancy from school and prevent juvenile crime.~~

60.21 Subd. 3. **Grants.** (a) An applicant shall must submit an after-school community learning
 60.22 program proposal to the commissioner. The submitted ~~plan~~ proposal must include:

60.23 (1) collaboration with and leverage of existing community resources that have
 60.24 demonstrated effectiveness;

60.25 (2) outreach to children and youth; ~~and~~

60.26 (3) ~~involvement of local governments, including park and recreation boards or schools,~~
 60.27 ~~unless no government agency is appropriate~~ an explanation of how the proposal will support
 60.28 the objectives identified in subdivision 2; and

60.29 (4) a plan to implement effective after-school practices and provide staff access to
 60.30 professional development opportunities.

60.31 ~~Proposals will be reviewed and approved by the commissioner.~~

60.32 (b) The commissioner must review proposals and award grants to programs that:

61.1 (1) primarily serve students eligible for free or reduced-price meals; and

61.2 (2) provide opportunities for academic enrichment, and a broad array of additional
61.3 services and activities to meet program objectives.

61.4 (c) To the extent practicable, the commissioner must award grants equitably among the
61.5 geographic areas of Minnesota, including rural, suburban, and urban communities.

61.6 (d) The commissioner must award grants without giving preference to any particular
61.7 grade of students served by an applicant program.

61.8 Subd. 4. **Technical assistance and continuous improvement.** (a) The commissioner
61.9 must monitor and evaluate the performance of grant recipients to assess the programs'
61.10 effectiveness in meeting the objectives identified in subdivision 2.

61.11 (b) The commissioner must provide technical assistance, capacity building, and
61.12 professional development to grant recipients, including guidance on:

61.13 (1) aligning activities with the state's world's best workforce goals under section 120B.11;
61.14 and

61.15 (2) effective practices for after-school programs.

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

61.17 Sec. 28. Minnesota Statutes 2018, section 124D.231, is amended to read:

61.18 **124D.231 FULL-SERVICE COMMUNITY SCHOOLS.**

61.19 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
61.20 the meanings given them.

61.21 (a) "Community organization" means a nonprofit organization that has been in existence
61.22 for three years or more and serves persons within the community surrounding the covered
61.23 school site on education and other issues.

61.24 (b) "Community school consortium" means a group of schools and community
61.25 organizations that propose to work together to plan and implement community school
61.26 programming.

61.27 (c) "Community school programming" means services, activities, and opportunities
61.28 described under subdivision 2, paragraph ~~(g)~~ (f).

61.29 (d) "Community-wide full-service community school leadership team" means a
61.30 district-level team that is responsible for guiding the vision, policy, resource alignment,
61.31 implementation, oversight, and goal setting for community school programs within the

62.1 district. This team must include representatives from the district; teachers, school leaders,
 62.2 students, and family members from the eligible schools; community members; system-level
 62.3 partners that include representatives from government agencies, relevant unions, and
 62.4 nonprofit and other community-based partners; and, if applicable, the full-service community
 62.5 school initiative director.

62.6 (e) "Full-service community school initiative director" means a director responsible for
 62.7 coordinating districtwide administrative and leadership assistance to community school
 62.8 sites and site coordinators including chairing the district's community-wide full-service
 62.9 community school leadership team, site coordinator support, data gathering and evaluation,
 62.10 administration of partnership and data agreements, contracts and procurement, and grants.

62.11 ~~(d)~~ (f) "High-quality child care or early childhood education programming" means
 62.12 educational programming for preschool-aged children that is grounded in research, consistent
 62.13 with best practices in the field, and provided by licensed teachers.

62.14 ~~(e)~~ (g) "School site" means a school site at which an applicant has proposed or has been
 62.15 funded to provide community school programming.

62.16 ~~(f)~~ (h) "Site coordinator" is an individual means a full-time staff member serving one
 62.17 eligible school who is responsible for ~~aligning~~ the identification, implementation, and
 62.18 coordination of programming with to address the needs of the school community identified
 62.19 in the baseline analysis.

62.20 **Subd. 2. Full-service community school program.** (a) The commissioner ~~shall~~ must
 62.21 provide funding to districts and charter schools with eligible school sites to plan, implement,
 62.22 and improve full-service community schools. Eligible school sites must meet one of the
 62.23 following criteria:

62.24 (1) the school is on a development plan for continuous improvement under section
 62.25 120B.35, subdivision 2; or

62.26 (2) the school is in a district that has an achievement and integration plan approved by
 62.27 the commissioner of education under sections 124D.861 and 124D.862.

62.28 ~~(b) An eligible school site may receive up to \$150,000 annually.~~ Districts and charter
 62.29 schools may receive up to:

62.30 (1) \$100,000 for each eligible school available for up to one year to fund planning
 62.31 activities including convening a full-service community school leadership team, facilitating
 62.32 family and community stakeholder engagement, conducting a baseline analysis, and creating

63.1 a full-service community school plan. At the end of this period, the school must submit a
 63.2 full-service community school plan, pursuant to paragraphs (d) and (e); and

63.3 (2) \$150,000 annually for each eligible school for up to three years of implementation
 63.4 of a full-service community school plan, pursuant to paragraphs (f) and (g). School sites
 63.5 receiving funding under this section shall must hire or contract with a partner agency to hire
 63.6 a site coordinator to coordinate services at each covered school site. Districts or charter
 63.7 schools receiving funding under this section for three or more schools must provide or
 63.8 contract with a partner agency to provide a full-service community school initiative director.

63.9 ~~(e) Of grants awarded, implementation funding of up to \$20,000 must be available for~~
 63.10 ~~up to one year for planning for school sites. At the end of this period, the school must submit~~
 63.11 ~~a full-service community school plan, pursuant to paragraph (g). If the site decides not to~~
 63.12 ~~use planning funds, the plan must be submitted with the application.~~

63.13 ~~(d)~~ (c) The commissioner shall must consider additional school factors when dispensing
 63.14 funds including: schools with significant populations of students receiving free or
 63.15 reduced-price lunches; significant homeless and highly mobile rates; ~~and~~ equity among
 63.16 urban, suburban, and greater Minnesota schools; and demonstrated success implementing
 63.17 full-service community school programming.

63.18 ~~(e)~~ (d) A school site must establish a full-service community school leadership team
 63.19 responsible for developing school-specific programming goals, assessing program needs,
 63.20 and overseeing the process of implementing expanded programming at each covered site.
 63.21 The school leadership team shall must have ~~between~~ at least 12 to 15 members and shall
 63.22 must meet the following requirements:

63.23 (1) at least 30 percent of the members are parents, guardians, or students and 30 percent
 63.24 of the members are teachers at the school site and must include the school principal and
 63.25 representatives from partner agencies; and

63.26 (2) the full-service community school leadership team must be responsible for overseeing
 63.27 the baseline analyses under paragraph ~~(f)~~ (e) and the creation of a full-service community
 63.28 school plan under paragraphs (f) and (g). A full-service community school leadership team
 63.29 must meet at least quarterly, have ongoing responsibility for monitoring the development
 63.30 and implementation of full-service community school operations and programming at the
 63.31 school site, and shall must issue recommendations to schools on a regular basis and
 63.32 summarized in an annual report. These reports shall must also be made available to the
 63.33 public at the school site and on school and district websites.

64.1 ~~(f)~~ (e) School sites must complete a baseline analysis prior to ~~beginning programming~~
 64.2 ~~as a full-service community school~~ the creation of a full-service community school plan.

64.3 The analysis ~~shall~~ must include:

64.4 (1) a baseline analysis of needs at the school site, led by the school leadership team,
 64.5 ~~which shall include~~ including the following elements:

64.6 (i) identification of challenges facing the school;

64.7 (ii) analysis of the student body, including:

64.8 (A) number and percentage of students with disabilities and needs of these students;

64.9 (B) number and percentage of students who are English learners and the needs of these
 64.10 students;

64.11 (C) number of students who are homeless or highly mobile; ~~and~~

64.12 (D) number and percentage of students receiving free or reduced-price lunch and the
 64.13 needs of these students; and

64.14 (E) number and percentage of students by race and ethnicity;

64.15 (iii) analysis of enrollment and retention rates for students with disabilities, English
 64.16 learners, homeless and highly mobile students, and students receiving free or reduced-price
 64.17 lunch;

64.18 (iv) analysis of suspension and expulsion data, including the justification for such
 64.19 disciplinary actions and the degree to which particular populations, including, but not limited
 64.20 to, American Indian students and students of color, students with disabilities, students who
 64.21 are English learners, and students receiving free or reduced-price lunch are represented
 64.22 among students subject to such actions;

64.23 (v) analysis of school achievement data disaggregated by major demographic categories,
 64.24 including, but not limited to, race, ethnicity, English learner status, disability status, and
 64.25 free or reduced-price lunch status;

64.26 (vi) analysis of current parent engagement strategies and their success; and

64.27 (vii) evaluation of the need for and availability of ~~wraparound services~~ full-service
 64.28 community school activities, including, but not limited to:

64.29 (A) ~~mechanisms for meeting students' social, emotional, and physical health needs,~~
 64.30 ~~which may include coordination of existing services as well as the development of new~~
 64.31 ~~services based on student needs; and~~ integrated student supports that address out-of-school

65.1 barriers to learning through partnerships with social and health service agencies and
65.2 providers, and may include medical, dental, vision care, and mental health services, or
65.3 counselors to assist with housing, transportation, nutrition, immigration, or criminal justice
65.4 issues;

65.5 ~~(B) strategies to create a safe and secure school environment and improve school climate~~
65.6 ~~and discipline, such as implementing a system of positive behavioral supports, and taking~~
65.7 ~~additional steps to eliminate bullying;~~ expanded and enriched learning time and opportunities,
65.8 including before-school, after-school, weekend, and summer programs that provide additional
65.9 academic instruction, individualized academic support, enrichment activities, and learning
65.10 opportunities that emphasize real-world learning and community problem solving and may
65.11 include art, music, drama, creative writing, hands-on experience with engineering or science,
65.12 tutoring and homework help, or recreational programs that enhance and are consistent with
65.13 the school's curriculum;

65.14 (C) active family and community engagement that brings students' families and the
65.15 community into the school as partners in children's education and makes the school a
65.16 neighborhood hub, providing adults with educational opportunities that may include adult
65.17 English as a second language classes, computer skills, art, or other programs that bring
65.18 community members into the school for meetings or events; and

65.19 (D) collaborative leadership and practices that build a culture of professional learning,
65.20 collective trust, and shared responsibility and include a school-based full-service community
65.21 school leadership team, a full-service community school site coordinator, a full-service
65.22 community school initiative director, a community-wide leadership team, other leadership
65.23 or governance teams, teacher learning communities, or other staff to manage the joint work
65.24 of school and community organizations;

65.25 ~~(2) a baseline analysis of community assets and a strategic plan for utilizing and aligning~~
65.26 ~~identified assets. This analysis should include, but is not limited to,~~ including a documentation
65.27 of individuals in the community, faith-based organizations, community and neighborhood
65.28 associations, colleges, hospitals, libraries, businesses, and social service agencies ~~who~~ that
65.29 may be able to provide support and resources; and

65.30 (3) a baseline analysis of needs in the community surrounding the school, led by the
65.31 school leadership team, including, ~~but not limited to:~~

65.32 (i) the need for high-quality, full-day child care and early childhood education programs;

65.33 (ii) the need for physical and mental health care services for children and adults; and

- 66.1 (iii) the need for job training and other adult education programming.
- 66.2 ~~(g)~~ (f) Each school site receiving funding under this section must ~~establish~~ develop a
- 66.3 full-service community school plan that utilizes and aligns district and community assets
- 66.4 and establishes services in at least two of the following types of programming:
- 66.5 (1) early childhood:
- 66.6 (i) early childhood education; and
- 66.7 (ii) child care services;
- 66.8 (2) academic:
- 66.9 (i) academic support and enrichment activities, including expanded learning time;
- 66.10 (ii) summer or after-school enrichment and learning experiences;
- 66.11 (iii) job training, internship opportunities, and career counseling services;
- 66.12 (iv) programs that provide assistance to students who have been truant, suspended, or
- 66.13 expelled; and
- 66.14 (v) specialized instructional support services;
- 66.15 (3) parental involvement:
- 66.16 (i) programs that promote parental involvement and family literacy;
- 66.17 (ii) parent leadership development activities that empower and strengthen families and
- 66.18 communities, provide volunteer opportunities, or promote inclusion in school-based
- 66.19 leadership teams; and
- 66.20 (iii) parenting education activities;
- 66.21 (4) mental and physical health:
- 66.22 (i) mentoring and other youth development programs, including peer mentoring and
- 66.23 conflict mediation;
- 66.24 (ii) juvenile crime prevention and rehabilitation programs;
- 66.25 (iii) home visitation services by teachers and other professionals;
- 66.26 (iv) developmentally appropriate physical education;
- 66.27 (v) nutrition services;
- 66.28 (vi) primary health and dental care; and
- 66.29 (vii) mental health counseling services;

- 67.1 (5) community involvement:
- 67.2 (i) service and service-learning opportunities;
- 67.3 (ii) adult education, including instruction in English as a second language; and
- 67.4 (iii) homeless prevention services;
- 67.5 (6) positive discipline practices; and
- 67.6 (7) other programming designed to meet school and community needs identified in the
- 67.7 baseline analysis and reflected in the full-service community school plan.

67.8 ~~(h)~~ (g) The full-service community school leadership team at each school site must

67.9 develop a full-service community school plan detailing the steps the school leadership team

67.10 will take, including:

- 67.11 (1) timely establishment and consistent operation of the school leadership team;
- 67.12 (2) maintenance of attendance records in all programming components;
- 67.13 (3) maintenance of measurable data showing annual participation and the impact of
- 67.14 programming on the participating children and adults;
- 67.15 (4) documentation of meaningful and sustained collaboration between the school and
- 67.16 community stakeholders, including local governmental units, civic engagement organizations,
- 67.17 businesses, and social service providers;
- 67.18 (5) establishment and maintenance of partnerships with institutions, such as universities,
- 67.19 hospitals, museums, or not-for-profit community organizations to further the development
- 67.20 and implementation of community school programming;
- 67.21 (6) ensuring compliance with the district nondiscrimination policy; and
- 67.22 (7) plan for school leadership team development.

67.23 Subd. 3. **Full-service community school review.** (a) ~~Every three years,~~ A full-service

67.24 community school site must submit to the commissioner, and make available at the school

67.25 site and online, a report describing efforts to integrate community school programming at

67.26 each covered school site and the effect of the transition to a full-service community school

67.27 on participating children and adults. This report ~~shall~~ must include, but is not limited to,

67.28 the following:

- 67.29 (1) an assessment of the effectiveness of the school site in development or implementing
- 67.30 the community school plan;

68.1 (2) problems encountered in the design and execution of the community school plan,
68.2 including identification of any federal, state, or local statute or regulation impeding program
68.3 implementation;

68.4 (3) the operation of the school leadership team and its contribution to successful execution
68.5 of the community school plan;

68.6 (4) recommendations for improving delivery of community school programming to
68.7 students and families;

68.8 (5) the number and percentage of students receiving community school programming
68.9 who had not previously been served;

68.10 (6) the number and percentage of nonstudent community members receiving community
68.11 school programming who had not previously been served;

68.12 (7) improvement in retention among students who receive community school
68.13 programming;

68.14 (8) improvement in academic achievement among students who receive community
68.15 school programming;

68.16 (9) changes in student's readiness to enter school, active involvement in learning and in
68.17 their community, physical, social and emotional health, and student's relationship with the
68.18 school and community environment;

68.19 (10) an accounting of anticipated local budget savings, if any, resulting from the
68.20 implementation of the program;

68.21 (11) improvements to the frequency or depth of families' involvement with their children's
68.22 education;

68.23 (12) assessment of community stakeholder satisfaction;

68.24 (13) assessment of institutional partner satisfaction;

68.25 (14) the ability, or anticipated ability, of the school site and partners to continue to
68.26 provide services in the absence of future funding under this section;

68.27 (15) increases in access to services for students and their families; and

68.28 (16) the degree of increased collaboration among participating agencies and private
68.29 partners.

68.30 (b) Reports submitted under this section ~~shall~~ must be evaluated by the commissioner
68.31 with respect to the following criteria:

69.1 (1) the effectiveness of the school or the community school consortium in implementing
69.2 the full-service community school plan, including the degree to which the school site
69.3 navigated difficulties encountered in the design and operation of the full-service community
69.4 school plan, including identification of any federal, state, or local statute or regulation
69.5 impeding program implementation;

69.6 (2) the extent to which the project has produced lessons about ways to improve delivery
69.7 of community school programming to students;

69.8 (3) the degree to which there has been an increase in the number or percentage of students
69.9 and nonstudents receiving community school programming;

69.10 (4) the degree to which there has been an improvement in retention of students and
69.11 improvement in academic achievement among students receiving community school
69.12 programming;

69.13 (5) local budget savings, if any, resulting from the implementation of the program;

69.14 (6) the degree of community stakeholder and institutional partner engagement;

69.15 (7) the ability, or anticipated ability, of the school site and partners to continue to provide
69.16 services in the absence of future funding under this section;

69.17 (8) increases in access to services for students and their families; and

69.18 (9) the degree of increased collaboration among participating agencies and private
69.19 partners.

69.20 Sec. 29. Minnesota Statutes 2018, section 124D.34, subdivision 2, is amended to read:

69.21 Subd. 2. **Creation of foundation.** There is created the Minnesota Foundation for Student
69.22 Organizations. The purpose of the foundation is to promote ~~vocational~~ career and technical
69.23 student organizations and applied leadership opportunities in Minnesota public and nonpublic
69.24 schools through public-private partnerships. The foundation is a nonprofit organization.
69.25 The board of directors of the foundation and activities of the foundation are under the
69.26 direction of the commissioner of education.

69.27 Sec. 30. Minnesota Statutes 2018, section 124D.34, subdivision 3, is amended to read:

69.28 Subd. 3. **Board of directors.** The board of directors of the Minnesota Foundation for
69.29 Student Organizations consists of:

69.30 (1) seven members appointed by the board of directors of the ~~school-to-work~~ career and
69.31 technical student organizations and chosen so that each represents one of the following

70.1 career areas: agriculture, family and consumer sciences, service occupations, health
70.2 occupations, marketing, business, and technical/industrial;

70.3 (2) seven members from business, industry, and labor appointed by the governor to
70.4 staggered terms and chosen so that each represents one of the following career areas:
70.5 agriculture, family and consumer sciences, service occupations, health occupations,
70.6 marketing, business, and technical/industrial;

70.7 (3) five students or alumni of ~~school-to-work~~ career and technical student organizations
70.8 representing diverse career areas, three from secondary student organizations, and two from
70.9 postsecondary student organizations. The students or alumni shall be appointed by the
70.10 criteria and process agreed upon by the executive directors of the ~~student-to-work~~ career
70.11 and technical organizations; and

70.12 (4) four members from education appointed by the governor to staggered terms and
70.13 chosen so that each represents one of the following groups: school district level
70.14 administrators, secondary school administrators, middle school administrators, and
70.15 postsecondary administrators.

70.16 Executive directors of ~~vocational~~ career and technical education student organizations
70.17 are ex officio, nonvoting members of the board.

70.18 Sec. 31. Minnesota Statutes 2018, section 124D.34, subdivision 4, is amended to read:

70.19 Subd. 4. **Foundation programs.** The foundation shall advance applied leadership and
70.20 intracurricular ~~vocational~~ career and technical learning experiences for students. These may
70.21 include, but are not limited to:

70.22 (1) recognition programs and awards for students demonstrating excellence in applied
70.23 leadership;

70.24 (2) summer programs for student leadership, career development, applied academics,
70.25 and mentorship programs with business and industry;

70.26 (3) recognition programs for teachers, administrators, and others who make outstanding
70.27 contributions to ~~school-to-work~~ career and technical programs;

70.28 (4) outreach programs to increase the involvement of urban and suburban students;

70.29 (5) organized challenges requiring cooperation and competition for secondary and
70.30 postsecondary students;

70.31 (6) assistance and training to community teams to increase career awareness and
70.32 empowerment of youth as community leaders; and

71.1 (7) assessment and activities in order to plan for and implement continuous improvement.

71.2 To the extent possible, the foundation shall make these programs available to students
71.3 in all parts of the state.

71.4 Sec. 32. Minnesota Statutes 2018, section 124D.34, subdivision 5, is amended to read:

71.5 Subd. 5. **Powers and duties.** The foundation may:

71.6 (1) identify and plan common goals and priorities for the various ~~school-to-work~~ career
71.7 and technical student organizations in Minnesota;

71.8 (2) publish brochures or booklets relating to the purposes of the foundation and collect
71.9 reasonable fees for the publications;

71.10 (3) seek and receive public and private money, grants, and in-kind services and goods
71.11 from nonstate sources for the purposes of the foundation, without complying with section
71.12 16A.013, subdivision 1;

71.13 (4) contract with consultants on behalf of the ~~school-to-work~~ career and technical student
71.14 organizations;

71.15 (5) plan, implement, and expend money for awards and other forms of recognition for
71.16 ~~school-to-work~~ career and technical student programs; and

71.17 (6) identifying an appropriate name for the foundation.

71.18 Sec. 33. Minnesota Statutes 2018, section 124D.34, subdivision 8, is amended to read:

71.19 Subd. 8. **Public funding.** The state shall identify and secure appropriate funding for the
71.20 basic staffing of the foundation and individual student ~~school-to-work~~ career and technical
71.21 student organizations at the state level.

71.22 Sec. 34. Minnesota Statutes 2018, section 124D.34, subdivision 12, is amended to read:

71.23 Subd. 12. **Student organizations.** Individual boards of ~~vocational~~ career and technical
71.24 education student organizations shall continue their operations in accordance with section
71.25 124D.355 and applicable federal law.

71.26 Sec. 35. Minnesota Statutes 2018, section 124D.59, subdivision 2a, is amended to read:

71.27 Subd. 2a. **English learner; interrupted formal education.** Consistent with subdivision
71.28 2, an English learner includes an English learner with an interrupted formal education who
71.29 meets three of the following five requirements:

72.1 (1) comes from a home where the language usually spoken is other than English, or
72.2 usually speaks a language other than English;

72.3 (2) enters school in the United States after grade 6;

72.4 (3) has at least two years less schooling than the English learner's peers;

72.5 (4) functions at least two years below expected grade level in reading and mathematics;
72.6 and

72.7 (5) may be preliterate in the English learner's native language.

72.8 Sec. 36. Minnesota Statutes 2018, section 124D.68, subdivision 2, is amended to read:

72.9 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements
72.10 of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation
72.11 incentives program, if the pupil:

72.12 (1) performs substantially below the performance level for pupils of the same age in a
72.13 locally determined achievement test;

72.14 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

72.15 (3) is pregnant or is a parent;

72.16 (4) has been assessed as chemically dependent;

72.17 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

72.18 (6) has been referred by a school district for enrollment in an eligible program or a
72.19 program pursuant to section 124D.69;

72.20 (7) is a victim of physical or sexual abuse;

72.21 (8) has experienced mental health problems;

72.22 (9) has experienced homelessness sometime within six months before requesting a
72.23 transfer to an eligible program;

72.24 (10) speaks English as a second language or is an English learner;

72.25 (11) has withdrawn from school or has been chronically truant; or

72.26 (12) is being treated in a hospital in the seven-county metropolitan area for cancer or
72.27 other life threatening illness or is the sibling of an eligible pupil who is being currently
72.28 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary
72.29 of the seven-county metropolitan area.

73.1 (b) ~~For fiscal years 2017 and 2018 only,~~ A pupil otherwise qualifying under paragraph
73.2 (a) who is at least 21 years of age and not yet 22 years of age, and is an English learner with
73.3 an interrupted formal education according to section 124D.59, subdivision 2a, ~~and was in~~
73.4 ~~an early middle college program during the previous school year~~ is eligible to participate
73.5 in the graduation incentives program under section 124D.68 and in concurrent enrollment
73.6 courses offered under section 124D.09, subdivision 10, and is funded in the same manner
73.7 as other pupils under this section.

73.8 Sec. 37. Minnesota Statutes 2018, section 124D.78, subdivision 2, is amended to read:

73.9 Subd. 2. **Resolution of concurrence.** Prior to March 1, the school board or American
73.10 Indian school must submit to the department a copy of a resolution adopted by the American
73.11 Indian education parent advisory committee. The copy must be signed by the chair of the
73.12 committee and must state whether the committee concurs with the educational programs
73.13 for American Indian students offered by the school board or American Indian school. If the
73.14 committee does not concur with the educational programs, the reasons for nonconcurrence
73.15 and recommendations shall be submitted directly to the school board with the resolution.
73.16 By resolution, the board must respond in writing within 60 days, in cases of nonconcurrence,
73.17 to each recommendation made by the committee and state its reasons for not implementing
73.18 the recommendations.

73.19 Sec. 38. Minnesota Statutes 2018, section 124D.83, subdivision 2, is amended to read:

73.20 Subd. 2. **Revenue amount.** An American Indian-controlled tribal contract or grant school
73.21 that is located on a reservation within the state and that complies with the requirements in
73.22 subdivision 1 is eligible to receive tribal contract or grant school aid. The amount of aid is
73.23 derived by:

73.24 (1) multiplying the formula allowance under section 126C.10, subdivision 2, less \$170,
73.25 times the difference between (i) the resident pupil units as defined in section 126C.05,
73.26 subdivision 6, in average daily membership, excluding section 126C.05, subdivision 13,
73.27 and (ii) the number of pupils for the current school year, weighted according to section
73.28 126C.05, subdivision 1, receiving benefits under section 123B.42 or 123B.44 or for which
73.29 the school is receiving reimbursement under section 124D.69;

73.30 (2) adding to the result in clause (1) an amount equal to the product of the formula
73.31 allowance under section 126C.10, subdivision 2, less \$300 times the tribal contract
73.32 compensation revenue pupil units;

74.1 (3) subtracting from the result in clause (2) the amount of money allotted to the school
 74.2 by the federal government through Indian School Equalization Program of the Bureau of
 74.3 Indian Affairs, according to Code of Federal Regulations, title 25, part 39, subparts A to E,
 74.4 for the basic program as defined by section 39.11, paragraph (b), for the base rate as applied
 74.5 to kindergarten through twelfth grade, excluding small school adjustments and additional
 74.6 weighting, but not money allotted through subparts F to L for contingency funds, school
 74.7 board training, student training, interim maintenance and minor repair, interim administration
 74.8 cost, prekindergarten, and operation and maintenance, and the amount of money that is
 74.9 received according to section 124D.69;

74.10 (4) dividing the result in clause (3) by the sum of the resident pupil units in average daily
 74.11 membership, excluding section 126C.05, subdivision 13, plus the tribal contract compensation
 74.12 revenue pupil units; and

74.13 (5) multiplying the sum of the resident pupil units, including section 126C.05, subdivision
 74.14 13, in average daily membership plus the tribal contract compensation revenue pupil units
 74.15 by the lesser of \$3,230 for fiscal ~~years 2016 to year~~ year 2019 and ~~\$1,500~~ 51.17 percent of the
 74.16 formula allowance for fiscal year 2020 and later or the result in clause (4).

74.17 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

74.18 Sec. 39. Minnesota Statutes 2018, section 124D.862, subdivision 1, is amended to read:

74.19 Subdivision 1. **Initial achievement and integration revenue.** (a) An eligible district's
 74.20 initial achievement and integration revenue equals the lesser of 100.3 percent of the district's
 74.21 expenditures under the budget approved by the commissioner under section 124D.861,
 74.22 subdivision 3, paragraph (c), excluding expenditures used to generate incentive revenue
 74.23 under subdivision 2, or the sum of (1) \$350 times the district's adjusted pupil units for that
 74.24 year times the ratio of the district's enrollment of protected students for the previous school
 74.25 year to total enrollment for the previous school year and (2) the greater of zero or 66 percent
 74.26 of the difference between the district's integration revenue for fiscal year 2013 and the
 74.27 district's integration revenue for fiscal year 2014 under clause (1).

74.28 (b) In each year, an amount equal to 0.3 percent of each district's initial achievement
 74.29 and integration revenue for the second prior fiscal year is transferred to the department for
 74.30 the oversight and accountability activities required under this section and section 124D.861.

75.1 Sec. 40. Minnesota Statutes 2018, section 124D.862, subdivision 4, is amended to read:

75.2 Subd. 4. **Achievement and integration aid.** For fiscal year 2015 and later, a district's
75.3 achievement and integration aid equals the sum of 70 percent of its achievement and
75.4 integration revenue and its achievement and integration equalization aid under subdivision
75.5 5a.

75.6 Sec. 41. Minnesota Statutes 2018, section 124D.862, subdivision 5, is amended to read:

75.7 Subd. 5. **Achievement and integration levy.** (a) A district's achievement and integration
75.8 levy revenue equals its achievement and integration revenue times 30 percent.

75.9 (b) A district's achievement and integration levy equals the product of (1) the achievement
75.10 and integration levy revenue, times (2) the lesser of one or the ratio of the district's adjusted
75.11 net tax capacity per adjusted pupil unit to 30 percent of the state average adjusted net tax
75.12 capacity per adjusted pupil unit.

75.13 (c) For Special School District No. 1, Minneapolis; Independent School District No.
75.14 625, St. Paul; and Independent School District No. 709, Duluth, 100 percent of the levy
75.15 certified under this subdivision is shifted into the prior calendar year for purposes of sections
75.16 123B.75, subdivision 5, and 127A.441.

75.17 Sec. 42. Minnesota Statutes 2018, section 124D.862, is amended by adding a subdivision
75.18 to read:

75.19 Subd. 5a. **Achievement and integration equalization aid.** A district's achievement and
75.20 integration equalization aid equals the district's achievement and integration levy revenue
75.21 minus the district's achievement and integration levy. If a district does not levy the entire
75.22 amount permitted, the achievement and integration equalization aid must be reduced in
75.23 proportion to the actual amount levied.

75.24 Sec. 43. Minnesota Statutes 2018, section 124D.957, subdivision 1, is amended to read:

75.25 Subdivision 1. **Establishment and membership.** The Minnesota Youth Council
75.26 Committee is established within and under the auspices of the Minnesota Alliance With
75.27 Youth. The committee consists of four members from each congressional district in
75.28 Minnesota and four members selected at-large. Members must be selected through an
75.29 application and interview process conducted by the Minnesota Alliance With Youth. In
75.30 making its appointments, the Minnesota Alliance With Youth should strive to ensure gender
75.31 and ethnic diversity in the committee's membership. Members must be ~~between the ages of~~

76.1 ~~13 and 19~~ in grades 8 through 12 and serve two-year terms, except that one-half of the initial
76.2 members must serve a one-year term. Members may serve a maximum of two terms.

76.3 Sec. 44. Minnesota Statutes 2018, section 124D.957, is amended by adding a subdivision
76.4 to read:

76.5 Subd. 5. **Funding.** The Minnesota Alliance With Youth may receive annual state
76.6 appropriations to fund the operations for the Minnesota Youth Council.

76.7 Sec. 45. Minnesota Statutes 2018, section 124D.98, is amended by adding a subdivision
76.8 to read:

76.9 Subd. 4. **Medium and high growth.** (a) The definitions in this subdivision apply to this
76.10 section.

76.11 (b) "Medium growth" is an assessment score within one-half standard deviation above
76.12 or below the average year-two assessment scores for students with similar year-one
76.13 assessment scores.

76.14 (c) "High growth" is an assessment score one-half standard deviation or more above the
76.15 average year-two assessment scores for students with similar year-one assessment scores.

76.16 Sec. 46. Minnesota Statutes 2018, section 124E.13, subdivision 3, is amended to read:

76.17 Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit building
76.18 corporation may purchase, expand, or renovate an existing facility to serve as a school or
76.19 may construct a new school facility. An affiliated nonprofit building corporation may only
76.20 serve one charter school. A charter school may organize an affiliated nonprofit building
76.21 corporation if the charter school:

76.22 (1) has operated for at least six consecutive years;

76.23 (2) as of June 30, has a net positive unreserved general fund balance in the preceding
76.24 three fiscal years;

76.25 (3) has long-range strategic and financial plans that include enrollment projections for
76.26 at least five years;

76.27 (4) completes a feasibility study of facility options that outlines the benefits and costs
76.28 of each option; and

76.29 (5) has a plan that describes project parameters and budget.

76.30 (b) An affiliated nonprofit building corporation under this subdivision must:

- 77.1 (1) be incorporated under section 317A;
- 77.2 (2) comply with applicable Internal Revenue Service regulations, including regulations
77.3 for "supporting organizations" as defined by the Internal Revenue Service;
- 77.4 (3) post on the school website the name, mailing address, bylaws, minutes of board
77.5 meetings, and names of the current board of directors of the affiliated nonprofit building
77.6 corporation;
- 77.7 (4) submit to the commissioner a copy of its annual audit by December 31 of each year;
77.8 and
- 77.9 (5) comply with government data practices law under chapter 13.
- 77.10 (c) An affiliated nonprofit building corporation must not serve as the leasing agent for
77.11 property or facilities it does not own. A charter school that leases a facility from an affiliated
77.12 nonprofit building corporation that does not own the leased facility is ineligible to receive
77.13 charter school lease aid. The state is immune from liability resulting from a contract between
77.14 a charter school and an affiliated nonprofit building corporation.
- 77.15 (d) The board of directors of the charter school must ensure the affiliated nonprofit
77.16 building corporation complies with all applicable legal requirements. The charter school's
77.17 authorizer must oversee the efforts of the board of directors of the charter school to ensure
77.18 legal compliance of the affiliated building corporation. A school's board of directors that
77.19 fails to ensure the affiliated nonprofit building corporation's compliance violates its
77.20 responsibilities and an authorizer must consider that failure when evaluating the charter
77.21 school.

77.22 Sec. 47. Minnesota Statutes 2018, section 125A.08, is amended to read:

77.23 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

- 77.24 (a) At the beginning of each school year, each school district shall have in effect, for
77.25 each child with a disability, an individualized education program.
- 77.26 (b) As defined in this section, every district must ensure the following:
- 77.27 (1) all students with disabilities are provided the special instruction and services which
77.28 are appropriate to their needs. Where the individualized education program team has
77.29 determined appropriate goals and objectives based on the student's needs, including the
77.30 extent to which the student can be included in the least restrictive environment, and where
77.31 there are essentially equivalent and effective instruction, related services, or assistive
77.32 technology devices available to meet the student's needs, cost to the district may be among

78.1 the factors considered by the team in choosing how to provide the appropriate services,
78.2 instruction, or devices that are to be made part of the student's individualized education
78.3 program. The individualized education program team shall consider and may authorize
78.4 services covered by medical assistance according to section 256B.0625, subdivision 26.
78.5 Before a school district evaluation team makes a determination of other health disability
78.6 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
78.7 team must seek written documentation of the student's medically diagnosed chronic or acute
78.8 health condition signed by a licensed physician or a licensed health care provider acting
78.9 within the scope of the provider's practice. The student's needs and the special education
78.10 instruction and services to be provided must be agreed upon through the development of
78.11 an individualized education program. The program must address the student's need to develop
78.12 skills to live and work as independently as possible within the community. The individualized
78.13 education program team must consider positive behavioral interventions, strategies, and
78.14 supports that address behavior needs for children. During grade 9, the program must address
78.15 the student's needs for transition from secondary services to postsecondary education and
78.16 training, employment, community participation, recreation, and leisure and home living. In
78.17 developing the program, districts must inform parents of the full range of transitional goals
78.18 and related services that should be considered. The program must include a statement of
78.19 the needed transition services, including a statement of the interagency responsibilities or
78.20 linkages or both before secondary services are concluded. If the individualized education
78.21 program meets the plan components in section 120B.125, the individualized education
78.22 program satisfies the requirement and no additional transition plan is needed;

78.23 (2) children with a disability under age five and their families are provided special
78.24 instruction and services appropriate to the child's level of functioning and needs;

78.25 (3) children with a disability and their parents or guardians are guaranteed procedural
78.26 safeguards and the right to participate in decisions involving identification, assessment
78.27 including assistive technology assessment, and educational placement of children with a
78.28 disability;

78.29 (4) eligibility and needs of children with a disability are determined by an initial
78.30 evaluation or reevaluation, which may be completed using existing data under United States
78.31 Code, title 20, section 33, et seq.;

78.32 (5) to the maximum extent appropriate, children with a disability, including those in
78.33 public or private institutions or other care facilities, are educated with children who are not
78.34 disabled, and that special classes, separate schooling, or other removal of children with a
78.35 disability from the regular educational environment occurs only when and to the extent that

79.1 the nature or severity of the disability is such that education in regular classes with the use
79.2 of supplementary services cannot be achieved satisfactorily;

79.3 (6) in accordance with recognized professional standards, testing and evaluation materials,
79.4 and procedures used for the purposes of classification and placement of children with a
79.5 disability are selected and administered so as not to be racially or culturally discriminatory;
79.6 and

79.7 (7) the rights of the child are protected when the parents or guardians are not known or
79.8 not available, or the child is a ward of the state.

79.9 (c) For all paraprofessionals employed to work in programs whose role in part is to
79.10 provide direct support to students with disabilities, the school board in each district shall
79.11 ensure that:

79.12 (1) before or beginning at the time of employment, each paraprofessional must develop
79.13 sufficient knowledge and skills in emergency procedures, building orientation, roles and
79.14 responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin
79.15 meeting the needs, especially disability-specific and behavioral needs, of the students with
79.16 whom the paraprofessional works;

79.17 (2) before beginning work alone with an individual student with a disability, the assigned
79.18 paraprofessional must be either given paid time or time during the school day to review a
79.19 student's individualized education program, or be briefed on the student's specific needs by
79.20 appropriate staff;

79.21 ~~(2)~~ (3) annual training opportunities are required to enable the paraprofessional to
79.22 continue to further develop the knowledge and skills that are specific to the students with
79.23 whom the paraprofessional works, including understanding disabilities, the unique and
79.24 individual needs of each student according to the student's disability and how the disability
79.25 affects the student's education and behavior, following lesson plans, and implementing
79.26 follow-up instructional procedures and activities; ~~and~~

79.27 (4) a minimum of 8 hours of paid orientation or professional development must be
79.28 provided annually to all paraprofessionals, Title I aides, and other instructional support
79.29 staff. Four of the eight hours must be completed before the first instructional day of the
79.30 school year or within 30 days of hire. The orientation or professional development must be
79.31 relevant to the employee's occupation and may include collaboration time with classroom
79.32 teachers and planning for the school year. For paraprofessionals who provide direct support
79.33 to students, at least 50 percent of the professional development or orientation must be
79.34 dedicated to meeting the requirements of this section. Professional development for

80.1 paraprofessionals may also address the requirements of section 120B.363, subdivision 3.
80.2 A school administrator must provide an annual certification of compliance with this
80.3 requirement to the commissioner; and

80.4 ~~(3)~~ (5) a districtwide process obligates each paraprofessional to work under the ongoing
80.5 direction of a licensed teacher and, where appropriate and possible, the supervision of a
80.6 school nurse.

80.7 Sec. 48. [125A.755] PARAPROFESSIONAL TRAINING AID.

80.8 Beginning in fiscal year 2020, each school district, charter school, and cooperative
80.9 organization serving pupils is eligible for paraprofessional training aid. Paraprofessional
80.10 training aid equals \$200 times the number of paraprofessionals, title 1 aides, and other
80.11 instructional support staff employed by the school district, charter school or cooperative
80.12 organization during the previous school year. A school district must reserve paraprofessional
80.13 training aid and spend it only on the training required in section 125A.08

80.14 Sec. 49. Laws 2016, chapter 189, article 25, section 61, is amended to read:

80.15 Sec. 61. **CERTIFICATION INCENTIVE REVENUE.**

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

80.23 Subd. 2. **School district participation.** (a) A school board may adopt a policy authorizing
80.24 its students in grades 9 through 12, including its students enrolled in postsecondary enrollment
80.25 options courses under Minnesota Statutes, section 124D.09, the opportunity to complete a
80.26 qualifying certificate. The certificate may be completed as part of a regularly scheduled
80.27 course.

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

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

81.1 (b) The statewide total certificate revenue must not exceed \$1,000,000. The commissioner
81.2 must proportionately reduce the initial aid provided under this subdivision so that the
81.3 statewide aid cap is not exceeded.

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

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

81.13 Sec. 50. Laws 2016, chapter 189, article 25, section 62, subdivision 15, is amended to
81.14 read:

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

81.16 ~~1,000,000~~
81.17 \$ 140,000 2017

81.18 (b) This is a onetime appropriation. This appropriation is available until June 30, 2019.
81.19 \$860,000 of the initial fiscal year 2017 appropriation is canceled to the general fund on June
81.20 30, 2019.

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

81.22 Sec. 51. **INNOVATION RESEARCH ZONES PILOT PROGRAM.**

81.23 Subdivision 1. **Establishment; requirements for participation; research zone plans.** (a)
81.24 The innovation research zone pilot program is established to improve student and school
81.25 outcomes consistent with the world's best workforce requirements under Minnesota Statutes,
81.26 section 120B.11. Innovation zone partnerships allow school districts and charter schools to
81.27 research and implement innovative education programming models designed to better
81.28 prepare students for the world.

81.29 (b) One or more school districts or charter schools may join together to form an innovation
81.30 zone partnership. The partnership may include other nonschool partners, including
81.31 postsecondary institutions, other units of local government, nonprofit organizations, and

82.1 for-profit organizations. An innovation zone plan must be collaboratively developed with
82.2 a school's instructional staff.

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

82.6 Examples of innovation zone research include:

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

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

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

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

82.17 (5) partnerships between secondary schools and postsecondary institutions, employers,
82.18 or career training institutions enabling students to complete industry certifications,
82.19 postsecondary education credits, and other credentials;

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

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

82.23 (8) new models of professional development for educators, including embedded
82.24 professional development; or

82.25 (9) new models in other areas such as whole child instruction, social-emotional skill
82.26 development, technology-based or blended learning, parent and community involvement,
82.27 professional development and mentoring, and models that increase return on investment.

82.28 (d) The governing board for each innovation zone partner must approve an innovation
82.29 zone plan. An innovation zone plan submitted to the commissioner for approval must
82.30 describe:

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

- 83.1 (2) the role of each partner in the innovation zone;
- 83.2 (3) the research methodology used for each proposed action in the plan;
- 83.3 (4) the innovation zone partnership's proposed exemptions from statutes and rules under
- 83.4 subdivision 2;
- 83.5 (5) how the proposed planning and implementation process includes teachers and other
- 83.6 educational staff from the affected school sites;
- 83.7 (6) expected outcomes and graduation standards;
- 83.8 (7) a timeline for implementing the plan and assessing outcomes; and
- 83.9 (8) how results of the plan will be disseminated.
- 83.10 (e) Upon unanimous approval by the initial innovation zone partners and approval by
- 83.11 the commissioner of education, the innovation zone partnership may extend membership
- 83.12 to other partners. A new partner's membership is effective 30 days after the innovation zone
- 83.13 partnership notifies the commissioner of the proposed change in membership, unless the
- 83.14 commissioner disapproves the new partner's membership.
- 83.15 (f) Notwithstanding any other law to the contrary, a school district or charter school
- 83.16 participating in an innovation zone partnership under this section continues to receive all
- 83.17 revenue and maintains its taxation authority in the same manner as prior to participation in
- 83.18 the innovation zone partnership. The innovation zone school district and charter school
- 83.19 partners remain organized and governed by their respective school boards with general
- 83.20 powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any
- 83.21 employment agreements under Minnesota Statutes, chapters 122A and 179A. School district
- 83.22 and charter school employees participating in an innovation zone partnership remain
- 83.23 employees of their respective school district or charter school.
- 83.24 (g) An innovation zone partnership may submit its plan at any time to the commissioner
- 83.25 in the form and manner specified by the commissioner. The commissioner must approve
- 83.26 or reject the plan after reviewing the recommendation of the Innovation Research Zone
- 83.27 Advisory Panel. An innovation zone partnership may resubmit a previously rejected plan
- 83.28 after modifying the plan to meet each individually identified objection.
- 83.29 Subd. 2. **Exemptions from laws and rules.** (a) Notwithstanding any other law to the
- 83.30 contrary, an innovation zone partner with an approved plan is exempt from each of the
- 83.31 following state education laws and rules specifically identified in its plan:

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

84.3 (2) a statute or rule from which the commissioner has exempted another district or charter
84.4 school, as identified in the list published on the Department of Education's website under
84.5 subdivision 4, paragraph (b);

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

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

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

84.15 (b) The exemptions under this subdivision must not be construed as exempting an
84.16 innovation zone partner from the Minnesota Comprehensive Assessments.

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

84.20 (b) The panel must be composed of nine members. The commissioner must appoint one
84.21 member with expertise in evaluation and research. One member must be appointed by each
84.22 of the following organizations: Educators for Excellence, Education Minnesota, Minnesota
84.23 Association of Secondary School Principals, Minnesota Elementary School Principals'
84.24 Association, Minnesota Association of School Administrators, Minnesota School Boards
84.25 Association, Minnesota Association of Charter Schools, and the Office of Higher Education.

84.26 Subd. 4. **Commissioner approval.** (a) Upon recommendation of the Innovation Research
84.27 Zone Advisory Panel, the commissioner may approve up to three innovation zone plans in
84.28 the seven-county metropolitan area and up to three in greater Minnesota. If an innovation
84.29 zone partnership fails to implement its innovation zone plan as described in its application
84.30 and according to the stated timeline, upon recommendation of the Innovation Research
84.31 Zone Advisory Panel, the commissioner must alert the partnership members and provide
84.32 the opportunity to remediate. If implementation continues to fail, the commissioner must
84.33 suspend or terminate the innovation zone plan.

85.1 (b) The commissioner must publish a list of the exemptions granted to a district or charter
85.2 school on the Department of Education's website by July 1, 2020. The list must be updated
85.3 annually.

85.4 Subd. 5. **Project evaluation; dissemination; report to legislature.** Each innovation
85.5 zone partnership must submit project data to the commissioner in the form and manner
85.6 provided for in the approved application. At least once every two years, the commissioner
85.7 must analyze each innovation zone's progress in meeting the objectives of the innovation
85.8 zone plan. The commissioner must summarize and categorize innovation zone plans and
85.9 submit a report to the legislative committees having jurisdiction over education by February
85.10 1 of each odd-numbered year in accordance with Minnesota Statutes, section 3.195.

85.11 Sec. 52. **RURAL CAREER AND TECHNICAL EDUCATION CONSORTIUM**
85.12 **GRANTS.**

85.13 Subdivision 1. **Definition.** "Rural career and technical education (CTE) consortium"
85.14 means a voluntary collaboration of a service cooperative and other regional public and
85.15 private partners, including school districts and higher education institutions, that work
85.16 together to provide career and technical education opportunities within the service
85.17 cooperative's multicounty service area.

85.18 Subd. 2. **Establishment.** (a) A rural CTE consortium shall:

85.19 (1) focus on the development of courses and programs that encourage collaboration
85.20 between two or more school districts;

85.21 (2) develop new career and technical programs that focus on industry sectors that fuel
85.22 the rural regional economy;

85.23 (3) facilitate the development of highly trained and knowledgeable students who are
85.24 equipped with technical and workplace skills needed by regional employers;

85.25 (4) improve access to career and technical education programs for students who attend
85.26 sparsely populated rural school districts by developing public and private partnerships with
85.27 business and industry leaders and by increasing coordination of high school and
85.28 postsecondary program options;

85.29 (5) increase family and student awareness of the availability and benefit of career and
85.30 technical education courses and training opportunities; and

85.31 (6) provide capital start-up costs for items including but not limited to a mobile welding
85.32 lab, medical equipment and lab, and industrial kitchen equipment.

86.1 (b) In addition to the requirements in paragraph (a), a rural CTE consortium may:

86.2 (1) address the teacher shortage in career and technical education through incentive
86.3 funding and training programs; and

86.4 (2) provide transportation reimbursement grants to provide equitable opportunities
86.5 throughout the region for students to participate in career and technical education.

86.6 Subd. 3. **Rural career and technical education advisory committee.** In order to be
86.7 eligible for a grant under this section, a service cooperative must establish a rural career
86.8 and technical education advisory committee to advise the cooperative on administering the
86.9 rural CTE consortium.

86.10 Subd. 4. **Private funding.** A rural CTE consortium may receive other sources of funds
86.11 to supplement state funding. All funds received shall be administered by a service cooperative
86.12 that is a member of the consortium.

86.13 Subd. 5. **Reporting requirements.** A rural CTE consortium must submit an annual
86.14 report on the progress of its activities to the commissioner of education and the legislative
86.15 committees with jurisdiction over secondary and postsecondary education. The annual report
86.16 must contain a financial report for the preceding fiscal year. The first report is due no later
86.17 than January 15, 2021.

86.18 Subd. 6. **Grant recipients.** For fiscal years 2020 and 2021, the commissioner shall award
86.19 a two-year grant to the consortium that is a collaboration of the Southwest/West Central
86.20 Service Cooperative (SWWC), Southwest Minnesota State University, Minnesota West
86.21 Community and Technical College, Ridgewater College, and other regional public and
86.22 private partners. For fiscal years 2020 and 2021, the commissioner shall award a two-year
86.23 grant to an applicant consortium that includes the South Central Service Cooperative or
86.24 Southeast Service Cooperative and a two-year grant to an applicant consortium that includes
86.25 the Northwest Service Cooperative or Northeast Service Cooperative.

86.26 Sec. 53. **VOCATIONAL ENRICHMENT PROGRAM.**

86.27 Subdivision 1. **Vocational enrichment program.** A school district or charter school
86.28 may establish a vocational enrichment program that operates outside of the regular school
86.29 day, including over weekends or the summer, to provide instruction in vocational courses
86.30 focused on construction trades and welding. The district must first offer the program to
86.31 enrolled secondary students but may broaden registration to others if space permits.

87.1 Subd. 2. Vocational enrichment grants. (a) A school district must apply for a vocational
 87.2 enrichment grant in the form and manner specified by the commissioner. The maximum
 87.3 amount of a vocational enrichment grant equals the product of:

87.4 (1) \$5,117;

87.5 (2) 1.2;

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

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

87.8 (b) If applications for funding exceed the amount appropriated for the program, the
 87.9 commissioner must prioritize grants to welding and construction trades programs.

87.10 Subd. 3. Reporting. By February 15 of each year following the receipt of a grant, a
 87.11 school district must report on its website and to the commissioner of education on the courses
 87.12 funded through the grant, the demographics of the participants in the program, and the
 87.13 outcome for course participants.

87.14 EFFECTIVE DATE. This section is effective July 1, 2019.

87.15 Sec. 54. BRECKENRIDGE SCHOOL DISTRICT.

87.16 Notwithstanding Minnesota Statutes, section 124D.09, subdivision 3, Independent School
 87.17 District No. 846, Breckenridge, may enter into an agreement under Minnesota Statutes,
 87.18 section 124D.09, subdivision 10, with a higher education institution located outside of the
 87.19 state of Minnesota but within four miles of the high school. The higher education institution
 87.20 is an eligible institution only for the purposes of providing a postsecondary enrollment
 87.21 options program under Minnesota Statutes, section 124D.09.

87.22 Sec. 55. APPROPRIATIONS.

87.23 Subdivision 1. Department of Education. The sums indicated in this section are
 87.24 appropriated from the general fund to the Department of Education for the fiscal years
 87.25 designated.

87.26 Subd. 2. Achievement and integration aid. For achievement and integration aid under
 87.27 Minnesota Statutes, section 124D.862:

87.28 \$ 80,589,000 2020

87.29 \$ 83,436,000 2021

87.30 The 2020 appropriation includes \$7,072,000 for 2019 and \$73,517,000 for 2020.

88.1 The 2021 appropriation includes \$8,168,000 for 2020 and \$75,268,000 for 2021.

88.2 Subd. 3. **Interdistrict desegregation or integration transportation grants.** For
 88.3 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
 88.4 section 124D.87:

88.5 \$ 13,874,000 2020

88.6 \$ 14,589,000 2021

88.7 Subd. 4. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes,
 88.8 section 124D.98:

88.9 \$ 45,304,000 2020

88.10 \$ 45,442,000 2021

88.11 The 2020 appropriation includes \$4,595,000 for 2019 and \$40,709,000 for 2020.

88.12 The 2021 appropriation includes \$4,523,000 for 2020 and \$40,919,000 for 2021.

88.13 Subd. 5. **Tribal contract schools.** For tribal contract school aid under Minnesota Statutes,
 88.14 section 124D.83:

88.15 \$ 3,321,000 2020

88.16 \$ 3,819,000 2021

88.17 The 2020 appropriation includes \$304,000 for 2019 and \$3,017,000 for 2020.

88.18 The 2021 appropriation includes \$335,000 for 2020 and \$3,484,000 for 2021.

88.19 Subd. 6. **American Indian education aid.** For American Indian education aid under
 88.20 Minnesota Statutes, section 124D.81, subdivision 2a:

88.21 \$ 9,515,000 2020

88.22 \$ 9,673,000 2021

88.23 The 2020 appropriation includes \$959,000 for 2019 and \$8,556,000 for 2020.

88.24 The 2021 appropriation includes \$950,000 for 2020 and \$8,723,000 for 2021.

88.25 Subd. 7. **Tribal Nations Education Committee.** For a grant to the Tribal Nations
 88.26 Education Committee under Minnesota Statutes, section 124D.79:

88.27 \$ 150,000 2020

88.28 \$ 150,000 2021

88.29 Subd. 8. **ServeMinnesota program.** For funding ServeMinnesota programs under
 88.30 Minnesota Statutes, sections 124D.37 to 124D.45:

89.1 \$ 900,000 2020

89.2 \$ 900,000 2021

89.3 A grantee organization may provide health and child care coverage to the dependents
89.4 of each participant enrolled in a full-time ServeMinnesota program to the extent such
89.5 coverage is not otherwise available.

89.6 Subd. 9. **Early childhood literacy programs.** (a) For early childhood literacy programs
89.7 under Minnesota Statutes, section 119A.50, subdivision 3:

89.8 \$ 7,950,000 2020

89.9 \$ 7,950,000 2021

89.10 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support
89.11 AmeriCorps members serving in the Minnesota reading corps program established by
89.12 ServeMinnesota, including costs associated with training and teaching early literacy skills
89.13 to children ages three through grade 3 and evaluating the impact of the program under
89.14 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

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

89.16 Subd. 10. **Minnesota math corps program.** (a) For the Minnesota math corps program
89.17 under Minnesota Statutes, section 124D.42, subdivision 9:

89.18 \$ 1,000,000 2020

89.19 \$ 1,000,000 2021

89.20 (b) Any balance in the first year does not cancel but is available in the second year. The
89.21 base funding in fiscal year 2022 and later is \$500,000.

89.22 Subd. 11. **ServeMinnesota programs at tribal contract and grant schools.** (a) For
89.23 grants to ServeMinnesota to enhance reading and math corps programming at American
89.24 Indian-controlled tribal contract and grant schools eligible for aid under Minnesota Statutes,
89.25 section 124D.83:

89.26 \$ 416,000 2020

89.27 \$ 416,000 2021

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

89.29 Subd. 12. **Student organizations.** (a) For student organizations:

89.30 \$ 768,000 2020

89.31 \$ 768,000 2021

89.32 (b) \$46,000 each year is for student organizations serving health occupations (HOSA).

90.1 (c) \$100,000 each year is for student organizations serving trade and industry occupations
 90.2 (Skills USA, secondary and postsecondary).

90.3 (d) \$95,000 each year is for student organizations serving business occupations (BPA,
 90.4 secondary and postsecondary).

90.5 (e) \$193,000 each year is for student organizations serving agriculture occupations (FFA,
 90.6 PAS).

90.7 (f) \$185,000 each year is for student organizations serving family and consumer science
 90.8 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and
 90.9 31, the student organizations serving FCCLA shall continue to serve students younger than
 90.10 grade 9.

90.11 (g) \$109,000 each year is for student organizations serving marketing occupations (DECA
 90.12 and DECA collegiate).

90.13 (h) \$40,000 each year is for the Minnesota Foundation for Student Organizations.

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

90.15 Subd. 13. **Museums and education centers.** (a) For grants to museums and education
 90.16 centers:

90.17 \$ 591,000 2020

90.18 \$ 591,000 2021

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

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

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

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

90.24 (f) \$31,000 each year is for the Children's Discovery Museum in Grand Rapids.

90.25 (g) \$50,000 each year is for the Children's Museum of Southern Minnesota.

90.26 (h) \$50,000 each year is for The Works Museum.

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

90.28 Subd. 14. **Starbase MN.** For a grant to Starbase MN for a rigorous science, technology,
 90.29 engineering, and math (STEM) program providing students in grades 4 through 6 with a

91.1 multisensory learning experience and a hands-on curriculum in an aerospace environment
 91.2 using state-of-the-art technology:

91.3 \$ 500,000 2020

91.4 \$ 500,000 2021

91.5 Any balance in the first year does not cancel but is available in the second year.

91.6 Subd. 15. **Recovery program grants.** For recovery program grants under Minnesota
 91.7 Statutes, section 124D.695:

91.8 \$ 750,000 2020

91.9 \$ 750,000 2021

91.10 Any balance in the first year does not cancel but is available in the second year.

91.11 Subd. 16. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota
 91.12 College of Education and Human Development for the operation of the Minnesota Principals
 91.13 Academy:

91.14 \$ 250,000 2020

91.15 \$ 250,000 2021

91.16 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals
 91.17 and school leaders from schools identified for intervention under the state's accountability
 91.18 system as implemented to comply with the federal Every Student Succeeds Act. To the
 91.19 extent funds are available, the Department of Education is encouraged to use up to \$200,000
 91.20 of federal Title II funds to support additional participation in the Principals Academy by
 91.21 principals and school leaders from schools identified for intervention under the state's
 91.22 accountability system as implemented to comply with the federal Every Student Succeeds
 91.23 Act.

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

91.25 Subd. 17. **Charter school building lease aid.** For building lease aid under Minnesota
 91.26 Statutes, section 124E.22:

91.27 \$ 85,450,000 2020

91.28 \$ 91,064,000 2021

91.29 The 2020 appropriation includes \$7,886,000 for 2019 and \$77,564,000 for 2020.

91.30 The 2021 appropriation includes \$8,618,000 for 2020 and \$82,446,000 for 2021.

91.31 Subd. 18. **Statewide testing and reporting system.** For the statewide testing and
 91.32 reporting system under Minnesota Statutes, section 120B.30:

92.1 \$ 10,892,000 2020

92.2 \$ 10,877,000 2021

92.3 Any balance in the first year does not cancel but is available in the second year. The
92.4 base for this appropriation in 2022 is \$10,892,000.

92.5 Subd. 19. **Certificate incentive funding.** (a) For the certificate incentive program under
92.6 Laws 2016, chapter 189, article 25, section 61:

92.7 \$ 860,000 2020

92.8 (b) This is a onetime appropriation.

92.9 Subd. 20. **Examination fees; teacher training and support programs.** (a) For students'
92.10 advanced placement and international baccalaureate examination fees under Minnesota
92.11 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and
92.12 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

92.13 \$ 4,500,000 2020

92.14 \$ 4,500,000 2021

92.15 (b) The advanced placement program shall receive 75 percent of the appropriation each
92.16 year and the international baccalaureate program shall receive 25 percent of the appropriation
92.17 each year. The department, in consultation with representatives of the advanced placement
92.18 and international baccalaureate programs selected by the Advanced Placement Advisory
92.19 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts
92.20 of the expenditures each year for examination fees and training and support programs for
92.21 each program.

92.22 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000
92.23 each year is for teachers to attend subject matter summer training programs and follow-up
92.24 support workshops approved by the advanced placement or international baccalaureate
92.25 programs. The amount of the subsidy for each teacher attending an advanced placement or
92.26 international baccalaureate summer training program or workshop shall be the same. The
92.27 commissioner shall determine the payment process and the amount of the subsidy.

92.28 (d) The commissioner shall pay all examination fees for all students of low-income
92.29 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of
92.30 available appropriations, shall also pay examination fees for students sitting for an advanced
92.31 placement examination, international baccalaureate examination, or both.

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

93.1 Subd. 21. Grants to increase science, technology, engineering, and math course
 93.2 offerings. For grants to schools to encourage low-income and other underserved students
 93.3 to participate in advanced placement and international baccalaureate programs according
 93.4 to Minnesota Statutes, section 120B.132:

93.5 \$ 250,000 2020

93.6 \$ 250,000 2021

93.7 Any balance in the first year does not cancel but is available in the second year.

93.8 Subd. 22. Rural career and technical education consortium. (a) For rural career and
 93.9 technical education consortium grants:

93.10 \$ 3,000,000 2020

93.11 \$ 3,000,000 2021

93.12 Any balance in the first year does not cancel but is available in the second year.

93.13 Subd. 23. Grants to support students experiencing homelessness. (a) To provide
 93.14 grants to eligible school districts in order to address the needs of students experiencing
 93.15 homelessness:

93.16 \$ \$500,000 2020

93.17 \$ \$500,000 2021

93.18 (b) The department may retain up to five percent of the appropriation to monitor and
 93.19 administer the grant program. Any balance in the first year does not cancel but is available
 93.20 in the second year.

93.21 Subd. 24. Minnesota Center for the Book programming. (a) For grants to the entity
 93.22 designated by the Library of Congress as the Minnesota Center for the Book to provide
 93.23 statewide programming related to the Minnesota Book Awards and for additional
 93.24 programming throughout the state related to the Center for the Book designation:

93.25 \$ 125,000 2020

93.26 \$ 125,000 2021

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

93.28 Subd. 25. Concurrent enrollment. (a) For concurrent enrollment aid under Minnesota
 93.29 Statutes, section 124D.091:

93.30 \$ 7,000,000 2020

93.31 \$ 7,000,000 2021

94.1 (b) If the appropriation is insufficient, the commissioner must proportionately reduce
 94.2 the aid payment to each school district.

94.3 (c) The base for fiscal year 2022 is \$8,000,000.

94.4 Subd. 26. Full-service community schools. For full-service community schools under
 94.5 Minnesota Statutes, section 124D.231:

94.6 \$ 7,500,000 2020

94.7 \$ 7,500,000 2021

94.8 Up to \$50,000 each year is for administration of this program. Any balance in the first
 94.9 year does not cancel but is available in the second year. The base for fiscal year 2022 is
 94.10 \$12,500,000.

94.11 Subd. 27. ConnectZ program. (a) For a grant to Girl Scouts River Valleys as fiscal
 94.12 agent for Girl Scout councils serving Minnesota residents providing innovative, culturally
 94.13 responsive programming to underrepresented, underresourced girls in kindergarten through
 94.14 grade 12, including programming relating to healthy relationships; science, technology,
 94.15 engineering, and math; financial literacy; career and college readiness; and leadership
 94.16 development and service learning:

94.17 \$ 1,400,000 2020

94.18 \$ 1,400,000 2021

94.19 (b) By February 15 following each fiscal year of the grant, the grantee must submit a
 94.20 report detailing expenditures and outcomes of the grant-supported programs to the
 94.21 commissioner of education and the chairs and ranking minority members of the legislative
 94.22 committees with primary jurisdiction over kindergarten through grade 12 education policy
 94.23 and finance. The report must, at least:

94.24 (1) provide self-reported free and reduced-price lunch status and self-reported
 94.25 demographic information for the girls participating in programs funded by this grant;

94.26 (2) report participants' average program contacts in the areas of healthy relationships;
 94.27 science, technology, engineering, and math; financial literacy; career and college readiness;
 94.28 and leadership development and service learning;

94.29 (3) identify the number and proportion of high school program participants who report
 94.30 they are confident they will attend college;

94.31 (4) report the number and proportion of grade 12 participants who apply to a
 94.32 postsecondary institution; and

95.1 (5) to the extent possible, verify the number and percentage of participants who actually
 95.2 enroll in a postsecondary institution.

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

95.4 (d) The base for fiscal year 2022 is zero.

95.5 Subd. 28. **Civics education grants.** For grants to the Minnesota Civic Education
 95.6 Coalition, Minnesota Civic Youth, Learning Law and Democracy Foundation, and YMCA
 95.7 Youth in Government to provide civics education programs for Minnesota youth age 18
 95.8 and younger. Civics education means the study of constitutional principles and the democratic
 95.9 foundation of our national, state, and local institutions, and the study of political processes
 95.10 and structures of government, grounded in the understanding of constitutional government
 95.11 under the rule of law.

95.12 \$ 125,000 2020

95.13 \$ 125,000 2021

95.14 Any balance in the first year does not cancel but is available in the second year.

95.15 Subd. 29. **After-school community learning programs.** (a) For grants for after-school
 95.16 community learning programs in accordance with Minnesota Statutes, section 124D.2211:

95.17 \$ 2,000,000 2020

95.18 \$ 2,000,000 2021

95.19 (b) Any balance in the first year does not cancel but is available in the second year. The
 95.20 base for fiscal year 2022 is \$2,500,000

95.21 (c) The commissioner of education may retain up to two percent of the appropriation
 95.22 amount to administer the grant program.

95.23 (d) The commissioner of education may use up to five percent of the appropriation in
 95.24 each fiscal year to monitor the grant and provide technical assistance to grant recipients in
 95.25 accordance with Minnesota Statutes, section 124D.2211, subdivision 4. The commissioner
 95.26 must use 2.5 percent to contract with Ignite Afterschool to provide technical assistance to
 95.27 grant recipients in accordance with section 124D.2211, subdivision 4, paragraph (b).

95.28 Subd. 30. **Paraprofessional training.** For costs associated with paid orientation and
 95.29 professional development for paraprofessionals under Minnesota Statutes, section 125A.08:

95.30 \$ 7,154,000 2020

95.31 \$ 7,154,000 2021

96.1 Subd. 31. Vocational enrichment revenue. (a) For vocational enrichment grants to
 96.2 school districts and charter schools:

96.3 \$ 100,000 2020

96.4 \$ 100,000 2021

96.5 (b) Of the amounts in paragraph (a), \$50,000 in each year is for a grant to Independent
 96.6 School District No. 2752, Fairmont.

96.7 Subd. 32. Minnesota Youth Council. For grants to the Minnesota Alliance With Youth
 96.8 for the activities of the Minnesota Youth Council:

96.9 \$ 250,000 2020

96.10 \$ 250,000 2021

96.11 Any balance in the first year does not cancel but is available in the second year.

96.12 Sec. 56. REPEALER.

96.13 Minnesota Statutes 2018, section 120B.299, is repealed.

96.14 **ARTICLE 3**

96.15 **TEACHERS**

96.16 Section 1. [120B.113] INCLUSIVE SCHOOL ENHANCEMENT GRANTS.

96.17 Subdivision 1. Grant program established. The commissioner must establish a grant
 96.18 program to support implementation of world's best workforce strategies under section
 96.19 120B.11, subdivision 2, clauses (4) and (6), to support collaborative efforts to make school
 96.20 climate and curriculum more inclusive and respectful toward all students, families, and
 96.21 employees, especially those of diverse racial and ethnic backgrounds.

96.22 Subd. 2. Applications and grant awards. The commissioner must determine application
 96.23 procedures and deadlines, select schools to participate in the grant program, and determine
 96.24 the payment process and amount of the grants. To the extent there are sufficient applications,
 96.25 the commissioner should award an approximately equal number of grants between districts
 96.26 in greater Minnesota and those in the Twin Cities metropolitan area. If there are an
 96.27 insufficient number of applications received for either geographic area, then the commissioner
 96.28 may award grants to meet the requests for funds wherever a district is located.

96.29 Subd. 3. Description. The grant program must provide funding that supports collaborative
 96.30 efforts to make schools' curriculum and learning and work environments more inclusive
 96.31 and respectful of students' racial and ethnic diversity and to address issues of structural

97.1 inequities in schools that create opportunity and achievement gaps for students, families,
97.2 and staff who are of color or who are American Indian, consistent with the requirements
97.3 for long-term plans under section 124D.861, subdivision 2, paragraph (c).

97.4 Subd. 4. **Report.** Grant recipients must annually report to the commissioner by a date
97.5 and in a form and manner determined by the commissioner on efforts planned and
97.6 implemented that engaged students, families, educators, and community members of diverse
97.7 racial and ethnic backgrounds in making improvements to school climate and curriculum.
97.8 The report must assess the impact of those efforts as perceived by racially and ethnically
97.9 diverse stakeholders as well as areas needed for further continuous improvement.

97.10 **EFFECTIVE DATE.** This section is effective July 1, 2019.

97.11 Sec. 2. **[120B.117] INCREASING THE PERCENTAGE OF TEACHERS OF COLOR**
97.12 **AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

97.13 Subdivision 1. **Purpose.** This section sets a goal for increasing the percentage of teachers
97.14 of color and American Indian teachers in Minnesota to increase access to effective and
97.15 diverse teachers who reflect the diversity of students.

97.16 Subd. 2. **Equitable access to diverse teachers.** The percentage of teachers who are of
97.17 color or American Indian in Minnesota should increase at least two percentage points per
97.18 year to have a teaching workforce that more closely reflects the student population and
97.19 increase access to effective and diverse teachers by 2040.

97.20 Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion
97.21 of any other goals and does not confer a right or create a claim for any person.

97.22 Subd. 4. **Reporting.** (a) By October 1 of 2019 and each odd-numbered year thereafter,
97.23 the Professional Educator Licensing and Standards Board must report on progress toward
97.24 achieving the goal adopted under this section. The board must submit the report to the chairs
97.25 and ranking minority members of the legislative committees with jurisdiction over
97.26 kindergarten through grade 12 education and higher education policy and finance in
97.27 accordance with section 3.195. The report must be available to the public on the board's
97.28 website. The board must report on the effectiveness of state-funded programs to increase
97.29 the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse
97.30 teachers and the state's progress toward meeting or exceeding the goals of this section. The
97.31 board must consult with the four ethnic councils under sections 3.922 and 15.0145, along
97.32 with other community and stakeholder groups, including students of color, in developing
97.33 the report.

98.1 (b) The board must collaborate with the Department of Education and the Office of
98.2 Higher Education to summarize reports from the programs each agency administers and
98.3 any other programs receiving state appropriations that have or include an explicit purpose
98.4 of increasing the racial and ethnic diversity of the state's teacher workforce to more closely
98.5 reflect the diversity of students. The report must include programs under sections 120B.113,
98.6 122A.2451, 122A.59, 122A.63, 122A.635, 122A.685, 122A.70, 124D.09, 124D.861,
98.7 136A.1274, 136A.1275, and 136A.1791, along with any other programs or initiatives that
98.8 receive state appropriations to address the shortage of teachers of color and American Indian
98.9 teachers.

98.10 (c) The report must include recommendations for state policy and funding needed to
98.11 achieve the goals of this section, as well as plans for sharing the report and activities of
98.12 grant recipients, and opportunities among grant recipients of various programs to share
98.13 effective practices with each other. The 2019 report must include a recommendation on
98.14 whether a state advisory council should be established to address the shortage of racially
98.15 and ethnically diverse teachers and the composition and charge of such an advisory council
98.16 if established.

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

98.18 **Sec. 3. [122A.04] CODE OF ETHICS FOR TEACHERS.**

98.19 Subdivision 1. **Scope.** Each teacher, upon entering the teaching profession, assumes a
98.20 number of obligations, one of which is to adhere to principles that define professional
98.21 conduct. These principles are reflected in the code of ethics in subdivision 2, which sets
98.22 forth to the education profession and the public it serves the standards of professional conduct
98.23 and procedures for implementation. This code applies to all persons licensed according to
98.24 rules established by the Professional Educator Licensing and Standards Board.

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

98.27 (b) A teacher must make reasonable effort to protect a student from conditions harmful
98.28 to health and safety.

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

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

99.1 (e) A teacher must not use a professional relationship with a student, parent, or colleague
 99.2 to private advantage.

99.3 (f) A teacher must delegate authority for teaching responsibilities only to licensed
 99.4 personnel.

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

99.6 (h) A teacher must not knowingly falsify or misrepresent records or facts relating to the
 99.7 teacher's own qualifications or other teachers' qualifications.

99.8 (i) A teacher must not knowingly make a false or malicious statement about a student
 99.9 or colleague.

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

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

99.13 Sec. 4. Minnesota Statutes 2018, section 122A.06, subdivision 2, is amended to read:

99.14 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional
 99.15 employee required to hold a license or permission from the Professional Educator Licensing
 99.16 and Standards Board.

99.17 Sec. 5. Minnesota Statutes 2018, section 122A.06, subdivision 5, is amended to read:

99.18 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in
 99.19 which a teacher may become licensed to teach.

99.20 Sec. 6. Minnesota Statutes 2018, section 122A.06, subdivision 7, is amended to read:

99.21 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a
 99.22 program approved by the Professional Educator Licensing and Standards Board for the
 99.23 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~
 99.24 ~~preparation programs include traditional programs delivered by postsecondary institutions,~~
 99.25 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

99.26 Sec. 7. Minnesota Statutes 2018, section 122A.06, subdivision 8, is amended to read:

99.27 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program
 99.28 provider" or "unit" means an entity that has primary responsibility for overseeing and
 99.29 delivering a teacher preparation program. Teacher preparation program providers include

100.1 postsecondary institutions and alternative teacher preparation providers aligned to section
100.2 122A.2451.

100.3 Sec. 8. Minnesota Statutes 2018, section 122A.07, subdivision 1, is amended to read:

100.4 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and
100.5 Standards Board consists of ~~11~~ 13 members appointed by the governor, with the advice and
100.6 consent of the senate. Membership terms, compensation of members, removal of members,
100.7 the filling of membership vacancies, and fiscal year and reporting requirements are as
100.8 provided in sections 214.07 to 214.09. No member may be reappointed for more than one
100.9 additional term.

100.10 Sec. 9. Minnesota Statutes 2018, section 122A.07, subdivision 2, is amended to read:

100.11 Subd. 2. **Eligibility; board composition.** Each nominee, other than a public nominee,
100.12 must be selected on the basis of professional experience and knowledge of teacher education,
100.13 accreditation, and licensure. The board must be composed of:

100.14 (1) ~~six~~ seven teachers who are currently teaching in a Minnesota school or who were
100.15 teaching at the time of the appointment, have at least five years of teaching experience, and
100.16 were not serving in an administrative function at a school district or school when appointed.
100.17 The ~~six~~ seven teachers must include the following:

100.18 (i) one teacher in a charter school;

100.19 (ii) one teacher from the seven-county metropolitan area, as defined in section 473.121,
100.20 subdivision 2;

100.21 (iii) one teacher from outside the seven-county metropolitan area;

100.22 (iv) one teacher from a related service category licensed by the board;

100.23 (v) one special education teacher; and

100.24 (vi) two teachers that represent current or emerging trends in education;

100.25 ~~(vi)~~ (2) one teacher from educator currently teaching in a Minnesota-approved teacher
100.26 preparation program; who has previously taught for at least five years in a birth through
100.27 grade 12 setting;

100.28 ~~(2)~~ (3) one superintendent that alternates each term between a superintendent from the
100.29 seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a
100.30 superintendent from outside the metropolitan area;

101.1 ~~(3)~~ (4) one school district human resources director;

101.2 ~~(4)~~ (5) one administrator of a cooperative unit under section 123A.24, subdivision 2,
101.3 who oversees a special education program and who has previously taught for at least five
101.4 years in a birth through grade 12 setting;

101.5 ~~(5)~~ (6) one principal that alternates each term between an elementary and a secondary
101.6 school principal; and

101.7 ~~(6)~~ (7) one member of the public that may be a current or former school board member.

101.8 Sec. 10. Minnesota Statutes 2018, section 122A.07, subdivision 4a, is amended to read:

101.9 Subd. 4a. **Administration.** (a) The executive director of the board ~~shall~~ must be the
101.10 chief administrative officer for the board but ~~shall~~ must not be a member of the board. The
101.11 executive director ~~shall~~ must maintain the records of the board, account for all fees received
101.12 by the board, supervise and direct employees servicing the board, and perform other services
101.13 as directed by the board.

101.14 (b) The Department of Administration must provide administrative support in accordance
101.15 with section 16B.371. The commissioner of administration must assess the board for services
101.16 it provides under this section.

101.17 ~~(c) The Department of Education must provide suitable offices and other space to the~~
101.18 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~
101.19 ~~either the Department of Education or the Department of Administration for the provision~~
101.20 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~
101.21 ~~rooms.~~

101.22 Sec. 11. Minnesota Statutes 2018, section 122A.07, is amended by adding a subdivision
101.23 to read:

101.24 Subd. 6. **Public employer compensation reduction prohibited.** The public employer
101.25 of a member must not reduce the member's compensation or benefits for the member's
101.26 absence from employment when engaging in the business of the board.

101.27 Sec. 12. Minnesota Statutes 2018, section 122A.09, subdivision 9, is amended to read:

101.28 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)
101.29 The Professional Educator Licensing and Standards Board must adopt rules subject to the
101.30 provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092,
101.31 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,

102.1 122A.187, 122A.188, 122A.20, 122A.21, 122A.23, 122A.2451, 122A.26, 122A.28, and
102.2 122A.29.

102.3 (b) The board must adopt rules relating to fields of licensure, including a process for
102.4 granting permission to a licensed teacher to teach in a field that is different from the teacher's
102.5 field of licensure without change to the teacher's license tier level.

102.6 (c) The board must adopt rules relating to the grade levels that a licensed teacher may
102.7 teach.

102.8 (d) If a rule adopted by the board is in conflict with a session law or statute, the law or
102.9 statute prevails. Terms adopted in rule must be clearly defined and must not be construed
102.10 to conflict with terms adopted in statute or session law.

102.11 (e) The board must include a description of a proposed rule's probable effect on teacher
102.12 supply and demand in the board's statement of need and reasonableness under section 14.131.

102.13 (f) The board must adopt rules only under the specific statutory authority.

102.14 Sec. 13. Minnesota Statutes 2018, section 122A.091, subdivision 1, is amended to read:

102.15 Subdivision 1. **Teacher and administrator preparation and performance data;**

102.16 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of

102.17 School Administrators, in cooperation with board-adopted teacher or administrator

102.18 preparation programs, annually must collect and report summary data on teacher and

102.19 administrator preparation and performance outcomes, consistent with this subdivision. The

102.20 Professional Educator Licensing and Standards Board and the Board of School Administrators

102.21 annually by June 1 must update and post the reported summary preparation and performance

102.22 data on teachers and administrators from the preceding school years on a website hosted

102.23 jointly by the boards.

102.24 (b) Publicly reported summary data on teacher preparation programs must include:

102.25 (1) student entrance requirements for each Professional Educator Licensing and Standards
102.26 Board-approved program, including grade point average for enrolling students in the
102.27 preceding year;

102.28 (2) the average board-adopted skills examination or ACT or SAT scores of students
102.29 entering the program in the preceding year;

102.30 (3) summary data on faculty qualifications, including at least the content areas of faculty
102.31 undergraduate and graduate degrees and their years of experience either as kindergarten
102.32 through grade 12 classroom teachers or school administrators;

103.1 (4) the average time resident and nonresident program graduates in the preceding year
103.2 needed to complete the program;

103.3 (5) the current number and percentage of students by program who graduated, received
103.4 a standard Minnesota teaching license, and were hired to teach full time in their licensure
103.5 field in a Minnesota district or school in the preceding year disaggregated by race, except
103.6 when disaggregation would not yield statistically reliable results or would reveal personally
103.7 identifiable information about an individual;

103.8 (6) the number of content area credits and other credits by undergraduate program that
103.9 students in the preceding school year needed to complete to graduate;

103.10 (7) students' pass rates on skills and subject matter exams required for graduation in
103.11 each program and licensure area in the preceding school year;

103.12 (8) survey results measuring student and ~~graduate~~ program completer satisfaction with
103.13 the program in the preceding school year disaggregated by race, except when disaggregation
103.14 would not yield statistically reliable results or would reveal personally identifiable
103.15 information about an individual;

103.16 (9) a standard measure of the satisfaction of school principals or supervising teachers
103.17 with the ~~student teachers~~ program completer assigned to a school or supervising teacher;
103.18 and

103.19 (10) information under subdivision 3, paragraphs (a) and (b).

103.20 Program reporting must be consistent with subdivision 2.

103.21 (c) Publicly reported summary data on administrator preparation programs approved by
103.22 the Board of School Administrators must include:

103.23 (1) summary data on faculty qualifications, including at least the content areas of faculty
103.24 undergraduate and graduate degrees and the years of experience either as kindergarten
103.25 through grade 12 classroom teachers or school administrators;

103.26 (2) the average time program graduates in the preceding year needed to complete the
103.27 program;

103.28 (3) the current number and percentage of students who graduated, received a standard
103.29 Minnesota administrator license, and were employed as an administrator in a Minnesota
103.30 school district or school in the preceding year disaggregated by race, except when
103.31 disaggregation would not yield statistically reliable results or would reveal personally
103.32 identifiable information about an individual;

104.1 (4) the number of credits by graduate program that students in the preceding school year
104.2 needed to complete to graduate;

104.3 (5) survey results measuring student, graduate, and employer satisfaction with the
104.4 program in the preceding school year disaggregated by race, except when disaggregation
104.5 would not yield statistically reliable results or would reveal personally identifiable
104.6 information about an individual; and

104.7 (6) information under subdivision 3, paragraphs (c) and (d).

104.8 Program reporting must be consistent with section 122A.14, subdivision 10.

104.9 Sec. 14. Minnesota Statutes 2018, section 122A.092, subdivision 5, is amended to read:

104.10 Subd. 5. **Reading strategies.** (a) All ~~colleges and universities~~ preparation providers
104.11 approved by the Professional Educator Licensing and Standards Board to prepare persons
104.12 for classroom teacher licensure must include in their teacher preparation programs
104.13 research-based best practices in reading, consistent with section 122A.06, subdivision 4,
104.14 that enables the licensure candidate to teach reading in the candidate's content areas. Teacher
104.15 candidates must be instructed in using students' native languages as a resource in creating
104.16 effective differentiated instructional strategies for English learners developing literacy skills.
104.17 These colleges and universities also must prepare early childhood and elementary teacher
104.18 candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184,
104.19 respectively, for the portion of the examination under section 122A.185, subdivision 1,
104.20 paragraph (c), covering assessment of reading instruction.

104.21 (b) Board-approved teacher preparation programs for teachers of elementary education
104.22 must require instruction in applying comprehensive, scientifically based, and balanced
104.23 reading instruction programs that:

104.24 (1) teach students to read using foundational knowledge, practices, and strategies
104.25 consistent with section 122A.06, subdivision 4, so that all students achieve continuous
104.26 progress in reading; and

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

104.29 (c) Nothing in this section limits the authority of a school district to select a school's
104.30 reading program or curriculum.

105.1 Sec. 15. Minnesota Statutes 2018, section 122A.092, subdivision 6, is amended to read:

105.2 Subd. 6. **Technology strategies.** All ~~colleges and universities~~ preparation providers
105.3 approved by the Professional Educator Licensing and Standards Board to prepare persons
105.4 for classroom teacher licensure must include in their teacher preparation programs the
105.5 knowledge and skills teacher candidates need to engage students with technology and deliver
105.6 digital and blended learning and curriculum.

105.7 Sec. 16. Minnesota Statutes 2018, section 122A.17, is amended to read:

105.8 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

105.9 (a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and
105.10 Standards Board must not affect the validity of certificates or licenses to teach in effect on
105.11 July 1, 1974, or the rights and privileges of the holders thereof, except that any such
105.12 certificate or license may be suspended or revoked for any of the causes and by the procedures
105.13 specified by law.

105.14 (b) ~~All teacher licenses in effect on January 1, 2018, shall remain valid for one additional~~
105.15 ~~year after the date the license is scheduled to expire.~~

105.16 Sec. 17. Minnesota Statutes 2018, section 122A.175, subdivision 2, is amended to read:

105.17 Subd. 2. **Background check account.** An educator licensure background check account
105.18 is created in the special revenue fund. ~~The Department of Education, the Professional~~
105.19 ~~Educator Licensing and Standards Board, and the Board of School Administrators must~~
105.20 deposit all payments submitted by license applicants for criminal background checks
105.21 ~~conducted by the Bureau of Criminal Apprehension~~ in the educator licensure background
105.22 check account. Amounts in the account are annually appropriated to the ~~commissioner of~~
105.23 ~~education for payment to the superintendent of the Bureau of Criminal Apprehension~~
105.24 Professional Educator Licensing and Standards Board for the costs of background checks
105.25 on applicants for licensure.

105.26 Sec. 18. Minnesota Statutes 2018, section 122A.18, subdivision 7c, is amended to read:

105.27 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and
105.28 Standards Board shall establish a temporary license in accordance with section 197.4552
105.29 for teaching. The fee for a temporary license under this subdivision shall be ~~\$87.90 for an~~
105.30 ~~online application or \$86.40 for a paper application~~ \$57. The board must provide candidates
105.31 for a license under this subdivision with information regarding the tiered licensure system
105.32 provided in sections 122A.18 to 122A.184.

106.1 Sec. 19. Minnesota Statutes 2018, section 122A.18, subdivision 8, is amended to read:

106.2 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards
106.3 Board and the Board of School Administrators must ~~request~~ obtain a criminal history
106.4 background check ~~from the superintendent of the Bureau of Criminal Apprehension~~ on all
106.5 first-time teaching applicants for licenses under their jurisdiction. Applicants must include
106.6 with their licensure applications:

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

106.8 (2) ~~a money order or cashier's check payable to the Bureau of Criminal Apprehension~~
106.9 ~~for the fee for conducting the criminal history~~ payment to conduct the background check.

106.10 (b) ~~The superintendent of~~ background check for all first-time teaching applicants for
106.11 licenses must include a review of information from the Bureau of Criminal Apprehension
106.12 ~~shall perform the background check required under paragraph (a) by retrieving, including~~
106.13 criminal history data as defined in section 13.87₂ and ~~shall~~ must also ~~conduct a search~~ include
106.14 a review of the national criminal records repository. The superintendent of the Bureau of
106.15 Criminal Apprehension is authorized to exchange fingerprints with the Federal Bureau of
106.16 Investigation for purposes of the criminal history check. The superintendent shall recover
106.17 the cost to the bureau of a background check through the fee charged to the applicant under
106.18 paragraph (a).

106.19 ~~(e) The Professional Educator Licensing and Standards Board or the Board of School~~
106.20 ~~Administrators may issue a license pending completion of a background check under this~~
106.21 ~~subdivision, but must notify the individual and the school district or charter school employing~~
106.22 ~~the individual that the individual's license may be revoked based on the result of the~~
106.23 ~~background check.~~

106.24 (c) The Professional Educator Licensing and Standards Board may contract with the
106.25 commissioner of human services to conduct background checks and obtain background
106.26 check data required under this chapter.

106.27 Sec. 20. Minnesota Statutes 2018, section 122A.18, subdivision 10, is amended to read:

106.28 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
106.29 Board must adopt rules establishing a process for an eligible candidate to obtain ~~any teacher~~
106.30 a Tier 3 license under subdivision 1, or to add a licensure field, via portfolio. The portfolio
106.31 licensure application process must be consistent with the requirements in this subdivision.

106.32 (b) A candidate for a Tier 3 license via portfolio must submit to the board one portfolio
106.33 demonstrating pedagogical competence and one portfolio demonstrating content competence.

107.1 (c) A candidate seeking to add a licensure field via portfolio must submit to the board
107.2 one portfolio demonstrating content competence for each licensure field the candidate seeks
107.3 to add.

107.4 (d) The board must notify a candidate who submits a portfolio under paragraph (b) or
107.5 (c) within 90 calendar days after the portfolio is received whether or not the portfolio is
107.6 approved. If the portfolio is not approved, the board must immediately inform the candidate
107.7 how to revise the portfolio to successfully demonstrate the requisite competence. The
107.8 candidate may resubmit a revised portfolio at any time and the board must approve or
107.9 disapprove the revised portfolio within 60 calendar days of receiving it.

107.10 (e) A candidate must pay to the board a \$300 fee for the first portfolio submitted for
107.11 review and a \$200 fee for any portfolio submitted subsequently. The revenue generated
107.12 from the fee must be deposited in an education licensure portfolio account in the special
107.13 revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The
107.14 board may waive or reduce fees for candidates based on financial need. a fee for a portfolio
107.15 in accordance with section 122A.21, subdivision 4.

107.16 Sec. 21. Minnesota Statutes 2018, section 122A.181, subdivision 3, is amended to read:

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

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

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

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

107.30 (3) the teacher holding the Tier 1 license participated in cultural competency training
107.31 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board
107.32 approving the request for the initial Tier 1 license.

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

108.3 (c) A Tier 1 license must not be renewed more than ~~three times~~ one time, unless the
108.4 requesting district or charter school can show good cause for additional renewals. ~~A Tier 1~~
108.5 ~~license issued to teach (1) a class or course in a career and technical education or career~~
108.6 ~~pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision~~
108.7 ~~6, may be renewed without limitation.~~

108.8 Sec. 22. Minnesota Statutes 2018, section 122A.181, subdivision 4, is amended to read:

108.9 Subd. 4. **Application.** (a) The Professional Educator Licensing and Standards Board
108.10 must accept applications for a Tier 1 teaching license beginning July 1 of the school year
108.11 for which the license is requested and must issue or deny the Tier 1 teaching license within
108.12 30 days of receiving the completed application.

108.13 (b) The Professional Educator Licensing and Standards Board may accept applications
108.14 for a Tier 1 license from applicants requiring a work visa, including applications to renew
108.15 a Tier 1 license, before July 1.

108.16 Sec. 23. Minnesota Statutes 2018, section 122A.181, subdivision 5, is amended to read:

108.17 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter
108.18 indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and
108.19 limited to the district or charter school that requested the initial Tier 1 license.

108.20 (b) A Tier 1 license does not bring an individual within the definition of a teacher for
108.21 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

108.22 ~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under~~
108.23 ~~section 179A.03, subdivision 18.~~

108.24 Sec. 24. Minnesota Statutes 2018, section 122A.182, subdivision 1, is amended to read:

108.25 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards
108.26 Board must approve a request from a district or charter school to issue a Tier 2 license in a
108.27 specified content area to a candidate if:

108.28 (1) the candidate meets the educational or professional requirements in paragraph (b)
108.29 or (c);

108.30 (2) the candidate:

109.1 ~~(i) has completed the coursework required under subdivision 2;~~

109.2 ~~(ii)~~ (i) is enrolled in a Minnesota-approved teacher preparation program, including an
109.3 alternative preparation program under section 122A.2451 or a state-approved teacher
109.4 preparation program if no licensure program exists in Minnesota; or

109.5 ~~(iii) has a master's degree in the specified content area~~ (ii) has completed a state-approved
109.6 teacher preparation program but does not meet the requirements for a Tier 3 license; and

109.7 (3) the district or charter school demonstrates that a criminal background check under
109.8 section 122A.18, subdivision 8, has been completed on the candidate.

109.9 (b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside
109.10 a career and technical education or career pathways course of study.

109.11 (c) A candidate for a Tier 2 license must have one of the following credentials in a
109.12 relevant content area to teach a class or course in a career and technical education or career
109.13 pathways course of study:

109.14 (1) an associate's degree;

109.15 (2) a professional certification; or

109.16 (3) five years of relevant work experience.

109.17 Sec. 25. Minnesota Statutes 2018, section 122A.182, subdivision 3, is amended to read:

109.18 Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and
109.19 Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license
109.20 may be renewed ~~three~~ two times. Before a Tier 2 license is renewed for the first time, a
109.21 teacher holding a Tier 2 license must participate in cultural competency training consistent
109.22 with section 120B.30, subdivision 1, paragraph (q). The board must issue rules setting forth
109.23 the conditions for additional renewals after the initial license has been renewed ~~three~~ two
109.24 times.

109.25 Sec. 26. Minnesota Statutes 2018, section 122A.182, subdivision 4, is amended to read:

109.26 Subd. 4. **Application.** (a) The Professional Educator Licensing and Standards Board
109.27 must accept applications for a Tier 2 teaching license beginning July 1 of the school year
109.28 for which the license is requested and must issue or deny the Tier 2 teaching license within
109.29 30 days of receiving the completed application.

110.1 (b) The Professional Educator Licensing and Standards Board may accept applications
 110.2 for a Tier 2 license from applicants requiring a work visa, including applications to renew
 110.3 a Tier 2 license, before July 1.

110.4 Sec. 27. Minnesota Statutes 2018, section 122A.183, subdivision 2, is amended to read:

110.5 Subd. 2. **Coursework.** A candidate for a Tier 3 license must meet the coursework
 110.6 requirement by demonstrating one of the following:

110.7 (1) completion of a Minnesota-approved teacher preparation program;

110.8 (2) completion of a state-approved teacher preparation program that includes field-specific
 110.9 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
 110.10 preparation programs. The field-specific student teaching requirement does not apply to a
 110.11 candidate that has two years of teaching experience;

110.12 (3) submission of a content-specific licensure portfolio; or

110.13 (4) a professional teaching license from another state, evidence that the candidate's
 110.14 license is in good standing, and two years of teaching experience; ~~or,~~

110.15 ~~(5) three years of teaching experience under a Tier 2 license and evidence of summative~~
 110.16 ~~teacher evaluations that did not result in placing or otherwise keeping the teacher on an~~
 110.17 ~~improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,~~
 110.18 ~~subdivision 5.~~

110.19 Sec. 28. Minnesota Statutes 2018, section 122A.183, subdivision 4, is amended to read:

110.20 Subd. 4. **Mentorship and evaluation.** A teacher holding a Tier 3 license must participate
 110.21 ~~in the employing district or charter school's~~ a mentorship and evaluation program, including
 110.22 an individual growth and development plan. A teacher holding a Tier 3 license may satisfy
 110.23 the mentorship requirement by participating in a mentorship program during the teacher's
 110.24 first year in a new district or charter school, including a school year when the teacher held
 110.25 a Tier 1 or Tier 2 license. No teacher holding a Tier 3 license may be required to serve as
 110.26 a mentor to another teacher in order to fulfill this requirement.

110.27 Sec. 29. Minnesota Statutes 2018, section 122A.184, subdivision 1, is amended to read:

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

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

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

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

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

111.10 Sec. 30. Minnesota Statutes 2018, section 122A.184, subdivision 3, is amended to read:

111.11 Subd. 3. **Mentorship and evaluation.** A teacher holding a Tier 4 license must participate
111.12 ~~in the employing district or charter school's~~ a mentorship and evaluation program, including
111.13 an individual growth and development plan. A teacher holding a Tier 4 license may satisfy
111.14 the mentorship requirement by participating in a mentorship program during the teacher's
111.15 first year in a new district or charter school, including a school year when the teacher held
111.16 a Tier 1, 2, or 3 license. No teacher holding a Tier 4 license may be required to serve as a
111.17 mentor to another teacher in order to fulfill this requirement.

111.18 Sec. 31. Minnesota Statutes 2018, section 122A.185, subdivision 1, is amended to read:

111.19 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board
111.20 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted
111.21 examination of skills in reading, writing, and mathematics before being granted a Tier 4
111.22 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,
111.23 secondary, or special education programs. The board must grant a Tier 4 license to a
111.24 candidate with a Tier 3 license whose employing school district or charter school verifies
111.25 the candidate's skills in reading, writing, and mathematics for teaching in the licensure field.
111.26 Candidates may obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to
111.27 pupils in elementary, secondary, or special education programs if candidates meet the other
111.28 requirements in section 122A.181, 122A.182, or 122A.183, respectively.

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

112.1 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must
112.2 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,
112.3 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge
112.4 and understanding of the foundations of reading development, development of reading
112.5 comprehension and reading assessment and instruction, and the ability to integrate that
112.6 knowledge and understanding into instruction strategies under section 122A.06, subdivision
112.7 4.

112.8 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
112.9 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
112.10 school district personnel or Minnesota higher education faculty, who, after meeting the
112.11 content and pedagogy requirements under this subdivision, apply for a teaching license to
112.12 provide direct instruction in their native language or world language instruction under section
112.13 120B.022, subdivision 1.

112.14 (e) The board must analyze the use of untimed tests and work with the testing vendor
112.15 to ensure reasonable access to untimed testing sites.

112.16 **EFFECTIVE DATE.** This section is effective January 1, 2020.

112.17 Sec. 32. Minnesota Statutes 2018, section 122A.187, subdivision 3, is amended to read:

112.18 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
112.19 license under sections 122A.183 and 122A.184, respectively, who have been employed as
112.20 a teacher during the renewal period of the expiring license, as a condition of license renewal,
112.21 must present to their local continuing education and relicensure committee or other local
112.22 relicensure committee evidence of work that demonstrates professional reflection and growth
112.23 in best teaching practices, ~~including among other things, cultural competence in accordance~~
112.24 ~~with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied~~
112.25 ~~needs of English learners, from young children to adults under section 124D.59, subdivisions~~
112.26 ~~2 and 2a.~~ A teacher may satisfy the requirements of this paragraph by submitting the teacher's
112.27 most recent summative evaluation or improvement plan under section 122A.40, subdivision
112.28 8, or 122A.41, subdivision 5.

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

113.1 Sec. 33. Minnesota Statutes 2018, section 122A.187, is amended by adding a subdivision
113.2 to read:

113.3 Subd. 7. **Cultural competency training.** The Professional Educator Licensing and
113.4 Standards Board must adopt rules that require all licensed teachers who are renewing a Tier
113.5 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include
113.6 in the renewal requirements cultural competency training and meeting the varied needs of
113.7 English learners from young children to adults under section 124D.59, subdivisions 2 and
113.8 2a.

113.9 Sec. 34. Minnesota Statutes 2018, section 122A.187, is amended by adding a subdivision
113.10 to read:

113.11 Subd. 8. **Background check.** The Professional Educator Licensing and Standards Board
113.12 must request a criminal history background check from the superintendent of the Bureau
113.13 of Criminal Apprehension on a licensed teacher applying for a renewal license who has not
113.14 had a background check consistent with section 122A.18, subdivision 8, within the preceding
113.15 five years.

113.16 **EFFECTIVE DATE.** This section is effective July 1, 2019.

113.17 Sec. 35. Minnesota Statutes 2018, section 122A.19, subdivision 4, is amended to read:

113.18 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual
113.19 and English as a second language teachers, the board may approve teacher preparation
113.20 programs at colleges or universities designed for their training.

113.21 (b) Programs that prepare English as a second language teachers must provide instruction
113.22 in implementing research-based practices designed specifically for English learners. The
113.23 programs must focus on developing English learners' academic language proficiency in
113.24 English, including oral academic language, giving English learners meaningful access to
113.25 the full school curriculum, developing culturally relevant teaching practices appropriate for
113.26 immigrant students, and providing more intensive instruction and resources to English
113.27 learners with lower levels of academic English proficiency and varied needs, consistent
113.28 with section 124D.59, subdivisions 2 and 2a.

113.29 Sec. 36. Minnesota Statutes 2018, section 122A.20, subdivision 1, is amended to read:

113.30 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional
113.31 Educator Licensing and Standards Board or Board of School Administrators, whichever
113.32 has jurisdiction over a teacher's licensure, may, on the written complaint of the school board

114.1 employing a teacher, a teacher organization, or any other interested person, refuse to issue,
 114.2 refuse to renew, suspend, or revoke a teacher's license to teach for any of the following
 114.3 causes:

114.4 (1) immoral character or conduct;

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

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

114.7 (4) failure to meet licensure requirements; ~~or~~

114.8 (5) fraud or misrepresentation in obtaining a license; or

114.9 (6) engagement in any sexual conduct or contact with a student.

114.10 The written complaint must specify the nature and character of the charges. The board
 114.11 may issue nondisciplinary action for violations related to the teacher's mental health, chemical
 114.12 dependency, contract violations, or other offenses that do not meet the criteria for suspension
 114.13 or revocation of the license.

114.14 (b) The Professional Educator Licensing and Standards Board or Board of School
 114.15 Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue,
 114.16 refuse to renew, or automatically revoke a teacher's license to teach without the right to a
 114.17 hearing upon receiving a certified copy of a conviction showing that the teacher has been
 114.18 convicted of:

114.19 (1) child abuse, as defined in section 609.185, provided that a conviction for a violation
 114.20 of section 609.224, subdivisions 1 and 2, assault in the fifth degree, or 609.2242, subdivisions
 114.21 1 and 2, domestic assault, must not result in the automatic revocation of a teacher's license;

114.22 (2) sex trafficking in the first degree under section 609.322, subdivision 1₂;

114.23 (3) sex trafficking in the second degree under section 609.322, subdivision 1a₂;

114.24 (4) engaging in hiring, ~~or~~ agreeing to hire a minor to engage in prostitution, or housing
 114.25 an unrelated minor engaged in prostitution under section 609.324, ~~subdivision~~ subdivisions
 114.26 1₂ and 1a₂;

114.27 (5) criminal sexual abuse conduct under section 609.342, 609.343, 609.344, 609.345,
 114.28 ~~or~~ 609.3451, subdivision 3₂;

114.29 (6) indecent exposure under section 617.23, ~~subdivision~~ subdivisions 2 and 3₂;

114.30 (7) solicitation of children to engage in sexual conduct or communication of sexually
 114.31 explicit materials to children under section 609.352₂;

115.1 (8) interference with privacy under section 609.746 or stalking under section 609.749
115.2 and the victim was a minor;₂

115.3 (9) using minors in a sexual performance under section 617.246;₂

115.4 (10) possessing pornographic works involving a minor under section 617.247;₂ or

115.5 (11) any other offense not listed in this paragraph that requires the person to register as
115.6 a predatory offender under section 243.166, or a crime under a similar law of another state
115.7 or the United States. The board shall send notice of this licensing action to the district in
115.8 which the teacher is currently employed.

115.9 (c) A person whose license to teach has been revoked, not issued, or not renewed under
115.10 paragraph (b), may petition the board to reconsider the licensing action if the person's
115.11 conviction for child abuse or sexual abuse is reversed by a final decision of the court of
115.12 appeals or the supreme court or if the person has received a pardon for the offense. The
115.13 petitioner shall attach a certified copy of the appellate court's final decision or the pardon
115.14 to the petition. Upon receiving the petition and its attachment, the board shall schedule and
115.15 hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the
115.16 petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal
115.17 of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified
115.18 from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing
115.19 action. If the board finds that the petitioner is not disqualified from teaching under paragraph
115.20 (a), clause (1), it shall reverse its previous licensing action.

115.21 (d) The Professional Educator Licensing and Standards Board or Board of School
115.22 Administrators, whichever has jurisdiction over a teacher's licensure, must review and may
115.23 refuse to issue, refuse to renew, or revoke a teacher's license to teach, upon receiving a
115.24 certified copy of a conviction showing that the teacher has been convicted of:

115.25 (1) a qualified, domestic violence-related offense as defined in section 609.02, subdivision
115.26 16; or

115.27 (2) embezzlement of public funds under section 609.54, clause (1) or (2).

115.28 If an offense included in clause (1) or (2) is already included in paragraph (b), the provisions
115.29 of paragraph (b) apply to the conduct.

115.30 (e) The Professional Educator Licensing and Standards Board or Board of School
115.31 Administrators, whichever has jurisdiction over a teacher's licensure, may suspend a teacher's
115.32 license pending an investigation into a report of conduct that would be grounds for revocation

116.1 under paragraph (b). The teacher's license is suspended until the licensing board completes
116.2 its disciplinary investigation and determines whether disciplinary action is necessary.

116.3 (f) For purposes of this subdivision, The Professional Educator Licensing and Standards
116.4 Board is delegated the authority to suspend or revoke coaching licenses.

116.5 Sec. 37. Minnesota Statutes 2018, section 122A.20, subdivision 2, is amended to read:

116.6 Subd. 2. **Mandatory reporting.** (a) A school board, a superintendent, a charter school
116.7 board, a charter school executive director, or a charter school authorizer must report to the
116.8 Professional Educator Licensing and Standards Board, the Board of School Administrators,
116.9 or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has
116.10 jurisdiction over the teacher's or administrator's license, when its teacher or administrator
116.11 is discharged or resigns from employment after a charge is filed with the school board under
116.12 section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed
116.13 that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses
116.14 (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation
116.15 is pending under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5); 122A.41,
116.16 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator
116.17 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),
116.18 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate
116.19 licensing board within ten days after the discharge, suspension, or resignation has occurred.
116.20 The licensing board to which the report is made must investigate the report for violation of
116.21 subdivision 1 and the reporting board, administrator, or authorizer must cooperate in the
116.22 investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon
116.23 written request from the licensing board having jurisdiction over the license, a board, charter
116.24 school, authorizer, charter school executive director, or school superintendent shall provide
116.25 the licensing board with information about the teacher or administrator from the district's
116.26 files, any termination or disciplinary proceeding, any settlement or compromise, or any
116.27 investigative file. Upon written request from the appropriate licensing board, a board or
116.28 school superintendent may, at the discretion of the board or school superintendent, solicit
116.29 the written consent of a student and the student's parent to provide the licensing board with
116.30 information that may aid the licensing board in its investigation and license proceedings.
116.31 The licensing board's request need not identify a student or parent by name. The consent
116.32 of the student and the student's parent must meet the requirements of chapter 13 and Code
116.33 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent
116.34 form to the district. Any data transmitted to any board under this section is private data

117.1 under section 13.02, subdivision 12, notwithstanding any other classification of the data
117.2 when it was in the possession of any other agency.

117.3 (b) The licensing board to which a report is made must transmit to the Attorney General's
117.4 Office any record or data it receives under this subdivision for the sole purpose of having
117.5 the Attorney General's Office assist that board in its investigation. When the Attorney
117.6 General's Office has informed an employee of the appropriate licensing board in writing
117.7 that grounds exist to suspend or revoke a teacher's license to teach, that licensing board
117.8 must consider suspending or revoking or decline to suspend or revoke the teacher's or
117.9 administrator's license within 45 days of receiving a stipulation executed by the teacher or
117.10 administrator under investigation or a recommendation from an administrative law judge
117.11 that disciplinary action be taken.

117.12 (c) The Professional Educator Licensing and Standards Board and Board of School
117.13 Administrators must report to the appropriate law enforcement authorities a revocation,
117.14 suspension, or agreement involving a loss of license, relating to a teacher or administrator's
117.15 inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement
117.16 authority" means a police department, county sheriff, or tribal police department. A report
117.17 by the Professional Educator Licensing and Standards Board to appropriate law enforcement
117.18 authorities does not diminish, modify, or otherwise affect the responsibilities of a school
117.19 board or any person mandated to report abuse under section 626.556.

117.20 Sec. 38. Minnesota Statutes 2018, section 122A.21, is amended to read:

117.21 **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

117.22 Subdivision 1. **Licensure applications.** Each applicant submitting an application to the
117.23 Professional Educator Licensing and Standards Board to issue, renew, or extend a teaching
117.24 license, including applications for licensure via portfolio under subdivision ~~2~~4, must include
117.25 a processing fee of \$57. The processing fee for a teacher's license and for the licenses of
117.26 supervisory personnel must be paid to the executive secretary of the appropriate board and
117.27 deposited in the educator licensure account in the special revenue fund. The fees as set by
117.28 the board are nonrefundable for applicants not qualifying for a license. However, the
117.29 commissioner of management and budget must refund a fee in any case in which the applicant
117.30 already holds a valid unexpired license. The board may waive or reduce fees for applicants
117.31 who apply at the same time for more than one license.

117.32 Subd. 3. **Annual appropriations.** (a) The amounts collected under subdivision ~~2~~4 and
117.33 deposited in the educator licensure account in the special revenue fund are annually
117.34 appropriated to the Professional Educator Licensing and Standards Board.

118.1 (b) The appropriations in paragraph (a) must be reduced by the amount of any money
118.2 specifically appropriated for the same purposes in any year from any state fund.

118.3 Subd. 4. **Licensure via portfolio.** A candidate must pay to the Professional Educator
118.4 Licensing and Standards Board a \$300 fee for the first portfolio submitted for review and
118.5 a \$200 fee for any portfolio submitted subsequently. The Professional Educator Licensing
118.6 and Standards Board executive secretary must deposit the fee in the educator licensure
118.7 account in the special revenue fund. The fees are nonrefundable for applicants not qualifying
118.8 for a license. The Professional Educator Licensing and Standards Board may waive or
118.9 reduce fees for candidates based on financial need.

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

118.11 Sec. 39. Minnesota Statutes 2018, section 122A.22, is amended to read:

118.12 **122A.22 DISTRICT VERIFICATION AND REPORTING OF TEACHER**
118.13 **LICENSES.**

118.14 Subdivision 1. **Verification.** No person shall be accounted a qualified teacher until the
118.15 school district or charter school contracting with the person for teaching services verifies
118.16 through the Minnesota education licensing system available on the Professional Educator
118.17 Licensing and Standards Board website that the person is a qualified teacher, consistent
118.18 with sections 122A.16 and 122A.44, subdivision 1.

118.19 Subd. 2. **Reporting.** No later than October 1 of each school year, the superintendent or
118.20 charter school must provide the school board with the number of teachers in each school
118.21 building who hold Tier 1, 2, 3, and 4 licenses. The school board and the Professional Educator
118.22 Licensing and Standards Board must publish this data on their respective websites no later
118.23 than January of each school year.

118.24 Sec. 40. Minnesota Statutes 2018, section 122A.26, subdivision 2, is amended to read:

118.25 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program
118.26 ~~which that~~ qualifies for aid pursuant to section 124D.52 shall continue to meet licensure
118.27 requirements as a teacher. A person who teaches in an early childhood and family education
118.28 program ~~which that~~ is offered through a community education program and ~~which that~~
118.29 qualifies for community education aid pursuant to section 124D.20 or early childhood and
118.30 family education aid pursuant to section 124D.135 shall continue to meet licensure
118.31 requirements as a teacher. A person who teaches in a community education course ~~which~~

119.1 that is offered for credit for graduation to persons under 18 years of age shall continue to
119.2 meet licensure requirements as a teacher.

119.3 (b) A person who teaches a driver training course ~~which~~ that is offered through a
119.4 community education program to persons under 18 years of age shall be licensed by the
119.5 Professional Educator Licensing and Standards Board or be subject to section 171.35. A
119.6 license ~~which~~ that is required for an instructor in a community education program pursuant
119.7 to this ~~subdivision~~ paragraph shall not be construed to bring an individual within the
119.8 definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41,
119.9 subdivision 1, ~~elause~~ paragraph (a).

119.10 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

119.11 Sec. 41. Minnesota Statutes 2018, section 122A.40, subdivision 8, is amended to read:

119.12 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
119.13 **teachers.** (a) To improve student learning and success, a school board and an exclusive
119.14 representative of the teachers in the district, consistent with paragraph (b), may develop a
119.15 teacher evaluation and peer review process for probationary and continuing contract teachers
119.16 through joint agreement. If a school board and the exclusive representative of the teachers
119.17 do not agree to an annual teacher evaluation and peer review process, then the school board
119.18 and the exclusive representative of the teachers must implement the state teacher evaluation
119.19 plan under paragraph (c). The process must include having trained observers serve as peer
119.20 coaches or having teachers participate in professional learning communities, consistent with
119.21 paragraph (b).

119.22 (b) To develop, improve, and support qualified teachers and effective teaching practices,
119.23 improve student learning and success, and provide all enrolled students in a district or school
119.24 with improved and equitable access to more effective and diverse teachers, the annual
119.25 evaluation process for teachers:

119.26 (1) must, for probationary teachers, provide for all evaluations required under subdivision
119.27 5;

119.28 (2) must establish a three-year professional review cycle for each teacher that includes
119.29 an individual growth and development plan, a peer review process, and at least one
119.30 summative evaluation performed by a qualified and trained evaluator such as a school
119.31 administrator. For the years when a tenured teacher is not evaluated by a qualified and
119.32 trained evaluator, the teacher must be evaluated by a peer review;

119.33 (3) must be based on professional teaching standards established in rule;

- 120.1 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
120.2 with this evaluation process and teachers' evaluation outcomes;
- 120.3 (5) may provide time during the school day and school year for peer coaching and teacher
120.4 collaboration;
- 120.5 (6) may include job-embedded learning opportunities such as professional learning
120.6 communities;
- 120.7 (7) may include mentoring and induction programs for teachers, including teachers who
120.8 are members of populations underrepresented among the licensed teachers in the district or
120.9 school and who reflect the diversity of students under section 120B.35, subdivision 3,
120.10 paragraph (b), clause (2), who are enrolled in the district or school;
- 120.11 (8) must include an option for teachers to develop and present a portfolio demonstrating
120.12 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
120.13 3, and include teachers' own performance assessment based on student work samples and
120.14 examples of teachers' work, which may include video among other activities for the
120.15 summative evaluation;
- 120.16 (9) must use data from valid and reliable assessments aligned to state and local academic
120.17 standards and must use state and local measures of student growth and literacy that may
120.18 include value-added models or student learning goals to determine 35 percent of teacher
120.19 evaluation results;
- 120.20 (10) must use longitudinal data on student engagement and connection, and other student
120.21 outcome measures explicitly aligned with the elements of curriculum for which teachers
120.22 are responsible, including academic literacy, oral academic language, and achievement of
120.23 content areas of English learners;
- 120.24 (11) must require qualified and trained evaluators such as school administrators to
120.25 perform summative evaluations and ensure school districts and charter schools provide for
120.26 effective evaluator training specific to teacher development and evaluation;
- 120.27 (12) must give teachers not meeting professional teaching standards under clauses (3)
120.28 through (11) support to improve through a teacher improvement process that includes
120.29 established goals and timelines; and
- 120.30 (13) must discipline a teacher for not making adequate progress in the teacher
120.31 improvement process under clause (12) that may include a last chance warning, termination,
120.32 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
120.33 a school administrator determines is appropriate.

121.1 Data on individual teachers generated under this subdivision are personnel data under
121.2 section 13.43. The observation and interview notes of peer coaches may only be disclosed
121.3 to other school officials with the consent of the teacher being coached.

121.4 (c) The department, in consultation with parents who may represent parent organizations
121.5 and teacher and administrator representatives appointed by their respective organizations,
121.6 representing the Professional Educator Licensing and Standards Board, the Minnesota
121.7 Association of School Administrators, the Minnesota School Boards Association, the
121.8 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
121.9 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
121.10 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
121.11 research expertise in teacher evaluation, must create and publish a teacher evaluation process
121.12 that complies with the requirements in paragraph (b) and applies to all teachers under this
121.13 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
121.14 teacher evaluation and peer review process. The teacher evaluation process created under
121.15 this subdivision does not create additional due process rights for probationary teachers under
121.16 subdivision 5.

121.17 (d) Consistent with the measures of teacher effectiveness under this subdivision:

121.18 (1) for students in kindergarten through grade 4, a school administrator must not place
121.19 or approve the placement of a student in the classroom of a teacher who holds a Tier 1 or
121.20 Tier 2 license, is in the improvement process referenced in paragraph (b), clause (12), or
121.21 has not had a summative evaluation if, in the prior year, that student was in the classroom
121.22 of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other
121.23 teacher at the school teaches that grade; and

121.24 (2) for students in grades 5 through 12, a school administrator must not place or approve
121.25 the placement of a student in the classroom of a teacher who holds a Tier 1 or Tier 2 license,
121.26 is in the improvement process referenced in paragraph (b), clause (12), or has not had a
121.27 summative evaluation if, in the prior year, that student was in the classroom of a teacher
121.28 who held a Tier 1 or Tier 2 license or received discipline pursuant to paragraph (b), clause
121.29 (13), unless no other teacher at the school teaches that subject area and grade.

121.30 All data created and used under this paragraph retains its classification under chapter 13.

121.31 Sec. 42. Minnesota Statutes 2018, section 122A.41, subdivision 5, is amended to read:

121.32 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
121.33 **teachers.** (a) To improve student learning and success, a school board and an exclusive

122.1 representative of the teachers in the district, consistent with paragraph (b), may develop an
122.2 annual teacher evaluation and peer review process for probationary and nonprobationary
122.3 teachers through joint agreement. If a school board and the exclusive representative of the
122.4 teachers in the district do not agree to an annual teacher evaluation and peer review process,
122.5 then the school board and the exclusive representative of the teachers must implement the
122.6 state teacher evaluation plan developed under paragraph (c). The process must include
122.7 having trained observers serve as peer coaches or having teachers participate in professional
122.8 learning communities, consistent with paragraph (b).

122.9 (b) To develop, improve, and support qualified teachers and effective teaching practices
122.10 and improve student learning and success, and provide all enrolled students in a district or
122.11 school with improved and equitable access to more effective and diverse teachers, the annual
122.12 evaluation process for teachers:

122.13 (1) must, for probationary teachers, provide for all evaluations required under subdivision
122.14 2;

122.15 (2) must establish a three-year professional review cycle for each teacher that includes
122.16 an individual growth and development plan, a peer review process, and at least one
122.17 summative evaluation performed by a qualified and trained evaluator such as a school
122.18 administrator;

122.19 (3) must be based on professional teaching standards established in rule;

122.20 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
122.21 with this evaluation process and teachers' evaluation outcomes;

122.22 (5) may provide time during the school day and school year for peer coaching and teacher
122.23 collaboration;

122.24 (6) may include job-embedded learning opportunities such as professional learning
122.25 communities;

122.26 (7) may include mentoring and induction programs for teachers, including teachers who
122.27 are members of populations underrepresented among the licensed teachers in the district or
122.28 school and who reflect the diversity of students under section 120B.35, subdivision 3,
122.29 paragraph (b), clause (2), who are enrolled in the district or school;

122.30 (8) must include an option for teachers to develop and present a portfolio demonstrating
122.31 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
122.32 3, and include teachers' own performance assessment based on student work samples and

123.1 examples of teachers' work, which may include video among other activities for the
123.2 summative evaluation;

123.3 (9) must use data from valid and reliable assessments aligned to state and local academic
123.4 standards and must use state and local measures of student growth and literacy that may
123.5 include value-added models or student learning goals to determine 35 percent of teacher
123.6 evaluation results;

123.7 (10) must use longitudinal data on student engagement and connection and other student
123.8 outcome measures explicitly aligned with the elements of curriculum for which teachers
123.9 are responsible, including academic literacy, oral academic language, and achievement of
123.10 English learners;

123.11 (11) must require qualified and trained evaluators such as school administrators to
123.12 perform summative evaluations and ensure school districts and charter schools provide for
123.13 effective evaluator training specific to teacher development and evaluation;

123.14 (12) must give teachers not meeting professional teaching standards under clauses (3)
123.15 through (11) support to improve through a teacher improvement process that includes
123.16 established goals and timelines; and

123.17 (13) must discipline a teacher for not making adequate progress in the teacher
123.18 improvement process under clause (12) that may include a last chance warning, termination,
123.19 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
123.20 a school administrator determines is appropriate.

123.21 Data on individual teachers generated under this subdivision are personnel data under
123.22 section 13.43. The observation and interview notes of peer coaches may only be disclosed
123.23 to other school officials with the consent of the teacher being coached.

123.24 (c) The department, in consultation with parents who may represent parent organizations
123.25 and teacher and administrator representatives appointed by their respective organizations,
123.26 representing the Professional Educator Licensing and Standards Board, the Minnesota
123.27 Association of School Administrators, the Minnesota School Boards Association, the
123.28 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
123.29 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
123.30 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
123.31 research expertise in teacher evaluation, must create and publish a teacher evaluation process
123.32 that complies with the requirements in paragraph (b) and applies to all teachers under this
123.33 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual
123.34 teacher evaluation and peer review process. The teacher evaluation process created under

124.1 this subdivision does not create additional due process rights for probationary teachers under
124.2 subdivision 2.

124.3 (d) Consistent with the measures of teacher effectiveness under this subdivision:

124.4 (1) for students in kindergarten through grade 4, a school administrator must not place
124.5 or approve the placement of a student in the classroom of a teacher who holds a Tier 1 or
124.6 Tier 2 license, is in the improvement process referenced in paragraph (b), clause (12), or
124.7 has not had a summative evaluation if, in the prior year, that student was in the classroom
124.8 of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other
124.9 teacher at the school teaches that grade; and

124.10 (2) for students in grades 5 through 12, a school administrator must not place or approve
124.11 the placement of a student in the classroom of a teacher who holds a Tier 1 or Tier 2 license,
124.12 is in the improvement process referenced in paragraph (b), clause (12), or has not had a
124.13 summative evaluation if, in the prior year, that student was in the classroom of a teacher
124.14 who held a Tier 1 or Tier 2 license or received discipline pursuant to paragraph (b), clause
124.15 (13), unless no other teacher at the school teaches that subject area and grade.

124.16 All data created and used under this paragraph retains its classification under chapter 13.

124.17 Sec. 43. **[122A.59] COME TEACH IN MINNESOTA HIRING BONUSES.**

124.18 Subdivision 1. **Establishment.** The commissioner of education must establish a program
124.19 to reimburse school districts for hiring bonuses paid to licensed teachers from other states
124.20 in order to meet staffing needs in shortage areas.

124.21 Subd. 2. **Teacher eligibility.** (a) The commissioner must require a school district applying
124.22 for reimbursement for a hiring bonus of up to \$5,000 under this section to demonstrate that
124.23 a teacher that received the hiring bonus:

124.24 (1) was issued a Tier 3 teaching license under section 122A.183;

124.25 (2) moved to the economic development region in Minnesota where the school district
124.26 is located, notwithstanding section 122A.40, subdivision 3; and

124.27 (3) belongs to a racial or ethnic group that is underrepresented among teachers compared
124.28 to students in the district or school based on the categories listed in section 120B.35,
124.29 subdivision 3, paragraph (a), clause (2).

124.30 (b) The commissioner must require a school district applying for reimbursement for a
124.31 hiring bonus of up to \$8,000 under this section to demonstrate that a teacher that received
124.32 the hiring bonus met the eligibility criteria in paragraph (a) and has a field license in a

125.1 licensure field reported by the Professional Educator Licensing and Standards Board as
125.2 experiencing a teacher shortage.

125.3 Subd. 3. **Bonus payment.** A school district must pay a teacher eligible for a bonus under
125.4 subdivision 2 half of the bonus at the time the teacher begins employment, and the other
125.5 half after the teacher has completed four years of service in the hiring district. A teacher
125.6 who does not complete one school year of employment with the hiring school district must
125.7 repay the district the hiring bonus.

125.8 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements
125.9 contracts effective July 1, 2019, and thereafter.

125.10 Sec. 44. Minnesota Statutes 2018, section 122A.63, subdivision 1, is amended to read:

125.11 Subdivision 1. **Establishment.** (a) A grant program is established to assist American
125.12 Indian people to become teachers and to provide additional education for American Indian
125.13 teachers. The commissioner may award a joint grant to each of the following:

125.14 (1) the Duluth campus of the University of Minnesota and Independent School District
125.15 No. 709, Duluth;

125.16 (2) Bemidji State University and Independent School District No. 38, Red Lake;

125.17 (3) Moorhead State University and one of the school districts located within the White
125.18 Earth Reservation; and

125.19 (4) Augsburg College, Independent School District No. 625, St. Paul, and Special School
125.20 District No. 1, Minneapolis.

125.21 (b) If additional funds are available, the commissioner may award additional joint grants
125.22 to other postsecondary institutions and school districts.

125.23 (c) Grantees may enter into contracts with tribal, technical, and community colleges and
125.24 four-year postsecondary institutions to identify and provide grants to students at those
125.25 institutions interested in the field of education. A grantee may contract with partner
125.26 institutions to provide professional development and supplemental services to a tribal,
125.27 technical, or community college or four-year postsecondary institution, including identifying
125.28 prospective students, providing instructional supplies and materials, and providing grant
125.29 money to students. A contract with a tribal, technical, or community college or four-year
125.30 postsecondary institution includes coordination of student identification, professional
125.31 development, and mentorship services.

126.1 Sec. 45. Minnesota Statutes 2018, section 122A.63, subdivision 4, is amended to read:

126.2 Subd. 4. **Grant amount.** The commissioner may award a joint grant in the amount it
 126.3 determines to be appropriate. The grant shall include money for the postsecondary institution,
 126.4 school district, and student scholarships, and student loans grants.

126.5 Sec. 46. Minnesota Statutes 2018, section 122A.63, subdivision 5, is amended to read:

126.6 Subd. 5. **Information to student applicants.** At the time a student applies for a
 126.7 scholarship ~~and loan~~, the student ~~shall~~ must be provided information about the fields of
 126.8 licensure needed by school districts in the part of the state within which the district receiving
 126.9 the joint grant is located. The information ~~shall~~ must be acquired and periodically updated
 126.10 by the recipients of the joint grant and their contracted partner institutions. Information
 126.11 provided to students ~~shall~~ must clearly state that scholarship ~~and loan~~ decisions are not
 126.12 based upon the field of licensure selected by the student.

126.13 Sec. 47. Minnesota Statutes 2018, section 122A.63, subdivision 6, is amended to read:

126.14 Subd. 6. **Eligibility for scholarships ~~and loans.~~** (a) The following American Indian
 126.15 people are eligible for scholarships:

126.16 (1) a student having origins in any of the original peoples of North America and
 126.17 maintaining cultural identification through tribal affiliation or community recognition;

126.18 ~~(+)~~ (2) a student, including a teacher aide employed by a district receiving a joint grant
 126.19 or their contracted partner school, who intends to become a teacher or who is interested in
 126.20 the field of education and who is enrolled in a postsecondary institution or their contracted
 126.21 partner institutions receiving a joint grant;

126.22 ~~(2)~~ (3) a licensed employee of a district receiving a joint grant or a contracted partner
 126.23 institution, who is enrolled in a master of education program; and

126.24 ~~(3)~~ (4) a student who, after applying for federal and state financial aid and an American
 126.25 Indian scholarship according to section 136A.126, has financial needs that remain unmet.
 126.26 Financial need ~~shall~~ must be determined according to the congressional methodology for
 126.27 needs determination or as otherwise set in federal law.

126.28 ~~A person who has actual living expenses in addition to those addressed by the~~
 126.29 ~~congressional methodology for needs determination, or as otherwise set in federal law, may~~
 126.30 ~~receive a loan according to criteria established by the commissioner. A contract shall be~~
 126.31 ~~executed between the state and the student for the amount and terms of the loan.~~

127.1 (b) Priority must be given to a student who is tribally enrolled and then to first- and
127.2 second-generation descendants.

127.3 Sec. 48. Minnesota Statutes 2018, section 122A.63, is amended by adding a subdivision
127.4 to read:

127.5 Subd. 9. **Eligible programming.** (a) The grantee institutions and their contracted partner
127.6 institutions may provide scholarships to students progressing toward educational goals in
127.7 any area of teacher licensure, including an associate of arts, bachelor's, master's, or doctoral
127.8 degree in the following:

127.9 (1) any educational certification necessary for employment;

127.10 (2) early childhood family education or prekindergarten licensure;

127.11 (3) elementary and secondary education;

127.12 (4) school administration; or

127.13 (5) any educational program that provides services to American Indian students in
127.14 prekindergarten through grade 12.

127.15 (b) For purposes of recruitment, the grantees or their contracted partner institutions must
127.16 agree to work with their respective organizations to hire an American Indian work-study
127.17 student or other American Indian staff to conduct initial information queries and to contact
127.18 persons working in schools to provide programming regarding education professions to
127.19 high school students who may be interested in education as a profession.

127.20 (c) At least 80 percent of the grants awarded under this section must be used for student
127.21 scholarships. No more than 20 percent of the grants awarded under this section may be used
127.22 for recruitment or administration of the student scholarships.

127.23 Sec. 49. [122A.635] COLLABORATIVE URBAN AND GREATER MINNESOTA
127.24 EDUCATORS OF COLOR GRANT PROGRAM.

127.25 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards
127.26 Board must award competitive grants to increase the number of teacher candidates who are
127.27 of color or American Indian, and meet the requirements for a Tier 3 license under section
127.28 122A.183. Eligibility for a grant under this section is limited to public or private higher
127.29 education institutions that offer a teacher preparation program approved by the Professional
127.30 Educator Licensing and Standards Board.

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

128.3 (1) the number of teacher candidates being supported in the program who are of color
128.4 or who are American Indian;

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

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

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

128.12 (ii) the percent of underrepresented racially and ethnically diverse teachers in the
128.13 economic development region of the state where the institution is located and where a
128.14 shortage of diverse teachers exists, as reported under section 127A.05, subdivision 6, or
128.15 section 122A.091, subdivision 5.

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

128.23 (c) The board must determine award amounts for maintenance and expansion of programs
128.24 based on the number of candidates supported by an applicant program, sustaining support
128.25 for those candidates, and funds available.

128.26 Subd. 3. **Grant program administration.** The Professional Educator Licensing and
128.27 Standards Board may enter into an interagency agreement with the Office of Higher
128.28 Education. The agreement may include a transfer of funds to the Office of Higher Education
128.29 to help establish and administer the competitive grant process. The board must award grants
128.30 to institutions located in various economic development regions throughout the state, but
128.31 must not predetermine the number of institutions to be awarded grants under this section
128.32 or set a limit for the amount that any one institution may receive as part of the competitive
128.33 grant application process. All grants must be awarded by August 15 of the fiscal year in

129.1 which the grants are to be used except that, for initial competitive grants awarded for fiscal
129.2 year 2020, grants must be awarded by September 15. An institution that receives a grant
129.3 under this section may use the grant funds over a two- to four-year period to support teacher
129.4 candidates.

129.5 Subd. 4. **Account established.** A collaborative urban and greater Minnesota educator
129.6 of color account is created in the special revenue fund for depositing money appropriated
129.7 to or received by the board for the program. Money deposited in the account is appropriated
129.8 to the board, does not cancel, and is continuously available for grants under this section.

129.9 Subd. 5. **Report.** (a) By January 15 of each year, an institution awarded a grant under
129.10 this section must prepare for the legislature and the board a detailed report regarding the
129.11 expenditure of grant funds, including the amounts used to recruit, retain, and induct teacher
129.12 candidates who are of color or who are American Indian. The report must include the total
129.13 number of teacher candidates of color, disaggregated by race or ethnic group, who are
129.14 recruited to the institution, are newly admitted to the licensure program, are enrolled in the
129.15 licensure program, have completed student teaching, have graduated, are licensed, and are
129.16 newly employed as Minnesota teachers in their licensure field. A grant recipient must report
129.17 the total number of teacher candidates who are of color or who are American Indian at each
129.18 stage from recruitment to licensed teaching as a percentage of total candidates seeking the
129.19 same licensure at the institution.

129.20 (b) The board must post a report on its website summarizing the activities and outcomes
129.21 of grant recipients and what was done to promote sharing of effective practices among grant
129.22 recipients.

129.23 Sec. 50. **[122A.685] GROW YOUR OWN PATHWAYS TO TEACHER LICENSURE**
129.24 **GRANTS.**

129.25 Subdivision 1. **Establishment.** The commissioner of education must award grants under
129.26 this section to school districts and charter schools throughout Minnesota to develop or
129.27 expand Grow Your Own teacher programs.

129.28 Subd. 2. **Definition.** For purposes of this section, "Grow Your Own programs" means
129.29 programs within schools or districts in partnership with Professional Educator Licensing
129.30 and Standards Board-approved teacher preparation programs designed to provide a pathway
129.31 to teaching at any level from early childhood to secondary school for paraprofessionals,
129.32 cultural liaisons, or other nonlicensed employees.

130.1 Subd. 3. **Nonconventional teacher residency programs.** (a) A school district, charter
130.2 school, or cooperative unit as defined in section 123A.24 may apply for a grant under this
130.3 section to fund an established and effective Professional Educator Licensing and Standards
130.4 Board-approved nonconventional teacher residency program. The program must provide
130.5 tuition scholarships or stipends to enable school district and charter school employees
130.6 seeking a teaching license who are of color or American Indian to participate in a
130.7 nonconventional teacher preparation program. If extra awarded grant funds are available,
130.8 programs may use remaining grant funds to provide tuition scholarships to employees who
130.9 are not persons of color or American Indian, who are seeking to teach in a licensure area
130.10 that is identified by the board as experiencing a shortage within the economic development
130.11 region where the program is located.

130.12 (b) School districts and charter schools that receive funds under this subdivision must
130.13 have a program to recruit and retain candidates of color or American Indian candidates, and
130.14 have demonstrated that at least 50 percent of past participants in the residency programs
130.15 are persons of color or American Indian. The board must give priority in awarding grants
130.16 to programs with the highest total numbers and percentages of participants who are of color
130.17 or American Indian and those that have a percentage of participants who are of color or
130.18 American Indian that meets or exceeds the overall percentage of students of color or
130.19 American Indian students in the district, school, or cooperative.

130.20 (c) School districts and charter schools providing financial support to new teacher
130.21 candidates under this subdivision may require a commitment from the candidates, as
130.22 determined by each district or school, to teach in the district or school for a reasonable
130.23 amount of time not to exceed five years.

130.24 Subd. 4. **Expanded Grow Your Own programs.** (a) School districts, charter schools,
130.25 or cooperatives as defined in section 123A.24, community-based organizations led by and
130.26 for communities of color or American Indian communities, and Head Start programs under
130.27 section 119A.50 may apply for grants under this subdivision to provide financial assistance,
130.28 mentoring, and other assistance to enable persons who are of color or who are American
130.29 Indian to become teachers.

130.30 (b) Grants awarded under this subdivision must be used for:

130.31 (1) tuition scholarships or stipends to eligible teaching assistants, cultural liaisons, or
130.32 other nonlicensed employees who are of color or who are American Indian and are enrolled
130.33 in a Professional Educator Licensing and Standards Board-approved teacher preparation
130.34 program;

131.1 (2) developing and implementing innovative school-based residency programs or other
131.2 programs emphasizing clinical experiences in a district, cooperative, or charter school for
131.3 nonlicensed employees who are of color or who are American Indian, and who seek a
131.4 teaching license in collaboration with a conventional or nonconventional Professional
131.5 Educator Licensing and Standards Board-approved program;

131.6 (3) developing pathway programs that provide stipends and tuition scholarships to parents
131.7 and community members who are of color or who are American Indian to change careers
131.8 and obtain a Tier 3 license to teach in schools or other credential needed to teach in a Head
131.9 Start program; or

131.10 (4) developing innovative programs that encourage secondary school students to pursue
131.11 teaching, including developing and offering dual-credit postsecondary course options in
131.12 schools for "Introduction to Teaching" or "Introduction to Education" courses consistent
131.13 with section 124D.09, subdivision 10, and supporting future teacher clubs involving middle
131.14 and high school students who are of color or who are American Indian to have experiential
131.15 learning supporting the success of younger students or peers and to increase their interest
131.16 in pursuing a teaching career.

131.17 (c) School districts, charter schools, and Head Start programs providing financial
131.18 assistance to individuals under this subdivision may require a commitment from the
131.19 individuals, as determined by each district or school, to teach in the district or school for a
131.20 reasonable amount of time not to exceed five years.

131.21 Subd. 5. **Grant procedure.** (a) A school district, charter school, cooperative, or Head
131.22 Start program must apply for a grant under this section in the form and manner specified
131.23 by the commissioner of education. To be eligible, grant recipients must ensure that the
131.24 percentage of participants who are of color or American Indian is at least equivalent to the
131.25 percentage of students enrolled in the district, school, cooperative, or program who are of
131.26 color or American Indian. If a majority of students are of color or American Indian, then a
131.27 majority of participants in the program must be persons of color or American Indian. Priority
131.28 for awarding grants must be given to programs with the highest total numbers and percentages
131.29 of participants who are of color or American Indian.

131.30 (b) For the 2019-2020 school year only, the commissioner must review all applications
131.31 for continuing grants from programs that received funding under Laws 2017, First Special
131.32 Session chapter 5, article 2, section 57, subdivision 23, by August 1, 2019, and must notify
131.33 grant recipients of the amount of the grants awarded by August 15, 2019.

132.1 (c) For the 2020-2021 school year and later, grant applications for new and existing
132.2 programs must be received by the commissioner no later than December 1 of the year prior
132.3 to the school year in which the grant will be used. The commissioner must review all
132.4 applications and notify grant recipients by February 1 of the amount awarded.

132.5 (d) Grant recipients must spend any amounts received under this section within 18
132.6 months of receiving the grant money.

132.7 Subd. 6. **Report.** Grant recipients must annually report to the commissioner of education
132.8 by the date determined by the commissioner on their activities under this section, including
132.9 the number of participants, the percentage of participants who are of color or who are
132.10 American Indian, and an assessment of program effectiveness, including participant feedback,
132.11 areas for improvement, the percentage of participants continuing to pursue teacher licensure,
132.12 and the number of participants hired in the school or district as teachers after completing
132.13 preparation programs. The commissioner must post on the department website a report that
132.14 summarizes the activities and outcomes of grant recipients and what was done to promote
132.15 sharing of effective practices among grant recipients.

132.16 Sec. 51. Minnesota Statutes 2018, section 122A.70, is amended to read:

132.17 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**
132.18 **TEACHERS.**

132.19 **Subdivision 1. Teacher mentoring, induction, and retention programs.** (a) School
132.20 districts are encouraged to develop teacher mentoring programs for teachers new to the
132.21 profession or district, including teaching residents, teachers of color, teachers who are
132.22 American Indian, teachers in license shortage areas, teachers with special needs, or
132.23 experienced teachers in need of peer coaching.

132.24 (b) Teacher mentoring programs must be included in or aligned with districts' teacher
132.25 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,
132.26 subdivision 5. A district may use staff development revenue under section 122A.61, special
132.27 grant programs established by the legislature, or another funding source to pay a stipend to
132.28 a mentor who may be a current or former teacher who has taught at least three years and is
132.29 not on an improvement plan. Other initiatives using such funds or funds available under
132.30 sections 124D.861 and 124D.862 may include:

132.31 (1) additional stipends as incentives to mentors who are of color or who are American
132.32 Indian;

133.1 (2) financial supports for professional learning community affinity groups across schools
 133.2 within and between districts for teachers from underrepresented racial and ethnic groups to
 133.3 come together throughout the school year. For purposes of this section, "affinity groups"
 133.4 are groups of educators who share a common racial or ethnic identity in society as persons
 133.5 of color or who are American Indian;

133.6 (3) programs for induction aligned with the district or school mentorship program during
 133.7 the first three years of teaching, especially for teachers from underrepresented racial and
 133.8 ethnic groups; or

133.9 (4) grants supporting licensed and nonlicensed educator participation in professional
 133.10 development, such as workshops and graduate courses, related to increasing student
 133.11 achievement for students of color and American Indian students in order to close opportunity
 133.12 and achievement gaps.

133.13 (c) Schools or districts may negotiate additional retention strategies or protection from
 133.14 unrequested leave of absences in the beginning years of employment for teachers of color
 133.15 and teachers who are American Indian. Retention strategies may include providing financial
 133.16 incentives for teachers of color and teachers who are American Indian to work in the school
 133.17 or district for at least five years and placing American Indian educators at sites with other
 133.18 American Indian educators and educators of color at sites with other educators of color to
 133.19 reduce isolation and increase opportunity for collegial support.

133.20 Subd. 2. **Applications.** The Professional Educator Licensing and Standards Board must
 133.21 make application forms available to sites interested in developing or expanding a mentorship
 133.22 program. A school district; a group of school districts; ~~or~~ a coalition of districts, teachers,
 133.23 and teacher education institutions; or a coalition of schools, teachers, or nonlicensed educators
 133.24 may apply for a ~~teacher mentorship~~ program grant. The Professional Educator Licensing
 133.25 and Standards Board, in consultation with the teacher mentoring task force, must approve
 133.26 or disapprove the applications. To the extent possible, the approved applications must reflect
 133.27 effective mentoring, professional development, and retention components, ~~include a variety~~
 133.28 ~~of coalitions~~ and be geographically distributed throughout the state. The Professional
 133.29 Educator Licensing and Standards Board must encourage the selected sites to consider the
 133.30 use of its assessment procedures.

133.31 Subd. 3. **Criteria for selection.** At a minimum, applicants must express commitment
 133.32 to:

133.33 (1) allow staff participation;

133.34 (2) assess skills of both beginning and mentor teachers;

134.1 (3) provide appropriate in-service to needs identified in the assessment;

134.2 (4) provide leadership to the effort;

134.3 (5) cooperate with higher education institutions;

134.4 (6) provide facilities and other resources;

134.5 (7) share findings, materials, and techniques with other school districts; and

134.6 (8) retain teachers of color and teachers who are American Indian.

134.7 Subd. 4. **Additional funding.** Applicants are required to seek additional funding and
134.8 assistance from sources such as school districts, postsecondary institutions, foundations,
134.9 and the private sector.

134.10 Subd. 5. **Program implementation.** New and expanding mentorship sites that are funded
134.11 to design, develop, implement, and evaluate their program must participate in activities that
134.12 support program development and implementation. The Professional Educator Licensing
134.13 and Standards Board must provide resources and assistance to support new sites in their
134.14 program efforts. These activities and services may include, but are not limited to: planning,
134.15 planning guides, media, training, conferences, institutes, and regional and statewide
134.16 networking meetings. Nonfunded schools or districts interested in getting started may
134.17 participate. Fees may be charged for meals, materials, and the like.

134.18 Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit
134.19 a report to the Professional Educator Licensing and Standards Board on program efforts
134.20 that describes mentoring and induction activities and assesses the impact of these programs
134.21 on teacher effectiveness and retention.

134.22 Sec. 52. Minnesota Statutes 2018, section 124D.09, subdivision 10, is amended to read:

134.23 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to
134.24 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a
134.25 postsecondary faculty member and offered at a secondary school, or another location,
134.26 according to an agreement between a public school board and the governing body of an
134.27 eligible public postsecondary system or an eligible private postsecondary institution, as
134.28 defined in subdivision 3. All provisions of this section ~~shall~~ apply to a pupil, public school
134.29 board, district, and the governing body of a postsecondary institution, except as otherwise
134.30 provided.

134.31 (b) To encourage students, especially American Indian students and students of color,
134.32 to consider teaching as a profession, participating schools, school districts, and postsecondary

135.1 institutions are encouraged to develop and offer an "Introduction to Teaching" or
135.2 "Introduction to Education" course under this subdivision. ~~An institution that receives a~~ For
135.3 the purpose of applying for grants under this paragraph, "eligible institution" includes schools
135.4 and districts that partner with an accredited college or university in addition to postsecondary
135.5 institutions identified in subdivision 3, paragraph (a). Grant to develop a course recipients
135.6 under this paragraph must annually report to the commissioner in a form and manner
135.7 determined by the commissioner on the participation rates of students in courses under this
135.8 paragraph, including the number of students who apply for admission to colleges or
135.9 universities with teacher preparation programs and the number of students of color and
135.10 American Indian students who earned postsecondary credit. Grant recipients must also
135.11 describe recruiting efforts intended to ensure that the percentage of participating students
135.12 who are of color or American Indian meets or exceeds the overall percentage of students
135.13 of color or American Indian students in the school.

135.14 Sec. 53. Minnesota Statutes 2018, section 124D.861, subdivision 2, is amended to read:

135.15 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible
135.16 district must formally develop and implement a long-term plan under this section. The plan
135.17 must be incorporated into the district's comprehensive strategic plan under section 120B.11.
135.18 Plan components may include:

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

135.21 (2) family engagement initiatives that involve families in their students' academic life
135.22 and success;

135.23 (3) professional development opportunities for teachers and administrators focused on
135.24 improving the academic achievement of all students, including teachers and administrators
135.25 who are members of populations underrepresented among the licensed teachers or
135.26 administrators in the district or school and who reflect the diversity of students under section
135.27 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

135.28 (4) increased programmatic opportunities and effective and more diverse instructors
135.29 focused on rigor and college and career readiness for underserved students, including students
135.30 enrolled in alternative learning centers under section 123A.05, public alternative programs
135.31 under section 126C.05, subdivision 15, and contract alternative programs under section
135.32 124D.69, among other underserved students; or

136.1 (5) recruitment and retention of teachers and administrators with diverse, cultural and
136.2 family liaisons, paraprofessionals, and other nonlicensed staff from racial and ethnic
136.3 backgrounds represented in the student population.

136.4 (b) The plan must contain goals for:

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

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

136.10 (c) The plan must include strategies to make schools' curriculum and learning and work
136.11 environments more inclusive and respectful of students' racial and ethnic diversity and to
136.12 address issues of structural inequities in schools that create opportunity and achievement
136.13 gaps for students, families, and staff who are of color or who are American Indian, and
136.14 program revenues may be used to implement such strategies. Examples of possible structural
136.15 inequities include but are not limited to policies and practices that unintentionally result in
136.16 disparate referrals and suspension, inequitable access to advanced coursework,
136.17 overrepresentation in lower level coursework, participation in cocurricular activities, parent
136.18 involvement, and lack of access to diverse teachers. Plans may include but are not limited
136.19 to the following activities that may involve collaboration with or support from regional
136.20 centers of excellence:

136.21 (1) creating opportunities for students, families, staff, and community members who are
136.22 of color or who are American Indian to share their experiences in the school setting with
136.23 school staff and administration to develop specific proposals for improving school
136.24 environments to be more inclusive and respectful toward all students, families, and staff;

136.25 (2) implementing creative programs for increased parent engagement and improving
136.26 relations between home and school;

136.27 (3) developing or expanding ethnic studies course offerings to provide all students with
136.28 in-depth opportunities to learn about their own and others' cultures and historical experiences;

136.29 (4) examining and revising curricula in various subjects to be culturally relevant and
136.30 inclusive of various racial and ethnic groups;

136.31 (5) examining academic and discipline data, reexamining institutional policies and
136.32 practices that result in opportunity and achievement disparities between racial and ethnic
136.33 groups, and making necessary changes that increase access, meaningful participation,

137.1 representation, and positive outcomes for students of color, American Indian students, and
 137.2 students who qualify for free or reduced-price lunch;

137.3 (6) providing professional development opportunities to learn more about various racial
 137.4 and ethnic groups' experiences, assets, and issues and developing cross-cultural competence
 137.5 with knowledge, collaborations, and relationships needed to serve students effectively who
 137.6 are from diverse racial and ethnic backgrounds; and

137.7 (7) hiring more cultural liaisons to strengthen relationships with students, families, and
 137.8 other members of the community.

137.9 ~~(b)~~ (d) Among other requirements, an eligible district must implement effective,
 137.10 research-based interventions that include formative assessment practices to reduce the
 137.11 disparities in student academic performance among the specific categories of students as
 137.12 measured by student progress and growth on state reading and math assessments and as
 137.13 aligned with section 120B.11.

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

137.17 Sec. 54. Minnesota Statutes 2018, section 214.01, subdivision 3, is amended to read:

137.18 Subd. 3. **Non-health-related licensing board.** "Non-health-related licensing board"
 137.19 means the Professional Educator Licensing and Standards Board established pursuant to
 137.20 section 122A.07, the Board of School Administrators established pursuant to section 122A.14,
 137.21 the Board of Barber Examiners established pursuant to section 154.001, the Board of
 137.22 Cosmetologist Examiners established pursuant to section 155A.20, the Board of Assessors
 137.23 established pursuant to section 270.41, the Board of Architecture, Engineering, Land
 137.24 Surveying, Landscape Architecture, Geoscience, and Interior Design established pursuant
 137.25 to section 326.04, the Private Detective and Protective Agent Licensing Board established
 137.26 pursuant to section 326.33, the Board of Accountancy established pursuant to section
 137.27 326A.02, and the Peace Officer Standards and Training Board established pursuant to section
 137.28 626.841.

137.29 Sec. 55. **[245C.125] BACKGROUND STUDY; PROFESSIONAL EDUCATOR**
 137.30 **LICENSING AND STANDARDS BOARD.**

137.31 The commissioner may contract with the Professional Educator Licensing and Standards
 137.32 Board to conduct background studies and obtain background study data as required under

138.1 this chapter and chapter 122A. When required in chapter 122A, the commissioner must
138.2 conduct a national criminal history record check.

138.3 Sec. 56. Minnesota Statutes 2018, section 626.556, subdivision 10, is amended to read:

138.4 Subd. 10. **Duties of local welfare agency and local law enforcement agency upon**
138.5 **receipt of report; mandatory notification between police or sheriff and agency.** (a) The
138.6 police department or the county sheriff shall immediately notify the local welfare agency
138.7 or agency responsible for child protection reports under this section orally and in writing
138.8 when a report is received. The local welfare agency or agency responsible for child protection
138.9 reports shall immediately notify the local police department or the county sheriff orally and
138.10 in writing when a report is received. The county sheriff and the head of every local welfare
138.11 agency, agency responsible for child protection reports, and police department shall each
138.12 designate a person within their agency, department, or office who is responsible for ensuring
138.13 that the notification duties of this paragraph are carried out. When the alleged maltreatment
138.14 occurred on tribal land, the local welfare agency or agency responsible for child protection
138.15 reports and the local police department or the county sheriff shall immediately notify the
138.16 tribe's social services agency and tribal law enforcement orally and in writing when a report
138.17 is received. When a police department or county sheriff determines that a child has been
138.18 the subject of physical abuse, sexual abuse, or neglect by a person licensed by the
138.19 Professional Educator Licensing and Standards Board or Board of School Administrators,
138.20 it shall, in addition to its other duties under this section, immediately inform the licensing
138.21 board. Law enforcement must work collaboratively with the board that has jurisdiction over
138.22 the matter, including sharing documents and evidence to continue the investigation.

138.23 (b) Upon receipt of a report, the local welfare agency shall determine whether to conduct
138.24 a family assessment or an investigation as appropriate to prevent or provide a remedy for
138.25 child maltreatment. The local welfare agency:

138.26 (1) shall conduct an investigation on reports involving sexual abuse or substantial child
138.27 endangerment;

138.28 (2) shall begin an immediate investigation if, at any time when it is using a family
138.29 assessment response, it determines that there is reason to believe that sexual abuse or
138.30 substantial child endangerment or a serious threat to the child's safety exists;

138.31 (3) may conduct a family assessment for reports that do not allege sexual abuse or
138.32 substantial child endangerment. In determining that a family assessment is appropriate, the
138.33 local welfare agency may consider issues of child safety, parental cooperation, and the need
138.34 for an immediate response;

139.1 (4) may conduct a family assessment on a report that was initially screened and assigned
139.2 for an investigation. In determining that a complete investigation is not required, the local
139.3 welfare agency must document the reason for terminating the investigation and notify the
139.4 local law enforcement agency if the local law enforcement agency is conducting a joint
139.5 investigation; and

139.6 (5) shall provide immediate notice, according to section 260.761, subdivision 2, to an
139.7 Indian child's tribe when the agency has reason to believe the family assessment or
139.8 investigation may involve an Indian child. For purposes of this clause, "immediate notice"
139.9 means notice provided within 24 hours.

139.10 If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or
139.11 individual functioning within the family unit as a person responsible for the child's care, or
139.12 sexual abuse by a person with a significant relationship to the child when that person resides
139.13 in the child's household or by a sibling, the local welfare agency shall immediately conduct
139.14 a family assessment or investigation as identified in clauses (1) to (4). In conducting a family
139.15 assessment or investigation, the local welfare agency shall gather information on the existence
139.16 of substance abuse and domestic violence and offer services for purposes of preventing
139.17 future child maltreatment, safeguarding and enhancing the welfare of the abused or neglected
139.18 minor, and supporting and preserving family life whenever possible. If the report alleges a
139.19 violation of a criminal statute involving sexual abuse, physical abuse, or neglect or
139.20 endangerment, under section 609.378, the local law enforcement agency and local welfare
139.21 agency shall coordinate the planning and execution of their respective investigation and
139.22 assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews.
139.23 Each agency shall prepare a separate report of the results of its investigation or assessment.
139.24 In cases of alleged child maltreatment resulting in death, the local agency may rely on the
139.25 fact-finding efforts of a law enforcement investigation to make a determination of whether
139.26 or not maltreatment occurred. When necessary the local welfare agency shall seek authority
139.27 to remove the child from the custody of a parent, guardian, or adult with whom the child is
139.28 living. In performing any of these duties, the local welfare agency shall maintain appropriate
139.29 records.

139.30 If the family assessment or investigation indicates there is a potential for abuse of alcohol
139.31 or other drugs by the parent, guardian, or person responsible for the child's care, the local
139.32 welfare agency shall conduct a chemical use assessment pursuant to Minnesota Rules, part
139.33 9530.6615.

139.34 (c) When a local agency receives a report or otherwise has information indicating that
139.35 a child who is a client, as defined in section 245.91, has been the subject of physical abuse,

140.1 sexual abuse, or neglect at an agency, facility, or program as defined in section 245.91, it
140.2 shall, in addition to its other duties under this section, immediately inform the ombudsman
140.3 established under sections 245.91 to 245.97. The commissioner of education shall inform
140.4 the ombudsman established under sections 245.91 to 245.97 of reports regarding a child
140.5 defined as a client in section 245.91 that maltreatment occurred at a school as defined in
140.6 section 120A.05, subdivisions 9, 11, and 13, and chapter 124E.

140.7 (d) Authority of the local welfare agency responsible for assessing or investigating the
140.8 child abuse or neglect report, the agency responsible for assessing or investigating the report,
140.9 and of the local law enforcement agency for investigating the alleged abuse or neglect
140.10 includes, but is not limited to, authority to interview, without parental consent, the alleged
140.11 victim and any other minors who currently reside with or who have resided with the alleged
140.12 offender. The interview may take place at school or at any facility or other place where the
140.13 alleged victim or other minors might be found or the child may be transported to, and the
140.14 interview conducted at, a place appropriate for the interview of a child designated by the
140.15 local welfare agency or law enforcement agency. The interview may take place outside the
140.16 presence of the alleged offender or parent, legal custodian, guardian, or school official. For
140.17 family assessments, it is the preferred practice to request a parent or guardian's permission
140.18 to interview the child prior to conducting the child interview, unless doing so would
140.19 compromise the safety assessment. Except as provided in this paragraph, the parent, legal
140.20 custodian, or guardian shall be notified by the responsible local welfare or law enforcement
140.21 agency no later than the conclusion of the investigation or assessment that this interview
140.22 has occurred. Notwithstanding rule 32 of the Minnesota Rules of Procedure for Juvenile
140.23 Courts, the juvenile court may, after hearing on an ex parte motion by the local welfare
140.24 agency, order that, where reasonable cause exists, the agency withhold notification of this
140.25 interview from the parent, legal custodian, or guardian. If the interview took place or is to
140.26 take place on school property, the order shall specify that school officials may not disclose
140.27 to the parent, legal custodian, or guardian the contents of the notification of intent to interview
140.28 the child on school property, as provided under this paragraph, and any other related
140.29 information regarding the interview that may be a part of the child's school record. A copy
140.30 of the order shall be sent by the local welfare or law enforcement agency to the appropriate
140.31 school official.

140.32 (e) When the local welfare, local law enforcement agency, or the agency responsible
140.33 for assessing or investigating a report of maltreatment determines that an interview should
140.34 take place on school property, written notification of intent to interview the child on school
140.35 property must be received by school officials prior to the interview. The notification shall

141.1 include the name of the child to be interviewed, the purpose of the interview, and a reference
141.2 to the statutory authority to conduct an interview on school property. For interviews
141.3 conducted by the local welfare agency, the notification shall be signed by the chair of the
141.4 local social services agency or the chair's designee. The notification shall be private data
141.5 on individuals subject to the provisions of this paragraph. School officials may not disclose
141.6 to the parent, legal custodian, or guardian the contents of the notification or any other related
141.7 information regarding the interview until notified in writing by the local welfare or law
141.8 enforcement agency that the investigation or assessment has been concluded, unless a school
141.9 employee or agent is alleged to have maltreated the child. Until that time, the local welfare
141.10 or law enforcement agency or the agency responsible for assessing or investigating a report
141.11 of maltreatment shall be solely responsible for any disclosures regarding the nature of the
141.12 assessment or investigation.

141.13 Except where the alleged offender is believed to be a school official or employee, the
141.14 time and place, and manner of the interview on school premises shall be within the discretion
141.15 of school officials, but the local welfare or law enforcement agency shall have the exclusive
141.16 authority to determine who may attend the interview. The conditions as to time, place, and
141.17 manner of the interview set by the school officials shall be reasonable and the interview
141.18 shall be conducted not more than 24 hours after the receipt of the notification unless another
141.19 time is considered necessary by agreement between the school officials and the local welfare
141.20 or law enforcement agency. Where the school fails to comply with the provisions of this
141.21 paragraph, the juvenile court may order the school to comply. Every effort must be made
141.22 to reduce the disruption of the educational program of the child, other students, or school
141.23 staff when an interview is conducted on school premises.

141.24 (f) Where the alleged offender or a person responsible for the care of the alleged victim
141.25 or other minor prevents access to the victim or other minor by the local welfare agency, the
141.26 juvenile court may order the parents, legal custodian, or guardian to produce the alleged
141.27 victim or other minor for questioning by the local welfare agency or the local law
141.28 enforcement agency outside the presence of the alleged offender or any person responsible
141.29 for the child's care at reasonable places and times as specified by court order.

141.30 (g) Before making an order under paragraph (f), the court shall issue an order to show
141.31 cause, either upon its own motion or upon a verified petition, specifying the basis for the
141.32 requested interviews and fixing the time and place of the hearing. The order to show cause
141.33 shall be served personally and shall be heard in the same manner as provided in other cases
141.34 in the juvenile court. The court shall consider the need for appointment of a guardian ad

142.1 litem to protect the best interests of the child. If appointed, the guardian ad litem shall be
142.2 present at the hearing on the order to show cause.

142.3 (h) The commissioner of human services, the ombudsman for mental health and
142.4 developmental disabilities, the local welfare agencies responsible for investigating reports,
142.5 the commissioner of education, and the local law enforcement agencies have the right to
142.6 enter facilities as defined in subdivision 2 and to inspect and copy the facility's records,
142.7 including medical records, as part of the investigation. Notwithstanding the provisions of
142.8 chapter 13, they also have the right to inform the facility under investigation that they are
142.9 conducting an investigation, to disclose to the facility the names of the individuals under
142.10 investigation for abusing or neglecting a child, and to provide the facility with a copy of
142.11 the report and the investigative findings.

142.12 (i) The local welfare agency responsible for conducting a family assessment or
142.13 investigation shall collect available and relevant information to determine child safety, risk
142.14 of subsequent child maltreatment, and family strengths and needs and share not public
142.15 information with an Indian's tribal social services agency without violating any law of the
142.16 state that may otherwise impose duties of confidentiality on the local welfare agency in
142.17 order to implement the tribal state agreement. The local welfare agency or the agency
142.18 responsible for investigating the report shall collect available and relevant information to
142.19 ascertain whether maltreatment occurred and whether protective services are needed.
142.20 Information collected includes, when relevant, information with regard to the person reporting
142.21 the alleged maltreatment, including the nature of the reporter's relationship to the child and
142.22 to the alleged offender, and the basis of the reporter's knowledge for the report; the child
142.23 allegedly being maltreated; the alleged offender; the child's caretaker; and other collateral
142.24 sources having relevant information related to the alleged maltreatment. The local welfare
142.25 agency or the agency responsible for investigating the report may make a determination of
142.26 no maltreatment early in an investigation, and close the case and retain immunity, if the
142.27 collected information shows no basis for a full investigation.

142.28 Information relevant to the assessment or investigation must be asked for, and may
142.29 include:

142.30 (1) the child's sex and age; prior reports of maltreatment, including any maltreatment
142.31 reports that were screened out and not accepted for assessment or investigation; information
142.32 relating to developmental functioning; credibility of the child's statement; and whether the
142.33 information provided under this clause is consistent with other information collected during
142.34 the course of the assessment or investigation;

143.1 (2) the alleged offender's age, a record check for prior reports of maltreatment, and
143.2 criminal charges and convictions. The local welfare agency or the agency responsible for
143.3 assessing or investigating the report must provide the alleged offender with an opportunity
143.4 to make a statement. The alleged offender may submit supporting documentation relevant
143.5 to the assessment or investigation;

143.6 (3) collateral source information regarding the alleged maltreatment and care of the
143.7 child. Collateral information includes, when relevant: (i) a medical examination of the child;
143.8 (ii) prior medical records relating to the alleged maltreatment or the care of the child
143.9 maintained by any facility, clinic, or health care professional and an interview with the
143.10 treating professionals; and (iii) interviews with the child's caretakers, including the child's
143.11 parent, guardian, foster parent, child care provider, teachers, counselors, family members,
143.12 relatives, and other persons who may have knowledge regarding the alleged maltreatment
143.13 and the care of the child; and

143.14 (4) information on the existence of domestic abuse and violence in the home of the child,
143.15 and substance abuse.

143.16 Nothing in this paragraph precludes the local welfare agency, the local law enforcement
143.17 agency, or the agency responsible for assessing or investigating the report from collecting
143.18 other relevant information necessary to conduct the assessment or investigation.

143.19 Notwithstanding sections 13.384 or 144.291 to 144.298, the local welfare agency has access
143.20 to medical data and records for purposes of clause (3). Notwithstanding the data's
143.21 classification in the possession of any other agency, data acquired by the local welfare
143.22 agency or the agency responsible for assessing or investigating the report during the course
143.23 of the assessment or investigation are private data on individuals and must be maintained
143.24 in accordance with subdivision 11. Data of the commissioner of education collected or
143.25 maintained during and for the purpose of an investigation of alleged maltreatment in a school
143.26 are governed by this section, notwithstanding the data's classification as educational,
143.27 licensing, or personnel data under chapter 13.

143.28 In conducting an assessment or investigation involving a school facility as defined in
143.29 subdivision 2, paragraph (c), the commissioner of education shall collect investigative
143.30 reports and data that are relevant to a report of maltreatment and are from local law
143.31 enforcement and the school facility.

143.32 (j) Upon receipt of a report, the local welfare agency shall conduct a face-to-face contact
143.33 with the child reported to be maltreated and with the child's primary caregiver sufficient to
143.34 complete a safety assessment and ensure the immediate safety of the child. The face-to-face

144.1 contact with the child and primary caregiver shall occur immediately if sexual abuse or
144.2 substantial child endangerment is alleged and within five calendar days for all other reports.
144.3 If the alleged offender was not already interviewed as the primary caregiver, the local welfare
144.4 agency shall also conduct a face-to-face interview with the alleged offender in the early
144.5 stages of the assessment or investigation. At the initial contact, the local child welfare agency
144.6 or the agency responsible for assessing or investigating the report must inform the alleged
144.7 offender of the complaints or allegations made against the individual in a manner consistent
144.8 with laws protecting the rights of the person who made the report. The interview with the
144.9 alleged offender may be postponed if it would jeopardize an active law enforcement
144.10 investigation.

144.11 (k) When conducting an investigation, the local welfare agency shall use a question and
144.12 answer interviewing format with questioning as nondirective as possible to elicit spontaneous
144.13 responses. For investigations only, the following interviewing methods and procedures must
144.14 be used whenever possible when collecting information:

144.15 (1) audio recordings of all interviews with witnesses and collateral sources; and

144.16 (2) in cases of alleged sexual abuse, audio-video recordings of each interview with the
144.17 alleged victim and child witnesses.

144.18 (l) In conducting an assessment or investigation involving a school facility as defined
144.19 in subdivision 2, paragraph (c), the commissioner of education shall collect available and
144.20 relevant information and use the procedures in paragraphs (j) and (k), and subdivision 3d,
144.21 except that the requirement for face-to-face observation of the child and face-to-face interview
144.22 of the alleged offender is to occur in the initial stages of the assessment or investigation
144.23 provided that the commissioner may also base the assessment or investigation on investigative
144.24 reports and data received from the school facility and local law enforcement, to the extent
144.25 those investigations satisfy the requirements of paragraphs (j) and (k), and subdivision 3d.

144.26 Sec. 57. Minnesota Statutes 2018, section 626.556, subdivision 11, is amended to read:

144.27 Subd. 11. **Records.** (a) Except as provided in paragraph (b) and subdivisions 10b, 10d,
144.28 10g, and 11b, all records concerning individuals maintained by a local welfare agency or
144.29 agency responsible for assessing or investigating the report under this section, including
144.30 any written reports filed under subdivision 7, shall be private data on individuals, except
144.31 insofar as copies of reports are required by subdivision 7 to be sent to the local police
144.32 department or the county sheriff. All records concerning determinations of maltreatment
144.33 by a facility are nonpublic data as maintained by the Department of Education, except insofar
144.34 as copies of reports are required by subdivision 7 to be sent to the local police department

145.1 or the county sheriff. Reports maintained by any police department or the county sheriff
145.2 shall be private data on individuals except the reports shall be made available to the
145.3 investigating, petitioning, or prosecuting authority, including county medical examiners or
145.4 county coroners. Section 13.82, subdivisions 8, 9, and 14, apply to law enforcement data
145.5 other than the reports. The local social services agency or agency responsible for assessing
145.6 or investigating the report shall make available to the investigating, petitioning, or prosecuting
145.7 authority, including county medical examiners or county coroners or their professional
145.8 delegates, any records which contain information relating to a specific incident of neglect
145.9 or abuse which is under investigation, petition, or prosecution and information relating to
145.10 any prior incidents of neglect or abuse involving any of the same persons. The records shall
145.11 be collected and maintained in accordance with the provisions of chapter 13. In conducting
145.12 investigations and assessments pursuant to this section, the notice required by section 13.04,
145.13 subdivision 2, need not be provided to a minor under the age of ten who is the alleged victim
145.14 of abuse or neglect. An individual subject of a record shall have access to the record in
145.15 accordance with those sections, except that the name of the reporter shall be confidential
145.16 while the report is under assessment or investigation except as otherwise permitted by this
145.17 subdivision. Any person conducting an investigation or assessment under this section who
145.18 intentionally discloses the identity of a reporter prior to the completion of the investigation
145.19 or assessment is guilty of a misdemeanor. After the assessment or investigation is completed,
145.20 the name of the reporter shall be confidential. The subject of the report may compel disclosure
145.21 of the name of the reporter only with the consent of the reporter or upon a written finding
145.22 by the court that the report was false and that there is evidence that the report was made in
145.23 bad faith. This subdivision does not alter disclosure responsibilities or obligations under
145.24 the Rules of Criminal Procedure.

145.25 (b) Upon request of the legislative auditor, data on individuals maintained under this
145.26 section must be released to the legislative auditor in order for the auditor to fulfill the auditor's
145.27 duties under section 3.971. The auditor shall maintain the data in accordance with chapter
145.28 13.

145.29 (c) The commissioner of education must be provided with all requested data that are
145.30 relevant to a report of maltreatment and are in possession of a school facility as defined in
145.31 subdivision 2, paragraph (c), when the data is requested pursuant to an assessment or
145.32 investigation of a maltreatment report of a student in a school. If the commissioner of
145.33 education makes a determination of maltreatment involving an individual performing work
145.34 within a school facility who is licensed by a board or other agency, the commissioner shall
145.35 provide ~~necessary and relevant information~~ a copy of its offender maltreatment determination

146.1 report to the licensing entity to enable the entity to fulfill its statutory duties, with all student
 146.2 identifying information removed. The offender maltreatment determination report shall
 146.3 include, but is not limited to, the following sections: report of alleged maltreatment; legal
 146.4 standard; investigation; summary of findings; determination; corrective action by school;
 146.5 reconsideration process; and a listing of records related to the investigation. Notwithstanding
 146.6 section 13.03, subdivision 4, data received by a licensing entity under this paragraph are
 146.7 governed by section 13.41 or other applicable law governing data of the receiving entity,
 146.8 except that this section applies to the classification of and access to data on the reporter of
 146.9 the maltreatment.

146.10 Sec. 58. Minnesota Statutes 2018, section 631.40, subdivision 4, is amended to read:

146.11 Subd. 4. **Licensed teachers.** When a person is convicted of child abuse, as defined in
 146.12 section 609.185, or sexual abuse under section 609.342, 609.343, 609.344, 609.345,
 146.13 609.3451, subdivision 3, or 617.23, subdivision 3; sex trafficking in the first degree under
 146.14 section 609.322, subdivision 1; sex trafficking in the second degree under section 609.322,
 146.15 subdivision 1a; engaging in hiring, or agreeing to hire a minor to engage in prostitution
 146.16 under section 609.324, subdivisions 1 and 1a; exposure under section 617.23, subdivisions
 146.17 2 and 3; solicitation of children to engage in sexual conduct or communication of sexually
 146.18 explicit materials to children under section 609.352; interference with privacy under section
 146.19 609.746; stalking under section 609.749, and the victim was a minor; using minors in a
 146.20 sexual performance under section 617.246; possessing pornographic works involving a
 146.21 minor under section 617.247; or any other offense not listed in this subdivision that requires
 146.22 the person to register as a predatory offender under section 243.166; the court shall determine
 146.23 whether the person is licensed to teach under chapter 122A. If the offender is a licensed
 146.24 teacher, the court administrator shall send a certified copy of the conviction to the
 146.25 Professional Educator Licensing and Standards Board or the Board of School Administrators,
 146.26 whichever has jurisdiction over the teacher's license, within ten days after the conviction.

146.27 Sec. 59. Laws 2016, chapter 189, article 25, section 62, subdivision 4, is amended to read:

146.28 Subd. 4. **Northwest Regional Partnership concurrent enrollment program.** For a
 146.29 grant to the Lakes Country Service Cooperative to operate a continuing education program:

146.30 ~~3,000,000~~
 146.31 \$ 2,000,000 2017

146.32 This is a onetime appropriation. This appropriation is available until June 30, 2019.

147.1 \$1,000,000 of the initial appropriation in fiscal year 2017 is canceled to the state general
 147.2 fund.

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

147.4 Sec. 60. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 37,
 147.5 is amended to read:

147.6 Subd. 37. **Statewide concurrent enrollment teacher training program.** For the
 147.7 statewide concurrent enrollment teacher training program under Laws 2016, chapter 189,
 147.8 article 25, section 58, as amended:

147.9 375,000
 147.10 \$ 350,000 2018

147.11 375,000
 147.12 \$ 0 2019

147.13 Any balance in ~~the first~~ fiscal year 2018 does not cancel but is available in ~~the second~~
 147.14 fiscal year 2019. \$400,000 of the initial appropriations in fiscal years 2018 and 2019 are
 147.15 canceled to the state general fund on June 30, 2019.

147.16 The budget base for this program is \$375,000 per year.

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

147.18 Sec. 61. **APPROPRIATIONS.**

147.19 Subdivision 1. **Professional Educator and Licensing Standards Board.** The sums
 147.20 indicated in this section are appropriated from the general fund to the Professional Educator
 147.21 and Licensing Standards Board for the fiscal years designated.

147.22 Subd. 2. **Collaborative urban and greater Minnesota educators of color grants.** (a)
 147.23 For transfer to the collaborative urban and greater Minnesota educators of color competitive
 147.24 account under Minnesota Statutes, section 122A.635, subdivision 4:

147.25 \$ 3,000,000 2020

147.26 \$ 3,000,000 2021

147.27 (b) The board may retain up to three percent of the appropriation amount to monitor and
 147.28 administer the grant program, and a portion of these funds may be transferred to the Office
 147.29 of Higher Education as determined by the executive director of the board and commissioner
 147.30 to support the administration of the program.

147.31 (c) The base for fiscal years 2022 and 2023 is \$6,000,000.

148.1 Subd. 3. **Mentoring, induction, and retention incentive program grants for teachers**
 148.2 **of color.** (a) For transfer to the Professional Educator Licensing and Standards Board for
 148.3 the development and expansion of mentoring, induction, and retention programs for teachers
 148.4 of color or American Indian teachers under Minnesota Statutes, section 122A.70:

148.5 \$ 1,500,000 2020

148.6 \$ 1,500,000 2021

148.7 (b) The board must be allocated no more than five percent of the appropriation amount
 148.8 for monitoring and administering the grant program, and may have an interagency agreement
 148.9 with the Department of Education including transfer of funds to help administer the program.

148.10 (c) The base appropriation for fiscal year 2022 and later is \$2,000,000.

148.11 Sec. 62. **APPROPRIATIONS.**

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

148.15 Subd. 2. **Expanded concurrent enrollment grants.** For grants to institutions offering
 148.16 "Introduction to Teaching" or "Introduction to Education" college in the schools courses
 148.17 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

148.18 \$ 375,000 2020

148.19 \$ 375,000 2021

148.20 The department may retain up to five percent of the appropriation amount to monitor
 148.21 and administer the grant program.

148.22 Subd. 3. **Alternative teacher compensation aid.** For alternative teacher compensation
 148.23 aid under Minnesota Statutes, section 122A.415, subdivision 4:

148.24 \$ 89,211,000 2020

148.25 \$ 88,853,000 2021

148.26 The 2020 appropriation includes \$8,969,000 for 2019 and \$80,242,000 for 2020.

148.27 The 2021 appropriation includes \$8,915,000 for 2020 and \$79,938,000 for 2021.

148.28 Subd. 4. **Agricultural educator grants.** For agricultural educator grants under Laws
 148.29 2017, First Special Session chapter 5, article 2, section 51:

148.30 \$ 250,000 2020

148.31 \$ 250,000 2021

149.1 Any balance in the first year does not cancel but is available in the second year.

149.2 Subd. 5. **Statewide concurrent enrollment teacher training program.** For the statewide
 149.3 concurrent enrollment teacher training program under Laws 2016, chapter 189, article 25,
 149.4 section 58, as amended:

149.5 \$ 375,000 2020

149.6 \$ 375,000 2021

149.7 Any balance in the first year does not cancel but is available in the second year.

149.8 Subd. 6. **Inclusive school enhancement grants.** (a) To support schools in their efforts
 149.9 to close opportunity and achievement gaps under Minnesota Statutes, section 120B.113:

149.10 \$ 2,500,000 2020

149.11 \$ 2,500,000 2021

149.12 (b) The department may use up to five percent of this appropriation to administer the
 149.13 grant program.

149.14 (c) The base for fiscal year 2022 and later is \$3,000,000.

149.15 Subd. 7. **Come Teach in Minnesota hiring bonuses.** (a) For the Come Teach in
 149.16 Minnesota hiring bonuses program under Minnesota Statutes, section 122A.59:

149.17 \$ 1,050,000 2020

149.18 \$ 1,050,000 2021

149.19 (b) The department may use up to five percent of the appropriation amount to administer
 149.20 the program under this subdivision.

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

149.22 Subd. 8. **American Indian teacher preparation grants.** (a) For joint grants to assist
 149.23 American Indian people to become teachers under Minnesota Statutes, section 122A.63:

149.24 \$ 1,060,000 2020

149.25 \$ 1,060,000 2021

149.26 (b) The department may use up to five percent of the appropriation amount to administer
 149.27 the grant program.

149.28 Subd. 9. **Grow Your Own pathways to teacher licensure grants.** (a) For grants to
 149.29 develop or expand Grow Your Own new teacher programs under Minnesota Statutes, section
 149.30 122A.685:

150.1 \$ 5,000,000 2020

150.2 \$ 5,000,000 2021

150.3 (b) Of this amount in each fiscal year, \$2,000,000 is for nonconventional teacher
150.4 residency programs under Minnesota Statutes, section 122A.685, subdivision 3.

150.5 (c) Of this amount in each fiscal year, \$3,000,000 is for expanded Grow Your Own
150.6 programs under Minnesota Statutes, section 122A.685, subdivision 4.

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

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

150.10 Subd. 10. **Reports on increasing percentage of teachers of color and American**

150.11 **Indian teachers.** (a) For transfer to the Professional Educator Licensing and Standards

150.12 Board for annual reports regarding efforts to increase the percentage of teachers of color

150.13 and American Indian teachers in Minnesota schools pursuant to Minnesota Statutes, section

150.14 120B.117, subdivision 4:

150.15 \$ 15,000 2020

150.16 (b) The base appropriation for fiscal year 2022 and each even-numbered later fiscal year
150.17 is \$15,000.

150.18 Subd. 11. **Minnesota Council on Economic Education.** (a) For a grant to the Minnesota
150.19 Council on Economic Education:

150.20 \$ 500,000 2020

150.21 \$ 500,000 2021

150.22 (b) The grant must be used to:

150.23 (1) provide professional development to Minnesota's kindergarten through grade 12
150.24 teachers implementing state graduation standards in learning areas related to economic
150.25 education; and

150.26 (2) support the direct-to-student ancillary economic and personal finance programs that
150.27 Minnesota teachers supervise and coach.

150.28 (c) By February 15 of each year following the receipt of a grant, the Minnesota Council
150.29 on Economic Education must report to the commissioner of education on the number and
150.30 type of in-person and online teacher professional development opportunities provided by
150.31 the Minnesota Council on Economic Education or its affiliated state centers. The report
150.32 must include a description of the content, length, and location of the programs; the number

151.1 of preservice and licensed teachers receiving professional development through each of
 151.2 these opportunities; and summaries of evaluations of teacher professional opportunities.

151.3 (d) The Department of Education must pay the full amount of the grant to the Minnesota
 151.4 Council on Economic Education by August 15 of each year. The Minnesota Council on
 151.5 Economic Education must submit its fiscal reporting in the form and manner specified by
 151.6 the commissioner. The commissioner may request additional information as necessary.

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

151.8 Subd. 12. **Statewide concurrent enrollment training program.** For the Northwest
 151.9 Regional Partnership concurrent enrollment program and the statewide concurrent enrollment
 151.10 teacher training program under Laws 2016, chapter 189, article 25, section 58, as amended
 151.11 by Laws 2017, First Special Session chapter 5, article 2, section 48:

151.12 § 1,400,000 2020

151.13 Any balance in 2020 does not cancel but is available until June 30, 2021.

151.14 Sec. 63. **REPEALER.**

151.15 (a) Laws 2017, First Special Session chapter 5, article 11, section 6, is repealed.

151.16 (b) Minnesota Statutes 2018, sections 122A.09, subdivision 1; 122A.182, subdivision
 151.17 2; and 122A.63, subdivisions 7 and 8, are repealed.

151.18 (c) Minnesota Rules, part 8710.2100, subparts 1 and 2, are repealed.

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

151.20 **ARTICLE 4**

151.21 **SPECIAL EDUCATION**

151.22 Section 1. Minnesota Statutes 2018, section 124E.21, subdivision 1, is amended to read:

151.23 Subdivision 1. **Special education aid.** (a) Except as provided in section 124E.23, special
 151.24 education aid, excluding cross subsidy reduction aid under section 125A.76, subdivision
 151.25 2e, must be paid to a charter school according to section 125A.76, as though it were a school
 151.26 district.

151.27 (b) For fiscal year ~~2015~~ 2020 and later, the special education aid paid to the charter
 151.28 school shall be adjusted as follows:

152.1 (1) if the charter school does not receive general education revenue on behalf of the
152.2 student according to section 124E.20, the aid shall be adjusted as provided in section
152.3 125A.11; or

152.4 (2) if the charter school receives general education revenue on behalf of the student
152.5 according to section 124E.20, the aid shall be adjusted as provided in section 127A.47,
152.6 subdivision 7, paragraphs (b) to (e), and if the tuition adjustment is computed under section
152.7 127A.47, subdivision 7, paragraph (a), it shall also receive an adjustment equal to five
152.8 percent for fiscal year 2020 or ten percent for fiscal year 2021 and later of the unreimbursed
152.9 cost of providing special education and services for the student.

152.10 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

152.11 Sec. 2. Minnesota Statutes 2018, section 125A.08, is amended to read:

152.12 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

152.13 (a) At the beginning of each school year, each school district shall have in effect, for
152.14 each child with a disability, an individualized education program.

152.15 (b) As defined in this section, every district must ensure the following:

152.16 (1) all students with disabilities are provided the special instruction and services which
152.17 are appropriate to their needs. Where the individualized education program team has
152.18 determined appropriate goals and objectives based on the student's needs, including the
152.19 extent to which the student can be included in the least restrictive environment, and where
152.20 there are essentially equivalent and effective instruction, related services, or assistive
152.21 technology devices available to meet the student's needs, cost to the district may be among
152.22 the factors considered by the team in choosing how to provide the appropriate services,
152.23 instruction, or devices that are to be made part of the student's individualized education
152.24 program. The individualized education program team shall consider and may authorize
152.25 services covered by medical assistance according to section 256B.0625, subdivision 26.
152.26 Before a school district evaluation team makes a determination of other health disability
152.27 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
152.28 team must seek written documentation of the student's medically diagnosed chronic or acute
152.29 health condition signed by a licensed physician or a licensed health care provider acting
152.30 within the scope of the provider's practice. The student's needs and the special education
152.31 instruction and services to be provided must be agreed upon through the development of
152.32 an individualized education program. The program must address the student's need to develop
152.33 skills to live and work as independently as possible within the community. The individualized

153.1 education program team must consider positive behavioral interventions, strategies, and
153.2 supports that address behavior needs for children. During grade 9, the program must address
153.3 the student's needs for transition from secondary services to postsecondary education and
153.4 training, employment, community participation, recreation, and leisure and home living. In
153.5 developing the program, districts must inform parents of the full range of transitional goals
153.6 and related services that should be considered. The program must include a statement of
153.7 the needed transition services, including a statement of the interagency responsibilities or
153.8 linkages or both before secondary services are concluded. If the individualized education
153.9 program meets the plan components in section 120B.125, the individualized education
153.10 program satisfies the requirement and no additional transition plan is needed; An
153.11 individualized education program team, after affirmative approval of the parent, may
153.12 eliminate benchmarks or short-term objectives, except for students who take alternative
153.13 assessments. The individualized education program may report the student's performance
153.14 on general state or districtwide assessments related to the student's educational needs;

153.15 (2) children with a disability under age five and their families are provided special
153.16 instruction and services appropriate to the child's level of functioning and needs;

153.17 (3) children with a disability and their parents or guardians are guaranteed procedural
153.18 safeguards and the right to participate in decisions involving identification, assessment
153.19 including assistive technology assessment, and educational placement of children with a
153.20 disability;

153.21 (4) eligibility and needs of children with a disability are determined by an initial
153.22 evaluation or reevaluation, which may be completed using existing data under United States
153.23 Code, title 20, section 33, et seq.;

153.24 (5) to the maximum extent appropriate, children with a disability, including those in
153.25 public or private institutions or other care facilities, are educated with children who are not
153.26 disabled, and that special classes, separate schooling, or other removal of children with a
153.27 disability from the regular educational environment occurs only when and to the extent that
153.28 the nature or severity of the disability is such that education in regular classes with the use
153.29 of supplementary services cannot be achieved satisfactorily;

153.30 (6) in accordance with recognized professional standards, testing and evaluation materials,
153.31 and procedures used for the purposes of classification and placement of children with a
153.32 disability are selected and administered so as not to be racially or culturally discriminatory;
153.33 and

154.1 (7) the rights of the child are protected when the parents or guardians are not known or
154.2 not available, or the child is a ward of the state.

154.3 (c) For all paraprofessionals employed to work in programs whose role in part is to
154.4 provide direct support to students with disabilities, the school board in each district shall
154.5 ensure that:

154.6 (1) before or beginning at the time of employment, each paraprofessional must develop
154.7 sufficient knowledge and skills in emergency procedures, building orientation, roles and
154.8 responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin
154.9 meeting the needs, especially disability-specific and behavioral needs, of the students with
154.10 whom the paraprofessional works;

154.11 (2) annual training opportunities are required to enable the paraprofessional to continue
154.12 to further develop the knowledge and skills that are specific to the students with whom the
154.13 paraprofessional works, including understanding disabilities, the unique and individual
154.14 needs of each student according to the student's disability and how the disability affects the
154.15 student's education and behavior, following lesson plans, and implementing follow-up
154.16 instructional procedures and activities; and

154.17 (3) a districtwide process obligates each paraprofessional to work under the ongoing
154.18 direction of a licensed teacher and, where appropriate and possible, the supervision of a
154.19 school nurse.

154.20 (d) A school district may conduct a functional behavior assessment as defined in
154.21 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting
154.22 a comprehensive evaluation of the student.

154.23 Sec. 3. Minnesota Statutes 2018, section 125A.091, subdivision 3a, is amended to read:

154.24 Subd. 3a. **Additional requirements for prior written notice.** In addition to federal law
154.25 requirements, a prior written notice shall:

154.26 (1) inform the parent that except for the initial placement of a child in special education,
154.27 the school district will proceed with its proposal for the child's placement or for providing
154.28 special education services unless the child's parent notifies the district of an objection within
154.29 14 days of when the district sends the prior written notice to the parent; and

154.30 (2) state that a parent who objects to a proposal or refusal in the prior written notice
154.31 may;

- 155.1 (i) request a conciliation conference under subdivision 7 or another alternative dispute
155.2 resolution procedure under subdivision 8 or 9; or
- 155.3 (ii) identify the specific part of the proposal or refusal the parent objects to and request
155.4 a meeting with appropriate members of the individualized education program team.

155.5 Sec. 4. Minnesota Statutes 2018, section 125A.091, subdivision 7, is amended to read:

155.6 Subd. 7. **Conciliation conference.** A parent must have an opportunity to request a
155.7 meeting with appropriate members of the individualized education program team or meet
155.8 with appropriate district staff in at least one conciliation conference if the parent objects to
155.9 any proposal of which the parent receives notice under subdivision 3a. A district must hold
155.10 a conciliation conference within ten calendar days from the date the district receives a
155.11 parent's ~~objection to a proposal or refusal in the prior written notice~~ request for a conciliation
155.12 conference. Except as provided in this section, all discussions held during a conciliation
155.13 conference are confidential and are not admissible in a due process hearing. Within five
155.14 school days after the final conciliation conference, the district must prepare and provide to
155.15 the parent a conciliation conference memorandum that describes the district's final proposed
155.16 offer of service. This memorandum is admissible in evidence in any subsequent proceeding.

155.17 Sec. 5. Minnesota Statutes 2018, section 125A.50, subdivision 1, is amended to read:

155.18 Subdivision 1. **Commissioner approval.** The commissioner may approve applications
155.19 from districts initiating or significantly changing a program to provide prevention services
155.20 as an alternative to special education and other compensatory programs. A district with an
155.21 approved program may provide instruction and services in a regular education classroom,
155.22 or an area learning center, to eligible pupils. Pupils eligible to participate in the program
155.23 are pupils who need additional academic or behavioral support to succeed in the general
155.24 education environment and who may eventually qualify for special education instruction
155.25 or related services under sections 125A.03 to 125A.24 and 125A.65 if the intervention
155.26 services authorized by this section were unavailable. A pupil with an individualized education
155.27 program may participate in the program in a service area which the individualized education
155.28 program team has determined is not an educational need that results from the pupil's
155.29 disability. Pupils may be provided services during extended school days and throughout the
155.30 entire year and through the assurance of mastery program under sections 125A.03 to 125A.24
155.31 and 125A.65.

156.1 Sec. 6. Minnesota Statutes 2018, section 125A.76, subdivision 1, is amended to read:

156.2 Subdivision 1. **Definitions.** (a) For the purposes of this section and section 125A.79,
156.3 the definitions in this subdivision apply.

156.4 (b) "Basic revenue" has the meaning given it in section 126C.10, subdivision 2. For the
156.5 purposes of computing basic revenue pursuant to this section, each child with a disability
156.6 shall be counted as prescribed in section 126C.05, subdivision 1.

156.7 (c) "Essential personnel" means teachers, cultural liaisons, related services, and support
156.8 services staff providing services to students. Essential personnel may also include special
156.9 education paraprofessionals or clericals providing support to teachers and students by
156.10 preparing paperwork and making arrangements related to special education compliance
156.11 requirements, including parent meetings and individualized education programs. Essential
156.12 personnel does not include administrators and supervisors.

156.13 (d) "Average daily membership" has the meaning given it in section 126C.05.

156.14 (e) "Program growth factor" means ~~1.046 for fiscal years 2012 through 2015, 1.0 for~~
156.15 ~~fiscal year 2016,~~ 1.046 for fiscal year 2017, and the product of 1.046 and the program growth
156.16 factor for the previous year for fiscal year 2018 and later.

156.17 (f) "Nonfederal special education expenditure" means all direct expenditures that are
156.18 necessary and essential to meet the district's obligation to provide special instruction and
156.19 services to children with a disability according to sections 124D.454, 125A.03 to 125A.24,
156.20 125A.259 to 125A.48, and 125A.65 as submitted by the district and approved by the
156.21 department under section 125A.75, subdivision 4, excluding expenditures:

156.22 (1) reimbursed with federal funds;

156.23 (2) reimbursed with other state aids under this chapter;

156.24 (3) for general education costs of serving students with a disability;

156.25 (4) for facilities;

156.26 (5) for pupil transportation; and

156.27 (6) for postemployment benefits.

156.28 (g) "Old formula special education expenditures" means expenditures eligible for revenue
156.29 under Minnesota Statutes 2012, section 125A.76, subdivision 2.

156.30 (h) For the Minnesota State Academy for the Deaf and the Minnesota State Academy
156.31 for the Blind, expenditures under paragraphs (f) and (g) are limited to the salary and fringe

157.1 benefits of one-to-one instructional and behavior management aides and one-to-one licensed,
157.2 certified professionals assigned to a child attending the academy, if the aides or professionals
157.3 are required by the child's individualized education program.

157.4 ~~(i) "Special education aid increase limit" means \$80 for fiscal year 2016, \$100 for fiscal~~
157.5 ~~year 2017, and, for fiscal year 2018 and later, the sum of the special education aid increase~~
157.6 ~~limit for the previous fiscal year and \$40.~~

157.7 ~~(i)~~ (i) "District" means a school district, a charter school, or a cooperative unit as defined
157.8 in section 123A.24, subdivision 2. Notwithstanding section 123A.26, cooperative units as
157.9 defined in section 123A.24, subdivision 2, are eligible to receive special education aid under
157.10 this section and section 125A.79.

157.11 (j) "Initial special education cross subsidy" means the greater of zero or:

157.12 (1) the nonfederal special education expenditure under paragraph (f); plus

157.13 (2) the cost of providing transportation services for pupils with disabilities under section
157.14 123B.92, subdivision 1, paragraph (b), clause (4); minus

157.15 (3) the special education aid under subdivision 2c and sections 125A.11, subdivision 1,
157.16 and 127A.47, subdivision 7; minus

157.17 (4) the amount of general education revenue, excluding local optional revenue, plus
157.18 local optional aid and referendum equalization aid attributable to pupils receiving special
157.19 instruction and services outside the regular classroom for more than 60 percent of the school
157.20 day for the portion of time the pupils receive special instruction and services outside the
157.21 regular classroom, excluding portions attributable to district and school administration,
157.22 district support services, operations and maintenance, capital expenditures, and pupil
157.23 transportation.

157.24 (k) The "minimum aid adjustment multiplier" for fiscal year 2020 equals 1.046. For
157.25 fiscal year 2021 and later, the minimum aid adjustment multiplier equals the greater of 1.02
157.26 or the minimum aid adjustment multiplier for the previous year minus 0.02.

157.27 (l) The "minimum aid adjustment factor" for fiscal year 2020 equals the program growth
157.28 factor for fiscal year 2020. For fiscal year 2021 and later, the minimum aid adjustment factor
157.29 equals the product of the minimum aid adjustment factor for the previous fiscal year and
157.30 the minimum aid adjustment multiplier.

157.31 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

158.1 Sec. 7. Minnesota Statutes 2018, section 125A.76, subdivision 2a, is amended to read:

158.2 Subd. 2a. **Special education initial aid.** For fiscal year ~~2016~~ 2021 and later, a district's
158.3 special education initial aid equals the sum of:

158.4 (1) the least of 62 percent of the district's old formula special education expenditures
158.5 for the prior fiscal year, excluding pupil transportation expenditures, 50 percent of the
158.6 district's nonfederal special education expenditures for the prior year, excluding pupil
158.7 transportation expenditures, or 56 percent of the product of the sum of the following amounts,
158.8 computed using prior fiscal year data, and the program growth factor:

158.9 (i) the product of the district's average daily membership served and the sum of:

158.10 (A) ~~\$450~~ \$460; plus

158.11 (B) ~~\$400~~ \$405 times the ratio of the sum of the number of pupils enrolled on October
158.12 1 who are eligible to receive free lunch plus one-half of the pupils enrolled on October 1
158.13 who are eligible to receive reduced-price lunch to the total October 1 enrollment; plus

158.14 (C) .008 times the district's average daily membership served; plus

158.15 (ii) ~~\$10,400~~ \$13,300 times the December 1 child count for the primary disability areas
158.16 of autism spectrum disorders, developmental delay, and severely multiply impaired; plus

158.17 (iii) ~~\$18,000~~ \$19,200 times the December 1 child count for the primary disability areas
158.18 of deaf and hard-of-hearing and emotional or behavioral disorders; plus

158.19 (iv) ~~\$27,000~~ \$25,200 times the December 1 child count for the primary disability areas
158.20 of developmentally cognitive mild-moderate, developmentally cognitive severe-profound,
158.21 physically impaired, visually impaired, and deafblind; plus

158.22 (2) the cost of providing transportation services for children with disabilities under
158.23 section 123B.92, subdivision 1, paragraph (b), clause (4).

158.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

158.25 Sec. 8. Minnesota Statutes 2018, section 125A.76, subdivision 2c, is amended to read:

158.26 Subd. 2c. **Special education aid.** (a) For fiscal year ~~2016~~ 2020 and later, a district's
158.27 special education aid equals the sum of the district's special education initial aid under
158.28 subdivision 2a, the district's cross subsidy reduction aid under subdivision 2e, and the
158.29 district's excess cost aid under section 125A.79, subdivision 5.

158.30 ~~(b) Notwithstanding paragraph (a), for fiscal year 2016, the special education aid for a~~
158.31 ~~school district must not exceed the sum of the special education aid the district would have~~

159.1 ~~received for fiscal year 2016 under Minnesota Statutes 2012, sections 125A.76 and 125A.79,~~
159.2 ~~as adjusted according to Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision~~
159.3 ~~7, and the product of the district's average daily membership served and the special education~~
159.4 ~~aid increase limit.~~

159.5 ~~(c) Notwithstanding paragraph (a), for fiscal year 2017 and later, the special education~~
159.6 ~~aid for a school district must not exceed the sum of: (i) the product of the district's average~~
159.7 ~~daily membership served and the special education aid increase limit and (ii) the product~~
159.8 ~~of the sum of the special education aid the district would have received for fiscal year 2016~~
159.9 ~~under Minnesota Statutes 2012, sections 125A.76 and 125A.79, as adjusted according to~~
159.10 ~~Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of the~~
159.11 ~~district's average daily membership served for the current fiscal year to the district's average~~
159.12 ~~daily membership served for fiscal year 2016, and the program growth factor.~~

159.13 ~~(d) (b) Notwithstanding paragraph (a), for fiscal year ~~2016~~ 2020 and later the special~~
159.14 ~~education aid, excluding the cross subsidy reduction aid under subdivision 2e, for a school~~
159.15 ~~district, not including a charter school or cooperative unit as defined in section 123A.24,~~
159.16 ~~must not be less than the lesser of (1) the sum of 90 percent for fiscal year 2020, 85 percent~~
159.17 ~~for fiscal year 2021, 80 percent for fiscal year 2022, and 75 percent for fiscal year 2023 and~~
159.18 ~~later of the district's nonfederal special education expenditures plus 100 percent of the~~
159.19 ~~district's cost of providing transportation services for children with disabilities under section~~
159.20 ~~123B.92, subdivision 1, paragraph (b), clause (4), plus the adjustment under sections 125A.11~~
159.21 ~~and 127A.47, subdivision 7, for that fiscal year or (2) the product of the sum of the special~~
159.22 ~~education aid the district would have received for fiscal year 2016 under Minnesota Statutes~~
159.23 ~~2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012,~~
159.24 ~~sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted daily~~
159.25 ~~membership for the current fiscal year to the district's average daily membership for fiscal~~
159.26 ~~year 2016, and the program growth minimum aid adjustment factor.~~

159.27 (e) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first year
159.28 of operation shall generate special education aid based on current year data. A newly formed
159.29 cooperative unit as defined in section 123A.24 may apply to the commissioner for approval
159.30 to generate special education aid for its first year of operation based on current year data,
159.31 with an offsetting adjustment to the prior year data used to calculate aid for programs at
159.32 participating school districts or previous cooperatives that were replaced by the new
159.33 cooperative. The department shall establish procedures to adjust the prior year data and
159.34 fiscal year 2016 old formula aid used in calculating special education aid to exclude costs

160.1 that have been eliminated for districts where programs have closed or where a substantial
160.2 portion of the program has been transferred to a cooperative unit.

160.3 (f) The department shall establish procedures through the uniform financial accounting
160.4 and reporting system to identify and track all revenues generated from third-party billings
160.5 as special education revenue at the school district level; include revenue generated from
160.6 third-party billings as special education revenue in the annual cross-subsidy report; and
160.7 exclude third-party revenue from calculation of excess cost aid to the districts.

160.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

160.9 Sec. 9. Minnesota Statutes 2018, section 125A.76, is amended by adding a subdivision to
160.10 read:

160.11 **Subd. 2e. Cross subsidy reduction aid.** (a) A school district's annual cross subsidy
160.12 reduction aid equals the school district's initial special education cross subsidy for the
160.13 previous fiscal year times the cross subsidy aid factor for that fiscal year.

160.14 **(b) The cross subsidy aid factor equals 4.3 percent for fiscal year 2020 and 8.6 percent**
160.15 **for fiscal year 2021 and later.**

160.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

160.17 Sec. 10. Minnesota Statutes 2018, section 127A.47, subdivision 7, is amended to read:

160.18 **Subd. 7. Alternative attendance programs.** (a) The general education aid and special
160.19 education aid for districts must be adjusted for each pupil attending a nonresident district
160.20 under sections 123A.05 to 123A.08, 124D.03, 124D.08, and 124D.68. The adjustments
160.21 must be made according to this subdivision.

160.22 (b) For purposes of this subdivision, the "unreimbursed cost of providing special
160.23 education and services" means the difference between: (1) the actual cost of providing
160.24 special instruction and services, including special transportation and unreimbursed building
160.25 lease and debt service costs for facilities used primarily for special education, for a pupil
160.26 with a disability, as defined in section 125A.02, or a pupil, as defined in section 125A.51,
160.27 who is enrolled in a program listed in this subdivision, minus (2) if the pupil receives special
160.28 instruction and services outside the regular classroom for more than 60 percent of the school
160.29 day, the amount of general education revenue, excluding local optional revenue, plus local
160.30 optional aid and referendum equalization aid as defined in section 125A.11, subdivision 1,
160.31 paragraph (d), attributable to that pupil for the portion of time the pupil receives special
160.32 instruction and services outside of the regular classroom, excluding portions attributable to

161.1 district and school administration, district support services, operations and maintenance,
161.2 capital expenditures, and pupil transportation, minus (3) special education aid under section
161.3 125A.76 attributable to that pupil, that is received by the district providing special instruction
161.4 and services. For purposes of this paragraph, general education revenue and referendum
161.5 equalization aid attributable to a pupil must be calculated using the serving district's average
161.6 general education revenue and referendum equalization aid per adjusted pupil unit.

161.7 (c) For fiscal year ~~2015 and later~~ 2020, special education aid paid to a resident district
161.8 must be reduced by an amount equal to ~~90~~ 80 percent of the unreimbursed cost of providing
161.9 special education and services. For fiscal year 2021 and later, special education aid paid to
161.10 a resident district must be reduced by an amount equal to 70 percent of the unreimbursed
161.11 cost of providing special education and services.

161.12 (d) Notwithstanding paragraph (c), special education aid paid to a resident district must
161.13 be reduced by an amount equal to 100 percent of the unreimbursed cost of special education
161.14 and services provided to students at an intermediate district, cooperative, or charter school
161.15 where the percent of students eligible for special education services is at least 70 percent
161.16 of the charter school's total enrollment.

161.17 (e) Notwithstanding paragraph (c), special education aid paid to a resident district must
161.18 be reduced under paragraph (d) for students at a charter school receiving special education
161.19 aid under section 124E.21, subdivision 3, calculated as if the charter school received special
161.20 education aid under section 124E.21, subdivision 1.

161.21 (f) Special education aid paid to the district or cooperative providing special instruction
161.22 and services for the pupil, or to the fiscal agent district for a cooperative, must be increased
161.23 by the amount of the reduction in the aid paid to the resident district under paragraphs (c)
161.24 and (d). If the resident district's special education aid is insufficient to make the full
161.25 adjustment under paragraphs (c), (d), and (e), the remaining adjustment shall be made to
161.26 other state aids due to the district.

161.27 (g) Notwithstanding paragraph (a), general education aid paid to the resident district of
161.28 a nonspecial education student for whom an eligible special education charter school receives
161.29 general education aid under section 124E.20, subdivision 1, paragraph (c), must be reduced
161.30 by an amount equal to the difference between the general education aid attributable to the
161.31 student under section 124E.20, subdivision 1, paragraph (c), and the general education aid
161.32 that the student would have generated for the charter school under section 124E.20,
161.33 subdivision 1, paragraph (a). For purposes of this paragraph, "nonspecial education student"

162.1 means a student who does not meet the definition of pupil with a disability as defined in
162.2 section 125A.02 or the definition of a pupil in section 125A.51.

162.3 (h) An area learning center operated by a service cooperative, intermediate district,
162.4 education district, or a joint powers cooperative may elect through the action of the
162.5 constituent boards to charge the resident district tuition for pupils rather than to have the
162.6 general education revenue paid to a fiscal agent school district. Except as provided in
162.7 paragraph (f), the district of residence must pay tuition equal to at least 90 and no more than
162.8 100 percent of the district average general education revenue per pupil unit minus an amount
162.9 equal to the product of the formula allowance according to section 126C.10, subdivision 2,
162.10 times .0466, calculated without compensatory revenue, local optional revenue, and
162.11 transportation sparsity revenue, times the number of pupil units for pupils attending the area
162.12 learning center.

162.13 Sec. 11. Minnesota Statutes 2018, section 136D.01, is amended to read:

162.14 **136D.01 INTERMEDIATE SCHOOL DISTRICT.**

162.15 "Intermediate school district" means a district with a cooperative program ~~which has~~
162.16 ~~been established under Laws 1967, chapter 822, as amended; Laws 1969, chapter 775, as~~
162.17 ~~amended; and Laws 1969, chapter 1060, as amended~~ this chapter, offering integrated services
162.18 for secondary, postsecondary, and adult students in the areas of vocational education, special
162.19 education, and other authorized services.

162.20 Sec. 12. Minnesota Statutes 2018, section 136D.49, is amended to read:

162.21 **136D.49 OTHER MEMBERSHIP AND POWERS.**

162.22 In addition to the districts listed in sections 136D.21, 136D.41, 136D.71, and 136D.81,
162.23 the agreement of an intermediate school district established under this chapter may provide
162.24 for the membership of other school districts and cities, counties, and other governmental
162.25 units as defined in section 471.59. In addition to the powers listed in sections ~~136D.25,~~
162.26 136D.24, 136D.44, 136D.73, and 136D.84, an intermediate school board may provide the
162.27 services defined in section 123A.21, subdivisions 7 and 8.

162.28 Sec. 13. **PRIOR WRITTEN NOTICE WORKING GROUP.**

162.29 (a) The commissioner of education must appoint a working group by July 1, 2019, that
162.30 includes the following:

162.31 (1) special education administrators;

- 163.1 (2) special education teachers;
- 163.2 (3) school board members;
- 163.3 (4) parents of children with disabilities receiving special instruction and services in
163.4 accordance with Minnesota Statutes, chapter 125A;
- 163.5 (5) organizations that work with the parents of children with disabilities; and
- 163.6 (6) Department of Education staff with expertise in special education compliance.
- 163.7 (b) The commissioner of education must convene the first meeting of the working group
163.8 no later than July 15, 2019, and must provide support and meeting space for the working
163.9 group. The meetings of the working group are subject to the requirements of Minnesota
163.10 Statutes, chapter 13D.
- 163.11 (c) Members of the working group serve without compensation, but may be reimbursed
163.12 for allowed actual and necessary expenses incurred in the performance of the member's
163.13 duties for the working group in the same manner and amount as authorized by the
163.14 commissioner's plan under Minnesota Statutes, section 43A.18, subdivision 2.
- 163.15 (d) The working group must make recommendations for improving alignment between
163.16 state guidance and federal law requirements on prior written notice by January 15, 2020.
163.17 The working group must report its recommendations to the chairs and ranking minority
163.18 members of the legislative committees or divisions with jurisdiction over kindergarten
163.19 through grade 12 education.
- 163.20 (e) This section expires January 16, 2020, or the day after the working group submits
163.21 the report required by this section, whichever is earlier.
- 163.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 163.23 **Sec. 14. INDIVIDUALIZED EDUCATION PROGRAM; RULE AMENDMENT.**
- 163.24 The commissioner of education must amend Minnesota Rules, part 3525.2810, subpart
163.25 2, item A, to allow but not require an individualized education program to report a student's
163.26 performance on general state or districtwide assessments.
- 163.27 **Sec. 15. SPECIAL EDUCATION FISCAL YEAR 2016 BASE ADJUSTMENT.**
- 163.28 The fiscal year 2016 special education base for Independent School District No. 709,
163.29 Duluth, must be increased by \$500,000. The fiscal year 2016 base for Independent School
163.30 District No. 882, Monticello, must be increased by \$250,000.

164.1 Sec. 16. APPROPRIATIONS.

164.2 Subdivision 1. Department of Education. The sums indicated in this section are
 164.3 appropriated from the general fund to the Department of Education for the fiscal years
 164.4 designated.

164.5 Subd. 2. Special education; regular. For special education aid under Minnesota Statutes,
 164.6 section 125A.75:

164.7 \$ 1,632,280,000 2020

164.8 \$ 1,787,067,000 2021

164.9 The 2020 appropriation includes \$183,528,000 for 2019 and \$1,448,752,000 for 2020.

164.10 The 2021 appropriation includes \$203,942,000 for 2020 and \$1,583,125,000 for 2021.

164.11 Subd. 3. Aid for children with disabilities. For aid under Minnesota Statutes, section
 164.12 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
 164.13 the district boundaries for whom no district of residence can be determined:

164.14 \$ 1,382,000 2020

164.15 \$ 1,564,000 2021

164.16 If the appropriation for either year is insufficient, the appropriation for the other year is
 164.17 available.

164.18 Subd. 4. Travel for home-based services. For aid for teacher travel for home-based
 164.19 services under Minnesota Statutes, section 125A.75, subdivision 1:

164.20 \$ 422,000 2020

164.21 \$ 442,000 2021

164.22 The 2020 appropriation includes \$42,000 for 2019 and \$380,000 for 2020.

164.23 The 2021 appropriation includes \$42,000 for 2020 and \$400,000 for 2021.

164.24 Subd. 5. Court-placed special education revenue. For reimbursing serving school
 164.25 districts for unreimbursed eligible expenditures attributable to children placed in the serving
 164.26 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

164.27 \$ 31,000 2020

164.28 \$ 32,000 2021

164.29 Subd. 6. Special education out-of-state tuition. For special education out-of-state
 164.30 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

165.1 \$ 250,000 2020

165.2 \$ 250,000 2021

165.3 Subd. 7. Special education supplemental aid. (a) For special education supplemental
165.4 aid:

165.5 \$ 1,200,000 2020

165.6 \$ 1,200,000 2021

165.7 (b) Of the amounts in paragraph (a), \$1,000,000 is for Independent School District No.
165.8 709, Duluth, and \$200,000 is for Independent School District No. 882, Monticello.

165.9 Sec. 17. REVISOR INSTRUCTION.

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

165.12	<u>Column A</u>	<u>Column B</u>
165.13	<u>136D.01</u>	<u>123C.01</u>
165.14	<u>136D.21</u>	<u>123C.20</u>
165.15	<u>136D.22, subdivisions 1 and 2</u>	<u>123C.21, subdivisions 1 and 2</u>
165.16	<u>136D.23</u>	<u>123C.22</u>
165.17	<u>136D.24</u>	<u>123C.23</u>
165.18	<u>136D.25</u>	<u>123C.24</u>
165.19	<u>136D.26</u>	<u>123C.25</u>
165.20	<u>136D.29</u>	<u>123C.26</u>
165.21	<u>136D.31</u>	<u>123C.27</u>
165.22	<u>136D.41</u>	<u>123C.30</u>
165.23	<u>136D.42</u>	<u>123C.31</u>
165.24	<u>136D.43</u>	<u>123C.32</u>
165.25	<u>136D.44</u>	<u>123C.33</u>
165.26	<u>136D.45</u>	<u>123C.34</u>
165.27	<u>136D.46</u>	<u>123C.35</u>
165.28	<u>136D.47</u>	<u>123C.36</u>
165.29	<u>136D.48</u>	<u>123C.37</u>
165.30	<u>136D.49</u>	<u>123C.02</u>
165.31	<u>136D.71, subdivision 1</u>	<u>123C.60, subdivision 1</u>
165.32	<u>136D.72</u>	<u>123C.61</u>
165.33	<u>136D.73, subdivision 1</u>	<u>123C.63, subdivision 1</u>
165.34	<u>136D.73, subdivision 2</u>	<u>123C.63, subdivision 3</u>
165.35	<u>136D.73, subdivision 4</u>	<u>123C.63, subdivision 4</u>

166.1	<u>136D.73, subdivision 4a</u>	<u>123C.63, subdivision 5</u>
166.2	<u>136D.73, subdivision 4b</u>	<u>123C.63, subdivision 6</u>
166.3	<u>136D.73, subdivision 4c</u>	<u>123C.63, subdivision 7</u>
166.4	<u>136D.73, subdivision 5</u>	<u>123C.63, subdivision 8</u>
166.5	<u>136D.74, subdivision 1</u>	<u>123C.62, subdivision 1</u>
166.6	<u>136D.74, subdivision 1a</u>	<u>123C.62, subdivision 2</u>
166.7	<u>136D.74, subdivision 1b</u>	<u>123C.62, subdivision 3</u>
166.8	<u>136D.76, subdivision 1</u>	<u>123C.63, subdivision 2</u>
166.9	<u>136D.76, subdivision 2</u>	<u>123C.60, subdivision 2</u>
166.10	<u>136D.81, subdivision 1</u>	<u>123C.70</u>
166.11	<u>136D.82, subdivisions 1 and 2</u>	<u>123C.71, subdivisions 1 and 2</u>
166.12	<u>136D.83</u>	<u>123C.72</u>
166.13	<u>136D.84</u>	<u>123C.73</u>
166.14	<u>136D.85</u>	<u>123C.74</u>
166.15	<u>136D.86</u>	<u>123C.75</u>
166.16	<u>136D.90, subdivision 1</u>	<u>123C.76</u>
166.17	<u>136D.92</u>	<u>123C.77</u>

166.18 (b) The revisor of statutes shall make necessary cross-reference changes in Minnesota
 166.19 Statutes consistent with the renumbering in this section, and if Minnesota Statutes, chapter
 166.20 136D, is further amended in the 2019 legislative session, shall codify the amendments in a
 166.21 manner consistent with this act. The revisor may make necessary changes to sentence
 166.22 structure to preserve the meaning of the text.

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

166.24 Sec. 18. **REPEALER.**

166.25 Minnesota Statutes 2018, section 136D.93, is repealed.

166.26 **ARTICLE 5**

166.27 **HEALTH AND SAFETY**

166.28 Section 1. Minnesota Statutes 2018, section 120B.21, is amended to read:

166.29 **120B.21 MENTAL HEALTH EDUCATION.**

166.30 School districts and charter schools are encouraged to provide mental health instruction
 166.31 for students in grades ~~6~~ 4 through 12 aligned with local health standards and integrated into
 166.32 existing programs, curriculum, or the general school environment of a district or charter
 166.33 school. The commissioner, in consultation with the commissioner of human services,

167.1 commissioner of health, and mental health organizations, is encouraged to must, by July 1,
167.2 2020, and July 1 of each even-numbered year thereafter, provide districts and charter schools
167.3 with resources gathered by national mental health advocates, including:

167.4 (1) age-appropriate model learning activities for grades 6 4 through 12 that encompass
167.5 the mental health components of the National Health Education Standards and the
167.6 benchmarks developed by the department's quality teaching network in health and best
167.7 practices in mental health education; and

167.8 (2) a directory of resources for planning and implementing age-appropriate mental health
167.9 curriculum and instruction in grades 6 4 through 12 that includes resources on suicide and
167.10 self-harm prevention.

167.11 **Sec. 2. [120B.211] SEXUAL HEALTH EDUCATION.**

167.12 Subdivision 1. **Model program.** (a) The commissioner of education must, in consultation
167.13 with the commissioner of health and other qualified experts, identify one or more model
167.14 comprehensive sexual health education programs for elementary and secondary school
167.15 students. The commissioner must use the rulemaking process under section 14.389, including
167.16 a hearing under section 14.389, subdivision 5, to identify a model program under this section.
167.17 The commissioner must provide school districts and charter schools with access to the model
167.18 program, including written materials, curriculum resources, and training for instructors by
167.19 June 1, 2021.

167.20 (b) The model program must include medically accurate instruction that is age and
167.21 developmentally appropriate on:

167.22 (1) human anatomy, reproduction, and sexual development;

167.23 (2) consent, bodily autonomy, and healthy relationships, including relationships involving
167.24 diverse sexual orientations and gender identities;

167.25 (3) abstinence and other methods for preventing unintended pregnancy and sexually
167.26 transmitted infections; and

167.27 (4) the relationship between substance use and sexual behavior and health.

167.28 (c) "Consent" as used in this section means affirmative, conscious, and voluntary
167.29 agreement to engage in interpersonal, physical, or sexual activity.

167.30 Subd. 2. **School programs.** (a) Starting in the 2021-2022 school year, a school district
167.31 or charter school must implement a comprehensive sexual health education program for
167.32 students in elementary and secondary school, including students with disabilities and students

168.1 enrolled in a state-approved alternative program. The sexual health education program must
168.2 include instruction on the topics listed in subdivision 1, paragraph (b), and must:

168.3 (1) respect community values and encourage students to communicate with parents or
168.4 guardians; faith, health, and social services professionals; and other trusted adults about
168.5 sexuality and intimate relationships;

168.6 (2) respond to culturally diverse individuals, families, and communities in an inclusive,
168.7 respectful, and effective manner; and

168.8 (3) provide students with information about local resources where students may obtain
168.9 medically accurate information and services related to sexual and reproductive health, dating
168.10 violence, and sexual assault.

168.11 (b) A school district or charter school sexual health education program must include
168.12 notification to:

168.13 (1) students and school employees regarding criminal penalties for engaging in sexual
168.14 contact with minors and the availability of mistake as to age or consent of the minors as a
168.15 defense; and

168.16 (2) school employees and administrators that a teacher or administrator who engages in
168.17 sexual contact with a student may be found in violation of the teacher code of ethics and
168.18 that such conduct may be grounds for suspension or revocation of a teaching license in
168.19 accordance with section 122A.20, subdivision 1, paragraph (a), clause (1).

168.20 (c) The superintendent of a school district or person having administrative control over
168.21 a charter school must submit to the commissioner an annual assurance of compliance with
168.22 the requirements of this section. The assurance must state whether the district or charter
168.23 school adopted a model program identified in accordance with subdivision 1, or whether
168.24 the district or charter school adopted a different program. The assurances must be in the
168.25 form and manner prescribed by the commissioner.

168.26 (d) Notwithstanding any law to the contrary, instruction in a sexual health education
168.27 program under this section may be provided by a person without a teaching license who is
168.28 employed by the school district, charter school, or a community organization if the school
168.29 administration determines the school employee or community organization has necessary
168.30 content expertise.

168.31 Subd. 3. **Parental review.** A school district or charter school must provide instruction
168.32 under this section consistent with the parental curriculum review requirements in section
168.33 120B.20.

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

169.2 Sec. 3. **[121A.032] SCHOOL SEXUAL HARASSMENT AND SEX**
169.3 **DISCRIMINATION POLICY COMPLIANCE.**

169.4 Subdivision 1. **Duties.** To support school compliance with state and federal sexual
169.5 harassment and sex discrimination laws, the Department of Education must:

169.6 (1) provide leadership, consultation, and technical assistance to districts on the
169.7 responsibilities of district-designated Title IX coordinators;

169.8 (2) collaborate with state experts on sexual violence, including the Department of Health
169.9 Sexual Violence Prevention Unit and the Department of Human Rights, to establish model
169.10 protocols, material development, and training to district-designated Title IX coordinators
169.11 as appropriate;

169.12 (3) disseminate guidance from the federal government on Title IX, including school-based
169.13 sexual harassment and sexual violence;

169.14 (4) collect and maintain an updated statewide list of Title IX coordinators for all public
169.15 school districts;

169.16 (5) serve as the state lead on Title IX for schools, parents, students, and community
169.17 organizations; and

169.18 (6) upon request from a school district, provide specific training to public schools on
169.19 preventing and responding to sexual violence, conducting trauma-informed investigations,
169.20 and provide redress for victims, including but not limited to accommodations during the
169.21 investigation as requested.

169.22 Subd. 2. **Training.** The Department of Education must provide training to Title IX
169.23 coordinators on state and federal sexual harassment and sex discrimination laws every other
169.24 year. The training must include responding to allegations, conducting investigations, and
169.25 reviewing and implementing prevention policies focused on changing culture.

169.26 Sec. 4. Minnesota Statutes 2018, section 121A.22, subdivision 1, is amended to read:

169.27 Subdivision 1. **Applicability.** (a) This section applies only:

169.28 (1) when the parent of a pupil requests school personnel to administer drugs or medicine
169.29 to the pupil; or

169.30 (2) when administration is allowed by the individualized education program of a child
169.31 with a disability.

170.1 The request of a parent may be oral or in writing. An oral request must be reduced to
170.2 writing within two school days, provided that the district may rely on an oral request until
170.3 a written request is received.

170.4 (b) If the administration of a drug or medication described in paragraph (a) requires the
170.5 school to store the drugs or medication, the parent or legal guardian must inform the school
170.6 if the drug or medication is a controlled substance. For drugs or medications that are not
170.7 controlled substances, the request must include a provision designating the school district
170.8 as an authorized entity to transport the drug or medication for the purpose of destruction if
170.9 any unused drug or medication is left in the possession of school personnel. For drugs or
170.10 medications that are controlled substances, the request must specify that the parent or legal
170.11 guardian is required to retrieve the drug when requested by the school.

170.12 Sec. 5. Minnesota Statutes 2018, section 121A.22, is amended by adding a subdivision to
170.13 read:

170.14 Subd. 4a. **Unclaimed drugs or medications.** (a) Each school district shall adopt a
170.15 procedure for the collection and transport of any unclaimed or abandoned prescription drugs
170.16 or over-the-counter medications left in the possession of school personnel in accordance
170.17 with this subdivision. The procedure must ensure that before the transportation of any
170.18 prescription drug under this subdivision, the school district shall make a reasonable attempt
170.19 to return the unused prescription drug to the student's parent or legal guardian. The procedure
170.20 must provide that transportation of unclaimed or unused prescription drugs or
170.21 over-the-counter medications occur at least annually, or more frequently as determined by
170.22 the school district.

170.23 (b) If the unclaimed or abandoned prescription drug is not a controlled substance as
170.24 defined under section 152.01, subdivision 4, or is an over-the-counter medication, the school
170.25 district may designate an individual who shall be responsible for transporting the drugs or
170.26 medications to a designated drop-off box or collection site or may request that a law
170.27 enforcement agency transport the drugs or medications to a drop-off box or collection site
170.28 on behalf of the school district.

170.29 (c) If the unclaimed or abandoned prescription drug is a controlled substance as defined
170.30 in section 152.01, subdivision 4, a school district or school personnel is prohibited from
170.31 transporting the prescription drug to a drop-off box or collection site for prescription drugs
170.32 identified under this paragraph. The school district must request that a law enforcement
170.33 agency transport the prescription drug or medication to a collection bin that complies with

171.1 Drug Enforcement Agency regulations, or if a site is not available, under the agency's
171.2 procedure for transporting drugs.

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

171.4 Sec. 6. **[121A.223] POSSESSION AND USE OF SUNSCREEN.**

171.5 A school district must allow a student to possess and apply a topical sunscreen product
171.6 during the school day, while on school property, or at a school-sponsored event without a
171.7 prescription, physician's note, or other documentation from a licensed health care
171.8 professional. A school district may adopt a policy related to student possession and use of
171.9 sunscreen consistent with this section. Nothing in this section requires school personnel to
171.10 provide sunscreen or assist students in applying sunscreen.

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

171.12 Sec. 7. Minnesota Statutes 2018, section 123B.595, is amended to read:

171.13 **123B.595 LONG-TERM FACILITIES MAINTENANCE REVENUE.**

171.14 Subdivision 1. **Long-term facilities maintenance revenue.** ~~(a) For fiscal year 2017~~
171.15 ~~only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$193~~
171.16 ~~times the district's adjusted pupil units times the lesser of one or the ratio of the district's~~
171.17 ~~average building age to 35 years, plus the cost approved by the commissioner for indoor~~
171.18 ~~air quality, fire alarm and suppression, and asbestos abatement projects under section~~
171.19 ~~123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (ii) for a~~
171.20 ~~school district with an approved voluntary prekindergarten program under section 124D.151,~~
171.21 ~~the cost approved by the commissioner for remodeling existing instructional space to~~
171.22 ~~accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would~~
171.23 ~~have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes~~
171.24 ~~2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school~~
171.25 ~~district with an approved voluntary prekindergarten program under section 124D.151, the~~
171.26 ~~cost approved by the commissioner for remodeling existing instructional space to~~
171.27 ~~accommodate prekindergarten instruction.~~

171.28 ~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue equals the greater~~
171.29 ~~of (1) the sum of (i) \$292 times the district's adjusted pupil units times the lesser of one or~~
171.30 ~~the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the~~
171.31 ~~commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement~~
171.32 ~~projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more~~

172.1 ~~per site, plus (iii) for a school district with an approved voluntary prekindergarten program~~
172.2 ~~under section 124D.151, the cost approved by the commissioner for remodeling existing~~
172.3 ~~instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the~~
172.4 ~~amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57,~~
172.5 ~~Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591,~~
172.6 ~~and (ii) for a school district with an approved voluntary prekindergarten program under~~
172.7 ~~section 124D.151, the cost approved by the commissioner for remodeling existing~~
172.8 ~~instructional space to accommodate prekindergarten instruction.~~

172.9 ~~(e) For fiscal year 2019 and later, (a)~~ Long-term facilities maintenance revenue equals
172.10 the greater of (1) the sum of (i) \$380 times the district's adjusted pupil units times the lesser
172.11 of one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved
172.12 by the commissioner for indoor air quality, fire alarm and suppression, and asbestos
172.13 abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000
172.14 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten
172.15 program under section 124D.151, the cost approved by the commissioner for remodeling
172.16 existing instructional space to accommodate prekindergarten instruction, or (2) the sum of
172.17 (i) the amount the district would have qualified for under Minnesota Statutes 2014, section
172.18 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section
172.19 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program
172.20 under section 124D.151, the cost approved by the commissioner for remodeling existing
172.21 instructional space to accommodate prekindergarten instruction.

172.22 ~~(d) (b)~~ Notwithstanding ~~paragraphs~~ paragraph (a), ~~(b), and (e)~~, a school district that
172.23 qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1,
172.24 paragraph (a), for fiscal year 2010 remains eligible for funding under this section as a district
172.25 that would have qualified for eligibility under Minnesota Statutes 2014, section 123B.59,
172.26 subdivision 1, paragraph (a), for fiscal year 2017 and later.

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

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

172.32 ~~(e) For fiscal year 2019 and later,~~ Long-term facilities maintenance revenue for a charter
172.33 school equals \$132 times the adjusted pupil units.

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

173.10 Subd. 4. **Facilities plans.** (a) To qualify for revenue under this section, a school district
173.11 or intermediate district, not including a charter school, must have a ten-year facility plan
173.12 adopted by the school board and approved by the commissioner. The plan must include
173.13 provisions for implementing a health and safety program that complies with health, safety,
173.14 and environmental regulations and best practices, including indoor air quality management
173.15 and remediation of lead hazards. The plan may include provisions for enhancing school
173.16 safety through physical modifications to school facilities authorized under subdivision 4a.

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

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

173.24 Subd. 4a. **School safety facility enhancements.** A school district may include in its
173.25 facilities plan a school safety facilities plan. School safety projects may include remodeling
173.26 or new construction for school security enhancements, public announcement systems,
173.27 emergency communications devices, or equipment and facility modifications related to
173.28 violence prevention and facility security.

173.29 Subd. 5. **Bond authorization.** (a) A school district may issue general obligation bonds
173.30 under this section to finance facilities plans approved by its board and the commissioner.
173.31 Chapter 475, except sections 475.58 and 475.59, must be complied with. The authority to
173.32 issue bonds under this section is in addition to any bonding authority authorized by this
173.33 chapter or other law. The amount of bonding authority authorized under this section must

174.1 be disregarded in calculating the bonding or net debt limits of this chapter, or any other law
174.2 other than section 475.53, subdivision 4.

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

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

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

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

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

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

174.20 Subd. 7. **Long-term facilities maintenance equalization revenue.** ~~(a) For fiscal year~~
174.21 ~~2017 only, a district's long-term facilities maintenance equalization revenue equals the lesser~~
174.22 ~~of (1) \$193 times the adjusted pupil units or (2) the district's revenue under subdivision 1.~~

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

174.26 ~~(c) For fiscal year 2019 and later, (a)~~ A district's long-term facilities maintenance
174.27 equalization revenue equals the lesser of (1) \$380 times the adjusted pupil units or (2) the
174.28 district's revenue under subdivision 1.

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

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

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

175.7 (2) the district's long-term facilities maintenance equalization revenue times the greater
175.8 of (i) zero or (ii) one minus the ratio of its adjusted net tax capacity per adjusted pupil unit
175.9 in the year preceding the year the levy is certified to ~~123~~ 125 percent of the state average
175.10 adjusted net tax capacity per adjusted pupil unit for all school districts in the year preceding
175.11 the year the levy is certified.

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

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

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

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

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

175.26 (2) increasing accessibility of school facilities;

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

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

175.29 ~~(4)~~ (5) by board resolution, to transfer money from the general fund reserve for long-term
175.30 facilities maintenance to the debt redemption fund to pay the amounts needed to meet, when
175.31 due, principal and interest on general obligation bonds issued under subdivision 5.

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

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

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

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

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

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

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

176.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

176.19 Sec. 8. Minnesota Statutes 2018, section 123B.61, is amended to read:

176.20 **123B.61 PURCHASE OF CERTAIN EQUIPMENT.**

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

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

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

176.31 ~~(c)~~ (3) prepay special assessments.

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

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

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

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

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

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

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

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

177.30 **EFFECTIVE DATE.** This section is effective July 1, 2019.

178.1 Sec. 9. Minnesota Statutes 2018, section 126C.44, is amended to read:

178.2 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

178.3 **Subdivision 1. School district safe schools revenue.** (a) ~~Each district may make a levy~~
178.4 ~~on all taxable property located within the district for the purposes specified in this section.~~
178.5 ~~The maximum amount which may be levied for all costs under this section shall be equal~~
178.6 ~~to \$36 multiplied by the district's adjusted pupil units for the school year. For fiscal year~~
178.7 2020 only, the initial safe schools revenue for a school district equals the greater of \$45
178.8 times the district's adjusted pupil units for the school year, or \$18,750. For fiscal year 2021
178.9 and later, the initial safe schools revenue for a school district equals the greater of \$54 times
178.10 the district's adjusted pupil units for the school year, or \$22,500.

178.11 **Subd. 2. Charter school revenue.** (a) For fiscal year 2020, safe schools revenue for a
178.12 charter school equals \$9 times the adjusted pupil units for the school year. For fiscal year
178.13 2021 and later, safe schools revenue for a charter schools equals \$54 times the adjusted
178.14 pupil units for the school year.

178.15 (b) The revenue must be reserved and used only for costs associated with safe schools
178.16 activities authorized under subdivision 9, paragraph (a), clauses (1) to (10), or for building
178.17 lease expenses not funded by charter school building lease aid that are attributable to facility
178.18 security enhancements made by the landlord after March 1, 2019.

178.19 **Subd. 3. Intermediate school districts.** (a) For fiscal year 2020 only, the cooperative
178.20 safe schools revenue for a school district that is a member of an intermediate school district
178.21 equals \$18.75 times the district's adjusted pupil units for the school year.

178.22 (b) For fiscal year 2021 and later, the cooperative safe schools revenue for a school
178.23 district that is a member of an intermediate school district equals \$22.50 times the district's
178.24 adjusted pupil units for the school year.

178.25 **Subd. 4. Other cooperative units.** (a) For fiscal year 2020 only, the cooperative safe
178.26 schools revenue for a school district that is a member of a cooperative unit other than an
178.27 intermediate district that enrolls students equals \$3.75 times the district's adjusted pupil
178.28 units for the school year.

178.29 (b) For fiscal year 2021 and later, the cooperative safe schools revenue for a school
178.30 district that is a member of a cooperative unit other than an intermediate district that enrolls
178.31 students equals \$7.50 times the district's adjusted pupil units for the school year.

178.32 **Subd. 5. Transfer to cooperative unit.** Revenue raised under subdivisions 3 and 4 must
178.33 be transferred to the intermediate school district or other cooperative unit of which the

179.1 district is a member and used only for costs associated with safe schools activities authorized
179.2 under subdivision 9, paragraph (a), clauses (1) to (10). If the district is a member of more
179.3 than one cooperative unit that enrolls students, the revenue must be allocated among the
179.4 cooperative units.

179.5 Subd. 6. **Total safe schools revenue.** For fiscal year 2020 and later, the safe schools
179.6 revenue for a school district equals the sum of the district's initial safe schools revenue and
179.7 the district's cooperative safe schools revenue.

179.8 Subd. 7. **Safe schools levy.** (a) For fiscal year 2020 only, a district's safe schools levy
179.9 equals \$36 times the district's adjusted pupil units for the school year.

179.10 (b) For fiscal year 2020 only, the safe schools levy for a school district that is a member
179.11 of an intermediate school district is increased by an amount equal to \$15 times the district's
179.12 adjusted pupil units for the school year.

179.13 (c) To obtain safe schools revenue for fiscal year 2021 and later, a district may levy an
179.14 amount not more than the product of its safe schools revenue for the fiscal year times the
179.15 lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to the safe
179.16 schools equalizing factor. The safe schools equalizing factor equals 123 percent of the state
179.17 average adjusted net tax capacity per adjusted pupil unit for all school districts in the year
179.18 preceding the year the levy is certified.

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

179.21 Subd. 8. **Safe schools aid.** For fiscal year 2020, a district's safe schools aid equals its
179.22 safe schools revenue minus its safe schools levy. For fiscal year 2021 and later, a district's
179.23 safe schools aid equals its safe schools revenue minus its safe schools levy, times the ratio
179.24 of the actual amount levied to the permitted levy.

179.25 Subd. 9. **Uses of safe schools revenue.** (a) The ~~proceeds of the levy~~ revenue must be
179.26 reserved and used for directly funding the following purposes or for reimbursing the cities
179.27 and counties who contract with the district for the following purposes:

179.28 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
179.29 officers and sheriffs for liaison in services in the district's schools;

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

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

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

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

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

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

180.11 (8) to pay for costs associated with improving the school climate including professional
180.12 development such as restorative practices, social-emotional learning, and other
180.13 evidence-based practices; ~~or~~

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

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

180.19 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt
180.20 to contract for services to be provided by peace officers or sheriffs with the police department
180.21 of each city or the sheriff's department of the county within the district containing the school
180.22 receiving the services. If a local police department or a county sheriff's department does
180.23 not wish to provide the necessary services, the district may contract for these services with
180.24 any other police or sheriff's department located entirely or partially within the school district's
180.25 boundaries.

180.26 (c) A school district that is a member of an intermediate school district may include in
180.27 its authority under this section the costs associated with safe schools activities authorized
180.28 under paragraph (a) for intermediate school district programs. This authority must not exceed
180.29 \$15 times the adjusted pupil units of the member districts. This authority is in addition to
180.30 any other authority authorized under this section. Revenue raised under this paragraph must
180.31 be transferred to the intermediate school district.

180.32 Subd. 10. Reporting. A school district or charter school receiving revenue under this
180.33 section must annually report safe schools expenditures to the commissioner, in the form

181.1 and manner specified by the commissioner. The report must include spending by functional
181.2 area, any new staff positions hired, and revenue uses under subdivision 5.

181.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

181.4 Sec. 10. Minnesota Statutes 2018, section 626.556, subdivision 2, is amended to read:

181.5 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
181.6 given them unless the specific content indicates otherwise:

181.7 (a) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence
181.8 or event which:

181.9 (1) is not likely to occur and could not have been prevented by exercise of due care; and

181.10 (2) if occurring while a child is receiving services from a facility, happens when the
181.11 facility and the employee or person providing services in the facility are in compliance with
181.12 the laws and rules relevant to the occurrence or event.

181.13 (b) "Commissioner" means the commissioner of human services.

181.14 (c) "Facility" means:

181.15 (1) a licensed or unlicensed day care facility, certified license-exempt child care center,
181.16 residential facility, agency, hospital, sanitarium, or other facility or institution required to
181.17 be licensed under sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16, or chapter
181.18 144H, 245D, or 245H;

181.19 (2) a school as defined in section 120A.05, subdivisions 9, 11, and 13; and chapter 124E;
181.20 or

181.21 (3) a nonlicensed personal care provider organization as defined in section 256B.0625,
181.22 subdivision 19a.

181.23 (d) "Family assessment" means a comprehensive assessment of child safety, risk of
181.24 subsequent child maltreatment, and family strengths and needs that is applied to a child
181.25 maltreatment report that does not allege sexual abuse or substantial child endangerment.
181.26 Family assessment does not include a determination as to whether child maltreatment
181.27 occurred but does determine the need for services to address the safety of family members
181.28 and the risk of subsequent maltreatment.

181.29 (e) "Investigation" means fact gathering related to the current safety of a child and the
181.30 risk of subsequent maltreatment that determines whether child maltreatment occurred and
181.31 whether child protective services are needed. An investigation must be used when reports

182.1 involve sexual abuse or substantial child endangerment, and for reports of maltreatment in
182.2 facilities required to be licensed or certified under chapter 245A, 245D, or 245H; under
182.3 sections 144.50 to 144.58 and 241.021; in a school as defined in section 120A.05,
182.4 subdivisions 9, 11, and 13, and chapter 124E; or in a nonlicensed personal care provider
182.5 association as defined in section 256B.0625, subdivision 19a.

182.6 (f) "Mental injury" means an injury to the psychological capacity or emotional stability
182.7 of a child as evidenced by an observable or substantial impairment in the child's ability to
182.8 function within a normal range of performance and behavior with due regard to the child's
182.9 culture.

182.10 (g) "Neglect" means the commission or omission of any of the acts specified under
182.11 clauses (1) to (9), other than by accidental means:

182.12 (1) failure by a person responsible for a child's care to supply a child with necessary
182.13 food, clothing, shelter, health, medical, or other care required for the child's physical or
182.14 mental health when reasonably able to do so;

182.15 (2) failure to protect a child from conditions or actions that seriously endanger the child's
182.16 physical or mental health when reasonably able to do so, including a growth delay, which
182.17 may be referred to as a failure to thrive, that has been diagnosed by a physician and is due
182.18 to parental neglect;

182.19 (3) failure to provide for necessary supervision or child care arrangements appropriate
182.20 for a child after considering factors as the child's age, mental ability, physical condition,
182.21 length of absence, or environment, when the child is unable to care for the child's own basic
182.22 needs or safety, or the basic needs or safety of another child in their care;

182.23 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
182.24 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
182.25 child with sympathomimetic medications, consistent with section 125A.091, subdivision
182.26 5;

182.27 (5) nothing in this section shall be construed to mean that a child is neglected solely
182.28 because the child's parent, guardian, or other person responsible for the child's care in good
182.29 faith selects and depends upon spiritual means or prayer for treatment or care of disease or
182.30 remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker,
182.31 or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of
182.32 medical care may cause serious danger to the child's health. This section does not impose
182.33 upon persons, not otherwise legally responsible for providing a child with necessary food,
182.34 clothing, shelter, education, or medical care, a duty to provide that care;

183.1 (6) prenatal exposure to a controlled substance, as defined in section 253B.02, subdivision
183.2 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in
183.3 the child at birth, results of a toxicology test performed on the mother at delivery or the
183.4 child at birth, medical effects or developmental delays during the child's first year of life
183.5 that medically indicate prenatal exposure to a controlled substance, or the presence of a
183.6 fetal alcohol spectrum disorder;

183.7 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

183.8 (8) chronic and severe use of alcohol or a controlled substance by a parent or person
183.9 responsible for the care of the child that adversely affects the child's basic needs and safety;
183.10 or

183.11 (9) emotional harm from a pattern of behavior which contributes to impaired emotional
183.12 functioning of the child which may be demonstrated by a substantial and observable effect
183.13 in the child's behavior, emotional response, or cognition that is not within the normal range
183.14 for the child's age and stage of development, with due regard to the child's culture.

183.15 (h) "Nonmaltreatment mistake" means:

183.16 (1) at the time of the incident, the individual was performing duties identified in the
183.17 center's child care program plan required under Minnesota Rules, part 9503.0045;

183.18 (2) the individual has not been determined responsible for a similar incident that resulted
183.19 in a finding of maltreatment for at least seven years;

183.20 (3) the individual has not been determined to have committed a similar nonmaltreatment
183.21 mistake under this paragraph for at least four years;

183.22 (4) any injury to a child resulting from the incident, if treated, is treated only with
183.23 remedies that are available over the counter, whether ordered by a medical professional or
183.24 not; and

183.25 (5) except for the period when the incident occurred, the facility and the individual
183.26 providing services were both in compliance with all licensing requirements relevant to the
183.27 incident.

183.28 This definition only applies to child care centers licensed under Minnesota Rules, chapter
183.29 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated
183.30 maltreatment by the individual, the commissioner of human services shall determine that a
183.31 nonmaltreatment mistake was made by the individual.

183.32 (i) "Operator" means an operator or agency as defined in section 245A.02.

184.1 (j) "Person responsible for the child's care" means (1) an individual functioning within
184.2 the family unit and having responsibilities for the care of the child such as a parent, guardian,
184.3 or other person having similar care responsibilities, or (2) an individual functioning outside
184.4 the family unit and having responsibilities for the care of the child such as a teacher, school
184.5 administrator, other school employees or agents, or other lawful custodian of a child having
184.6 either full-time or short-term care responsibilities including, but not limited to, day care,
184.7 babysitting whether paid or unpaid, counseling, teaching, and coaching.

184.8 (k) "Physical abuse" means any physical injury, mental injury, or threatened injury,
184.9 inflicted by a person responsible for the child's care on a child other than by accidental
184.10 means, or any physical or mental injury that cannot reasonably be explained by the child's
184.11 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
184.12 that have not been authorized under section 125A.0942 or 245.825.

184.13 Abuse does not include reasonable and moderate physical discipline of a child
184.14 administered by a parent or legal guardian which does not result in an injury. Abuse does
184.15 not include the use of reasonable force by a teacher, principal, or school employee as allowed
184.16 by section 121A.582. Actions which are not reasonable and moderate include, but are not
184.17 limited to, any of the following:

184.18 (1) throwing, kicking, burning, biting, or cutting a child;

184.19 (2) striking a child with a closed fist;

184.20 (3) shaking a child under age three;

184.21 (4) striking or other actions which result in any nonaccidental injury to a child under 18
184.22 months of age;

184.23 (5) unreasonable interference with a child's breathing;

184.24 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

184.25 (7) striking a child under age one on the face or head;

184.26 (8) striking a child who is at least age one but under age four on the face or head, which
184.27 results in an injury;

184.28 (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
184.29 substances which were not prescribed for the child by a practitioner, in order to control or
184.30 punish the child; or other substances that substantially affect the child's behavior, motor
184.31 coordination, or judgment or that results in sickness or internal injury, or subjects the child

185.1 to medical procedures that would be unnecessary if the child were not exposed to the
185.2 substances;

185.3 (10) unreasonable physical confinement or restraint not permitted under section 609.379,
185.4 including but not limited to tying, caging, or chaining; or

185.5 (11) in a school facility or school zone, an act by a person responsible for the child's
185.6 care that is a violation under section 121A.58.

185.7 (l) "Practice of social services," for the purposes of subdivision 3, includes but is not
185.8 limited to employee assistance counseling and the provision of guardian ad litem and
185.9 parenting time expeditor services.

185.10 (m) "Report" means any communication received by the local welfare agency, police
185.11 department, county sheriff, or agency responsible for child protection pursuant to this section
185.12 that describes neglect or physical or sexual abuse of a child and contains sufficient content
185.13 to identify the child and any person believed to be responsible for the neglect or abuse, if
185.14 known.

185.15 (n) "Sexual abuse" means the subjection of a child by a person responsible for the child's
185.16 care, by a person who has a significant relationship to the child, as defined in section 609.341,
185.17 or by a person in a position of authority, as defined in section 609.341, subdivision 10, to
185.18 any act which constitutes a violation of section 609.342 (criminal sexual conduct in the first
185.19 degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual
185.20 conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), ~~or~~
185.21 609.3451 (criminal sexual conduct in the fifth degree), or 609.352 (solicitation of children
185.22 to engage in sexual conduct; communication of sexually explicit materials to children).

185.23 Sexual abuse also includes any act which involves a minor which constitutes a violation of
185.24 prostitution offenses under sections 609.321 to 609.324 or 617.246. Effective May 29, 2017,
185.25 sexual abuse includes all reports of known or suspected child sex trafficking involving a
185.26 child who is identified as a victim of sex trafficking. Sexual abuse includes child sex
185.27 trafficking as defined in section 609.321, subdivisions 7a and 7b. Sexual abuse includes
185.28 threatened sexual abuse which includes the status of a parent or household member who
185.29 has committed a violation which requires registration as an offender under section 243.166,
185.30 subdivision 1b, paragraph (a) or (b), or required registration under section 243.166,
185.31 subdivision 1b, paragraph (a) or (b).

185.32 (o) "Substantial child endangerment" means a person responsible for a child's care, by
185.33 act or omission, commits or attempts to commit an act against a child under their care that
185.34 constitutes any of the following:

- 186.1 (1) egregious harm as defined in section 260C.007, subdivision 14;
- 186.2 (2) abandonment under section 260C.301, subdivision 2;
- 186.3 (3) neglect as defined in paragraph (g), clause (2), that substantially endangers the child's
186.4 physical or mental health, including a growth delay, which may be referred to as failure to
186.5 thrive, that has been diagnosed by a physician and is due to parental neglect;
- 186.6 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;
- 186.7 (5) manslaughter in the first or second degree under section 609.20 or 609.205;
- 186.8 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;
- 186.9 (7) solicitation, inducement, and promotion of prostitution under section 609.322;
- 186.10 (8) criminal sexual conduct under sections 609.342 to 609.3451;
- 186.11 (9) solicitation of children to engage in sexual conduct under section 609.352;
- 186.12 (10) malicious punishment or neglect or endangerment of a child under section 609.377
186.13 or 609.378;
- 186.14 (11) use of a minor in sexual performance under section 617.246; or
- 186.15 (12) parental behavior, status, or condition which mandates that the county attorney file
186.16 a termination of parental rights petition under section 260C.503, subdivision 2.
- 186.17 (p) "Threatened injury" means a statement, overt act, condition, or status that represents
186.18 a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes,
186.19 but is not limited to, exposing a child to a person responsible for the child's care, as defined
186.20 in paragraph (j), clause (1), who has:
- 186.21 (1) subjected a child to, or failed to protect a child from, an overt act or condition that
186.22 constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a similar law
186.23 of another jurisdiction;
- 186.24 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
186.25 (b), clause (4), or a similar law of another jurisdiction;
- 186.26 (3) committed an act that has resulted in an involuntary termination of parental rights
186.27 under section 260C.301, or a similar law of another jurisdiction; or
- 186.28 (4) committed an act that has resulted in the involuntary transfer of permanent legal and
186.29 physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201,
186.30 subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law
186.31 of another jurisdiction.

187.1 A child is the subject of a report of threatened injury when the responsible social services
187.2 agency receives birth match data under paragraph (q) from the Department of Human
187.3 Services.

187.4 (q) Upon receiving data under section 144.225, subdivision 2b, contained in a birth
187.5 record or recognition of parentage identifying a child who is subject to threatened injury
187.6 under paragraph (p), the Department of Human Services shall send the data to the responsible
187.7 social services agency. The data is known as "birth match" data. Unless the responsible
187.8 social services agency has already begun an investigation or assessment of the report due
187.9 to the birth of the child or execution of the recognition of parentage and the parent's previous
187.10 history with child protection, the agency shall accept the birth match data as a report under
187.11 this section. The agency may use either a family assessment or investigation to determine
187.12 whether the child is safe. All of the provisions of this section apply. If the child is determined
187.13 to be safe, the agency shall consult with the county attorney to determine the appropriateness
187.14 of filing a petition alleging the child is in need of protection or services under section
187.15 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is
187.16 determined not to be safe, the agency and the county attorney shall take appropriate action
187.17 as required under section 260C.503, subdivision 2.

187.18 (r) Persons who conduct assessments or investigations under this section shall take into
187.19 account accepted child-rearing practices of the culture in which a child participates and
187.20 accepted teacher discipline practices, which are not injurious to the child's health, welfare,
187.21 and safety.

187.22 Sec. 11. Minnesota Statutes 2018, section 626.556, subdivision 3b, is amended to read:

187.23 Subd. 3b. **Agency responsible for assessing or investigating reports of**
187.24 **maltreatment.** The Department of Education is the agency responsible for assessing or
187.25 investigating allegations of child maltreatment in schools as defined in section 120A.05,
187.26 subdivisions 9, 11, and 13; and chapter 124E. The Department of Education's responsibility
187.27 to assess and investigate includes allegations of maltreatment involving students 18 to 21
187.28 years of age, including students receiving special education services, up to and until
187.29 graduation and the issuance of a secondary or high school diploma.

187.30 Sec. 12. Laws 2016, chapter 189, article 25, section 56, subdivision 2, is amended to read:

187.31 Subd. 2. **Purpose.** The purpose of the support our students grant program is to:

187.32 (1) address shortages of student support services personnel, including trauma coaches,
187.33 within Minnesota schools;

188.1 (2) decrease caseloads for existing student support services personnel to ensure effective
188.2 services;

188.3 (3) ensure that students receive effective academic guidance and integrated and
188.4 comprehensive services to improve ~~kindergarten~~ prekindergarten through grade 12 school
188.5 outcomes and career and college readiness;

188.6 (4) ensure that student support services personnel serve within the scope and practice
188.7 of their training and licensure;

188.8 (5) fully integrate learning supports, instruction, and school management within a
188.9 comprehensive approach that facilitates interdisciplinary collaboration; and

188.10 (6) improve school safety and school climate to support academic success and career
188.11 and college readiness.

188.12 Sec. 13. Laws 2016, chapter 189, article 25, section 56, subdivision 3, is amended to read:

188.13 Subd. 3. **Grant eligibility and application.** (a) A school district, charter school,
188.14 intermediate school district, or other cooperative unit is eligible to apply for a six-year
188.15 matching grant under this section. Beginning July 1, 2019, once a six-year grant is awarded,
188.16 the commissioner shall ensure funds are available for all six years of the grant.

188.17 (b) The commissioner of education shall specify the form and manner of the grant
188.18 application. In awarding grants, the commissioner must give priority to schools in which
188.19 student support services personnel positions do not currently exist. To the extent practicable,
188.20 the commissioner must award grants equally between applicants in metro counties and
188.21 nonmetro counties. Additional criteria must include at least the following:

188.22 (1) existing student support services personnel caseloads;

188.23 (2) school demographics;

188.24 (3) Title I revenue;

188.25 (4) Minnesota student survey data;

188.26 (5) graduation rates; and

188.27 (6) postsecondary completion rates.

189.1 Sec. 14. Laws 2017, First Special Session chapter 5, article 2, section 56, is amended to
189.2 read:

189.3 Sec. 56. **INTERMEDIATE SCHOOL DISTRICT MENTAL HEALTH INNOVATION**
189.4 **GRANT PROGRAM; APPROPRIATION.**

189.5 Subdivision 1. Program established. ~~(a) \$2,450,000 in fiscal year 2018 and \$2,450,000~~
189.6 ~~in fiscal year 2019 are appropriated from the general fund to the commissioner of human~~
189.7 ~~services for a grant~~ An ongoing grant program to fund innovative projects to improve mental
189.8 health outcomes for youth attending a qualifying school unit is established.

189.9 Subd. 2. Qualifying school programs. ~~(b)~~ (a) A "qualifying school unit program" means
189.10 ~~an intermediate district organized under Minnesota Statutes, section 136D.01, or a service~~
189.11 ~~cooperative organized under Minnesota Statutes, section 123A.21, subdivision 1, paragraph~~
189.12 ~~(a), clause (2), that provides instruction to students in a setting of federal instructional level~~
189.13 ~~4 or higher. Grants~~ a public school program that provides instruction to students in a setting
189.14 of federal instructional level 4, and is operated by:

189.15 (1) a school district or charter school; or

189.16 (2) a cooperative unit under Minnesota Statutes, section 123A.24, subdivision 2.

189.17 (b) Grants under paragraph (a) this section must be awarded to eligible applicants such
189.18 that the services are proportionately provided among the fiscal agent for a qualifying school
189.19 units. The commissioner shall calculate the share of the appropriation to be used in each
189.20 qualifying school unit by dividing the qualifying school unit's average daily membership
189.21 in a setting of federal instructional level 4 or higher for fiscal year 2016 by the total average
189.22 daily membership in a setting of federal instructional level 4 or higher for the same year for
189.23 all qualifying school units program for payment to eligible applicants or for staff development
189.24 activities.

189.25 Subd. 3. Eligible applicant. ~~(e)~~ (a) An eligible applicant is an entity that has demonstrated
189.26 capacity to serve the youth identified in ~~paragraph (a)~~ subdivision 1 and that is:

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

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

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

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

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

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

190.11 ~~(e) A qualifying school unit must submit an application to the commissioner in the form~~
190.12 ~~and manner specified by the commissioner. The commissioner may approve an application~~
190.13 ~~that describes models for innovative projects to serve the needs of the schools and students.~~
190.14 ~~The commissioner may provide technical assistance to the qualifying school unit. The~~
190.15 ~~commissioner shall then solicit grant project proposals and award grant funding to the~~
190.16 ~~eligible applicants whose project proposals best meet the requirements of this section and~~
190.17 ~~most closely adhere to the models created by the intermediate districts and service~~
190.18 ~~cooperatives.~~

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

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

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

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

190.26 Subd. 4. **Third-party reimbursement.** (g) Grantees shall obtain all available third-party
190.27 reimbursement sources as a condition of receiving ~~grant funds~~ aid under this section. For
190.28 purposes of this ~~grant~~ program, a third-party reimbursement source does not include a public
190.29 school as defined in Minnesota Statutes, section 120A.20, subdivision 1.

190.30 ~~(h) The base budget for this program is \$0. This appropriation is available until June 30,~~
190.31 ~~2020.~~

190.32 Subd. 5. **Staff development activities.** A qualifying program may use a portion of the
190.33 grant received under subdivision 6 for staff development activities for licensed instructional

191.1 staff and nonlicensed classroom aides to enhance services to students who may have
191.2 challenging behaviors or mental health issues or may be suffering from trauma. Specific
191.3 qualifying staff development activities include but are not limited to:

191.4 (1) proactive behavior management;

191.5 (2) personal safety training;

191.6 (3) de-escalation techniques; and

191.7 (4) adaptation of published curriculum and pedagogy for students with complex learning
191.8 and behavioral needs.

191.9 Subd. 6. **Grant amount.** A qualifying school program is eligible for a grant under this
191.10 section. A qualifying school program must apply in the form and manner specified by the
191.11 commissioner.

191.12 **EFFECTIVE DATE.** This section is effective July 1, 2019.

191.13 Sec. 15. **SEXUAL HEALTH EDUCATION REPORT.**

191.14 The commissioner of education must submit a report to the committees of the legislature
191.15 having jurisdiction over kindergarten through grade 12 education on the sexual health
191.16 education program required under Minnesota Statutes, section 120B.211. The report must
191.17 include:

191.18 (1) a description of how the model sexual health education program or programs were
191.19 identified;

191.20 (2) assistance provided to school districts and charter schools implementing a sexual
191.21 health education program;

191.22 (3) the number of school districts and charter schools that adopted each model program;
191.23 and

191.24 (4) a list of the school districts and charter schools that did not adopt the model program.

191.25 The commissioner must submit the report no later than January 15, 2022, and must submit
191.26 the report in accordance with Minnesota Statutes, section 3.195.

191.27 Sec. 16. **APPROPRIATIONS.**

191.28 Subdivision 1. **Department of Education.** The sums indicated in this section are
191.29 appropriated from the general fund to the Department of Education for the specified purposes.

192.1 Subd. 2. **Safe schools aid.** (a) For safe schools aid under Minnesota Statutes, section
 192.2 126C.44:

192.3 \$ 5,769,000 2020

192.4 \$ 13,931,000 2021

192.5 (b) For fiscal year 2020 only, each district's safe schools state aid equals its safe schools
 192.6 revenue for fiscal year 2020 minus the safe schools levy certified by the school district for
 192.7 taxes payable in 2019.

192.8 Subd. 3. **Support our students grant program.** (a) For grants to eligible schools under
 192.9 the support our students grant program:

192.10 \$ 5,000,000 2020

192.11 \$ 5,000,000 2021

192.12 (b) To the extent practicable, the commissioner shall ensure funds are available in each
 192.13 year of the six-year grant period to each qualifying entity. Up to \$100,000 in each fiscal
 192.14 year may be retained by the commissioner for administration of the grant program.

192.15 (c) Any balance in the first year does not cancel but is available in the second year. This
 192.16 is a onetime appropriation.

192.17 Subd. 4. **Title IX training and compliance.** For costs related to sexual harassment and
 192.18 sex discrimination training and compliance under Minnesota Statutes, section 121A.032:

192.19 \$ 145,000 2020

192.20 \$ 147,000 2021

192.21 Any balance in the first year does not cancel but is available in the second year.

192.22 Subd. 5. **Innovative mental health grants; level 4 programs.** (a) For the level 4
 192.23 innovative grant program to fund innovative projects to improve mental health outcomes
 192.24 for youth attending a qualifying school unit under section 16:

192.25 \$ 2,700,000 2020

192.26 \$ 2,700,000 2021

192.27 (b) Of the amounts in paragraph (a), \$1,500,000 each year is for grants to programs that
 192.28 received a grant in fiscal year 2018 or fiscal year 2019.

192.29 (c) The remaining amounts must be awarded to programs not receiving funding under
 192.30 paragraph (b).

192.31 Subd. 6. **Trauma-informed school incentive aid.** (a) For grants to fund trauma-informed
 192.32 and systematic professional development for all staff who work with students, including all

193.1 administration, to support students with adverse childhood experiences, and to promote
193.2 restorative practices and nonexclusionary discipline in school districts and charter schools:

193.3 \$ 3,000,000 2020

193.4 \$ 3,000,000 2021

193.5 (b) Of the appropriated amount, \$150,000 per year is for each of 20 selected school sites.

193.6 (c) The commissioner must select schools to receive grant funds. Preference must be
193.7 given to schools identified for comprehensive support under the Every Student Succeeds
193.8 Act, schools within districts with large discipline disparities identified by the Minnesota
193.9 Department of Human Rights, or schools without a quality compensation plan or other plan
193.10 under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5. The
193.11 commissioner must provide grant recipients with a list of all grant recipients and facilitate
193.12 communication among recipients to encourage recipients to share best practices.

193.13 (d) Trauma-informed support program plans and allocation of grant funds must be
193.14 negotiated by the school district and the exclusive representative of the teachers. Plans to
193.15 implement trauma-informed support programs may include:

193.16 (1) hiring social workers, counselors, school psychologists, nurses, paraprofessionals,
193.17 or trauma coaches;

193.18 (2) mentoring programs;

193.19 (3) extra professional development days;

193.20 (4) family home visiting programs; or

193.21 (5) other outreach to students or families who have experienced trauma or adverse
193.22 childhood experiences.

193.23 (e) A school district that receives a grant under this subdivision and the exclusive
193.24 representative of teachers in the district must:

193.25 (1) assess the outcomes of the grant. The assessment must include data on suspensions
193.26 and expulsions, attendance, and academic achievement and growth; and

193.27 (2) report to the commissioner on efforts to share best practices with other grant recipients.

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

194.1 Sec. 17. **REVISOR INSTRUCTION.**

194.2 (a) The revisor of statutes shall codify Laws 2016, chapter 189, article 25, section 56,
194.3 as amended, as Minnesota Statutes, section 121A.395, in the next publication of Minnesota
194.4 Statutes.

194.5 (b) The revisor of statutes shall codify section 16 as Minnesota Statutes, section
194.6 124D.905.

194.7 **EFFECTIVE DATE.** This section is effective July 1, 2019.

194.8 **ARTICLE 6**194.9 **FACILITIES, FUND TRANSFERS, AND ACCOUNTING**

194.10 Section 1. Minnesota Statutes 2018, section 121A.335, subdivision 3, is amended to read:

194.11 Subd. 3. **Frequency of testing.** (a) The plan under subdivision 2 must include a testing
194.12 schedule for every building serving prekindergarten through grade 12 students. The schedule
194.13 must require that each building be tested at least once every five years. A school district or
194.14 charter school must begin testing school buildings by July 1, 2018, and complete testing of
194.15 all buildings that serve students within five years.

194.16 (b) A school district or charter school that finds lead at a specific location providing
194.17 cooking or drinking water within a facility must formulate, make publicly available, and
194.18 implement a plan that is consistent with established guidelines and recommendations to
194.19 ensure that student exposure to lead is minimized. This includes, when a school district or
194.20 charter school finds the presence of lead at a level where action should be taken as set by
194.21 the guidance in any water source that can provide cooking or drinking water, immediately
194.22 shutting off the water source or making it unavailable until the hazard has been minimized.

194.23 **EFFECTIVE DATE.** This section is effective July 1, 2019.

194.24 Sec. 2. Minnesota Statutes 2018, section 121A.335, subdivision 5, is amended to read:

194.25 Subd. 5. **Reporting.** A school district or charter school that has tested its buildings for
194.26 the presence of lead shall make the results of the testing available to the public for review
194.27 and must notify parents of the availability of the information. School districts and charter
194.28 schools must follow the actions outlined in guidance from the commissioners of health and
194.29 education. If a test conducted under subdivision 3, paragraph (a), reveals the presence of
194.30 lead above a level where action should be taken as set by the guidance, the school district
194.31 or charter must, within 30 days of receiving the test result, either remediate the presence of
194.32 lead to below the level set in the guidance, verified by retest, or directly notify parents of

195.1 the test result. The school district or charter school must make the water source unavailable
195.2 until the hazard has been minimized.

195.3 **EFFECTIVE DATE.** This section is effective July 1, 2019.

195.4 Sec. 3. Minnesota Statutes 2018, section 123B.52, subdivision 6, is amended to read:

195.5 Subd. 6. **Disposing of surplus school computers.** (a) Notwithstanding section 471.345,
195.6 governing school district contracts made upon sealed bid or otherwise complying with the
195.7 requirements for competitive bidding, other provisions of this section governing school
195.8 district contracts, or other law to the contrary, a school district under this subdivision may
195.9 dispose of school computers, including a tablet device.

195.10 (b) A school district may dispose of a surplus school computer and related equipment
195.11 if the district disposes of the surplus property by conveying the property and title to:

195.12 (1) another school district;

195.13 (2) the state Department of Corrections;

195.14 (3) the Board of Trustees of the Minnesota State Colleges and Universities; or

195.15 (4) the family of a student residing in the district whose total family income meets the
195.16 federal definition of poverty.

195.17 (c) If surplus school computers are not disposed of under paragraph (b), upon adoption
195.18 of a written resolution of the school board, when updating or replacing school computers,
195.19 including tablet devices, used primarily by students, a school district may sell or give used
195.20 computers or tablets to qualifying students at the price specified in the written resolution.

195.21 A student is eligible to apply to the school board for a computer or tablet under this
195.22 subdivision if the student is currently enrolled in the school and intends to enroll in the
195.23 school in the year following the receipt of the computer or tablet. If more students apply
195.24 for computers or tablets than are available, the school must first qualify students whose
195.25 families are eligible for free or reduced-price meals, and then dispose of the remaining
195.26 computers or tablets by lottery.

195.27 **EFFECTIVE DATE.** This section is effective July 1, 2019.

195.28 Sec. 4. Minnesota Statutes 2018, section 123B.571, is amended to read:

195.29 **123B.571 RADON TESTING.**

195.30 Subdivision 1. **Voluntary Plan.** The commissioners of health and education may jointly
195.31 develop a plan to encourage school districts and charter schools to accurately and efficiently

196.1 test for the presence of radon in public school buildings serving students in kindergarten
196.2 through grade 12. For purposes of this section, buildings also include the Minnesota State
196.3 Academies in Faribault and the Perpich Center for Arts Education in Golden Valley. To the
196.4 extent possible, the commissioners ~~shall~~ must base the plan on the standards established by
196.5 the United States Environmental Protection Agency.

196.6 Subd. 2. **Radon testing.** A school district may include radon testing as a part of its
196.7 ten-year facility plan under section 123B.595, subdivision 4. If a school district receives
196.8 authority to use long-term facilities maintenance revenue to conduct radon testing, the
196.9 district shall conduct the testing according to the radon testing plan developed by the
196.10 commissioners of health and education.

196.11 Subd. 3. **Reporting.** A school district ~~that has tested~~ or charter school must test its school
196.12 buildings for the presence of radon shall and must report the results of its tests to the
196.13 Department of Health in a form and manner prescribed by the commissioner of health. A
196.14 school district that has tested for the presence of radon ~~shall~~ must also report the results of
196.15 its testing at a school board meeting.

196.16 Subd. 4. **Testing requirements.** (a) A school district or charter school must adopt a
196.17 radon testing schedule requiring a short-term or long-term test be conducted in every building
196.18 serving students at least once every five years. A school district or charter school must begin
196.19 testing school buildings by July 1, 2020, and complete testing of all buildings that serve
196.20 students within five years.

196.21 (b) Tests must be conducted with certified radon testing devices as listed by either the
196.22 National Radon Proficiency Program or the National Radon Safety Board. Tests must test
196.23 all frequently occupied rooms with ground contact and rooms immediately above unoccupied
196.24 spaces that are in contact with the ground, such as crawl spaces and tunnels.

196.25 (c) If a radon test shows that a frequently occupied room has a radon level at or above
196.26 four picocuries per liter, a school district or charter school must mitigate or take corrective
196.27 action, and retest after corrective measures to show radon reductions. A school district or
196.28 charter school must follow the Radon Mitigation Standards for Schools and Large Buildings
196.29 released by the American National Standards Institute/American Association of Radon
196.30 Scientists and Technologists. The district or charter school must conduct follow-up testing
196.31 within two years.

196.32 **EFFECTIVE DATE.** This section is effective July 1, 2019.

197.1 Sec. 5. Minnesota Statutes 2018, section 123B.595, subdivision 3, is amended to read:

197.2 Subd. 3. **Intermediate districts and other cooperative units.** (a) Upon approval through
197.3 the adoption of a resolution by each member district school board of an intermediate district
197.4 or other cooperative ~~units~~ unit under section 123A.24, subdivision 2, or a joint powers
197.5 district under section 471.59, and the approval of the commissioner of education, a school
197.6 district may include in its authority under this section a proportionate share of the long-term
197.7 maintenance costs of the intermediate district ~~or~~ cooperative unit, or joint powers district.
197.8 The cooperative unit or joint powers district may issue bonds to finance the project costs
197.9 or levy for the costs; using long-term maintenance revenue transferred from member districts
197.10 to make debt service payments or pay project costs or, for leased facilities, pay the portion
197.11 of lease costs attributable to the amortized cost of long-term facilities maintenance projects
197.12 completed by the landlord. Authority under this subdivision is in addition to the authority
197.13 for individual district projects under subdivision 1.

197.14 (b) The resolution adopted under paragraph (a) may specify which member districts will
197.15 share the project costs under this subdivision, except that debt service payments for bonds
197.16 issued by a cooperative unit or joint powers district to finance long-term maintenance project
197.17 costs must be the responsibility of all member districts.

197.18 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

197.19 Sec. 6. Minnesota Statutes 2018, section 124E.03, subdivision 2, is amended to read:

197.20 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
197.21 meet all federal, state, and local health and safety requirements applicable to school districts.

197.22 (b) A school must comply with statewide accountability requirements governing standards
197.23 and assessments in chapter 120B.

197.24 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
197.25 123B.34 to 123B.39.

197.26 (d) A charter school is a district for the purposes of tort liability under chapter 466.

197.27 (e) A charter school must comply with the Pledge of Allegiance requirement under
197.28 section 121A.11, subdivision 3.

197.29 (f) A charter school and charter school board of directors must comply with chapter 181
197.30 governing requirements for employment.

197.31 (g) A charter school must comply with continuing truant notification under section
197.32 260A.03.

198.1 (h) A charter school must develop and implement a teacher evaluation and peer review
198.2 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
198.3 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
198.4 The teacher evaluation process in this paragraph does not create any additional employment
198.5 rights for teachers.

198.6 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
198.7 section 120B.11, to review curriculum, instruction, and student achievement and strive for
198.8 the world's best workforce.

198.9 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
198.10 sections 121A.40 to 121A.56.

198.11 (k) A charter school is subject to and must comply with the uniform municipal contracting
198.12 law according to section 471.345 in the same manner as school districts.

198.13 **EFFECTIVE DATE.** This section is effective July 1, 2019.

198.14 Sec. 7. Minnesota Statutes 2018, section 126C.40, subdivision 1, is amended to read:

198.15 Subdivision 1. **To lease building or land.** (a) When an independent or a special school
198.16 district or a group of independent or special school districts finds it economically
198.17 advantageous to rent or lease a building or land for any instructional purposes or for school
198.18 storage or furniture repair, and it determines that the operating capital revenue authorized
198.19 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
198.20 commissioner for permission to make an additional capital expenditure levy for this purpose.
198.21 An application for permission to levy under this subdivision must contain financial
198.22 justification for the proposed levy, the terms and conditions of the proposed lease, and a
198.23 description of the space to be leased and its proposed use.

198.24 (b) The criteria for approval of applications to levy under this subdivision must include:
198.25 the reasonableness of the price, the appropriateness of the space to the proposed activity,
198.26 the feasibility of transporting pupils to the leased building or land, conformity of the lease
198.27 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
198.28 lease to the space needs and the financial condition of the district. The commissioner must
198.29 not authorize a levy under this subdivision in an amount greater than the cost to the district
198.30 of renting or leasing a building or land for approved purposes. The proceeds of this levy
198.31 must not be used for custodial or other maintenance services. A district may not levy under
198.32 this subdivision for the purpose of leasing or renting a district-owned building or site to
198.33 itself.

199.1 (c) For agreements finalized after July 1, 1997, a district may not levy under this
199.2 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
199.3 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
199.4 building addition or additions used primarily for regular kindergarten, elementary, or
199.5 secondary instruction that contains more than 20 percent of the square footage of the
199.6 previously existing building.

199.7 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
199.8 purpose of leasing or renting a district-owned building or site to itself only if the amount is
199.9 needed by the district to make payments required by a lease purchase agreement, installment
199.10 purchase agreement, or other deferred payments agreement authorized by law, and the levy
199.11 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
199.12 under this paragraph may be in the amount needed by the district to make payments required
199.13 by a lease purchase agreement, installment purchase agreement, or other deferred payments
199.14 agreement authorized by law, provided that any agreement include a provision giving the
199.15 school districts the right to terminate the agreement annually without penalty.

199.16 (e) Except as provided in paragraph (j), the total levy under this subdivision for a district
199.17 for any year must not exceed \$212 times the adjusted pupil units for the fiscal year to which
199.18 the levy is attributable.

199.19 (f) For agreements for which a review and comment have been submitted to the
199.20 Department of Education after April 1, 1998, the term "instructional purpose" as used in
199.21 this subdivision excludes expenditures on stadiums.

199.22 (g) The commissioner of education may authorize a school district to exceed the limit
199.23 in paragraph (e) if the school district petitions the commissioner for approval. The
199.24 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
199.25 for not more than five years if the district meets the following criteria:

199.26 (1) the school district has been experiencing pupil enrollment growth in the preceding
199.27 five years;

199.28 (2) the purpose of the increased levy is in the long-term public interest;

199.29 (3) the purpose of the increased levy promotes colocation of government services; and

199.30 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding
199.31 over construction of school facilities.

199.32 (h) A school district that is a member of an intermediate school district or other
199.33 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under

200.1 section 471.59 may include in its authority under this section the costs associated with leases
200.2 of administrative and classroom space for ~~intermediate school district~~ programs of the
200.3 intermediate school district or other cooperative unit under section 123A.24, subdivision
200.4 2, or joint powers district under section 471.59. This authority must not exceed \$65 times
200.5 the adjusted pupil units of the member districts. This authority is in addition to any other
200.6 authority authorized under this section. The intermediate school district, other cooperative
200.7 unit, or joint powers district may specify which member districts will levy for lease costs
200.8 under this paragraph.

200.9 ~~(i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012~~
200.10 ~~to 2023, a district that is a member of the "Technology and Information Education Systems"~~
200.11 ~~data processing joint board, that finds it economically advantageous to enter into a lease~~
200.12 ~~agreement to finance improvements to a building and land for a group of school districts~~
200.13 ~~or special school districts for staff development purposes, may levy for its portion of lease~~
200.14 ~~costs attributed to the district within the total levy limit in paragraph (e). The total levy~~
200.15 ~~authority under this paragraph shall not exceed \$632,000.~~

200.16 ~~(j)~~ (i) Notwithstanding paragraph (a), a district may levy under this subdivision for the
200.17 purpose of leasing administrative space if the district can demonstrate to the satisfaction of
200.18 the commissioner that the lease cost for the administrative space is no greater than the lease
200.19 cost for instructional space that the district would otherwise lease. The commissioner must
200.20 deny this levy authority unless the district passes a resolution stating its intent to lease
200.21 instructional space under this section if the commissioner does not grant authority under
200.22 this paragraph. The resolution must also certify that the lease cost for administrative space
200.23 under this paragraph is no greater than the lease cost for the district's proposed instructional
200.24 lease.

200.25 (j) For taxes payable in 2024 and later, a school district that qualifies for secondary
200.26 sparsity revenue under section 126C.10, subdivision 7, and operates more than two high
200.27 schools, annually may levy not more than \$500 times the adjusted pupil units for the fiscal
200.28 year to which the levy is attributable for the purposes of this subdivision.

200.29 (k) Notwithstanding paragraph (a), for taxes payable in 2020 and later, a district may
200.30 levy under this subdivision for the district's proportionate share of deferred maintenance
200.31 expenditures for a district-owned building or site leased to a cooperative unit under section
200.32 123A.24, subdivision 2, or a joint powers district under section 471.59 for any instructional
200.33 purposes or for school storage.

200.34 **EFFECTIVE DATE.** This section is effective for taxes payable in 2020 and later.

201.1 Sec. 8. Minnesota Statutes 2018, section 471.59, subdivision 1, is amended to read:

201.2 Subdivision 1. **Agreement.** (a) Two or more governmental units, by agreement entered
201.3 into through action of their governing bodies, may jointly or cooperatively exercise any
201.4 power common to the contracting parties or any similar powers, including those which are
201.5 the same except for the territorial limits within which they may be exercised. The agreement
201.6 may provide for the exercise of such powers by one or more of the participating governmental
201.7 units on behalf of the other participating units.

201.8 (b) The term "governmental unit" as used in this section includes every city, county,
201.9 town, school district, service cooperative under section 123A.21, independent nonprofit
201.10 firefighting corporation, other political subdivision of this or another state, another state,
201.11 federally recognized Indian tribe, the University of Minnesota, the Minnesota Historical
201.12 Society, nonprofit hospitals licensed under sections 144.50 to 144.56, rehabilitation facilities
201.13 and extended employment providers that are certified by the commissioner of employment
201.14 and economic development, day and supported employment services licensed under chapter
201.15 245D, and any agency of the state of Minnesota or the United States, and includes any
201.16 instrumentality of a governmental unit. For the purpose of this section, an instrumentality
201.17 of a governmental unit means an instrumentality having independent policy-making and
201.18 appropriating authority.

201.19 Sec. 9. **FUND TRANSFERS.**

201.20 Subdivision 1. **Truman.** (a) Notwithstanding Minnesota Statutes, section 123B.79,
201.21 123B.80, or 124D.135, on June 30, 2019, Independent School District No. 458, Truman,
201.22 may permanently transfer up to \$65,000 from the early childhood and family education
201.23 reserve account in the community service fund to the undesignated general fund.

201.24 (b) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 124D.16, on June
201.25 30, 2019, Independent School District No. 458, Truman, may permanently transfer up to
201.26 \$45,000 from the school readiness reserve account in the community service fund to the
201.27 undesignated general fund.

201.28 Subd. 2. **Minnetonka.** Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
201.29 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 276,
201.30 Minnetonka, may permanently transfer up to \$2,400,000 from its community education
201.31 reserve fund balance to its reserved for operating capital account in the general fund. The
201.32 transferred funds must be used only to design, construct, furnish, and equip an early childhood
201.33 classroom addition.

202.1 Subd. 3. **Hopkins.** (a) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
202.2 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 270, Hopkins,
202.3 may permanently transfer up to \$500,000 from its community education reserve fund balance
202.4 to its reserved for operating capital account in the general fund.

202.5 (b) The transfer funds must be used only to design, construct, furnish, and equip an early
202.6 childhood classroom addition.

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

202.8 Sec. 10. **SCHOOL PROGRAM COMBINATION; HOPKINS SCHOOL DISTRICT**
202.9 **AND CHARTER SCHOOL.**

202.10 Subdivision 1. **Combination authorized.** Notwithstanding any law to the contrary, the
202.11 boards of Independent School District No. 270, Hopkins, and the charter school, may convert
202.12 a charter school's program to a school district program by mutually adopting a written
202.13 resolution authorizing the combination. The written resolution must be submitted to the
202.14 charter school's authorizer and the commissioner of education at least eight months prior
202.15 to the combination. The effective date of the combination must be no earlier than July 1,
202.16 2020, or later than July 1, 2024.

202.17 Subd. 2. **Closing books.** A charter school located within the geographic boundaries of
202.18 Independent School District No. 270, Hopkins, that chooses to combine with the school
202.19 district, must prepare and submit separate year-end reports for its last school year of operation
202.20 prior to combination. In addition, Independent School District No. 270, Hopkins, and the
202.21 charter school must provide any other information necessary for the combination to the
202.22 commissioner of education in the form and manner specified by the commissioner.

202.23 Subd. 3. **Calculation of aids.** For any site-level school aids based on prior year data,
202.24 the Department of Education may use the data for the charter school's last year of operations
202.25 for the program's new site as a part of Independent School District No. 270, Hopkins.

202.26 Subd. 4. **Funds transferred.** The charter school must transfer its fund balances, assets,
202.27 and liabilities to Independent School District No. 270, Hopkins, on the day of the
202.28 combination. Independent School District No. 270, Hopkins, must commit these funds and
202.29 spend them only for the benefit of the program operated by the district.

202.30 Subd. 5. **Affiliated building corporation.** The affiliated building corporation of the
202.31 charter school may transfer any of its remaining funds, including those from the sale of its
202.32 property, to Independent School District No. 270, Hopkins, and the school district must
202.33 commit any amounts transferred for the benefit of the program operated by the district.

203.1 Subd. 6. Levy. In addition to its other school property tax levies, Independent School
 203.2 District No. 270, Hopkins, may levy on net tax capacity an amount not to exceed \$50,000
 203.3 per year for taxes payable in 2020 through taxes payable in 2024.

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

203.5 Sec. 11. APPROPRIATIONS.

203.6 Subdivision 1. Department of Education. The sums indicated in this section are
 203.7 appropriated from the general fund to the Department of Education for the fiscal years
 203.8 designated.

203.9 Subd. 2. Debt service equalization aid. For debt service equalization aid under
 203.10 Minnesota Statutes, section 123B.53, subdivision 6:

203.11 \$ 20,684,000 2020

203.12 \$ 20,363,000 2021

203.13 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

203.14 The 2021 appropriation includes \$2,043,000 for 2020 and \$18,320,000 for 2021.

203.15 Subd. 3. Long-term facilities maintenance equalized aid. For long-term facilities
 203.16 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

203.17 \$ 105,315,000 2020

203.18 \$ 108,231,000 2021

203.19 The 2020 appropriation includes \$10,441,000 for 2019 and \$94,874,000 for 2020.

203.20 The 2021 appropriation includes \$10,541,000 for 2020 and \$97,690,000 for 2021.

203.21 Subd. 4. Equity in telecommunications access. (a) For equity in telecommunications
 203.22 access:

203.23 \$ 3,750,000 2020

203.24 \$ 3,750,000 2021

203.25 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
 203.26 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
 203.27 revenue for fiscal years 2020 and 2021 shall be prorated.

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

203.29 Subd. 5. Early repayment aid incentive. (a) For incentive grants for a district that
 203.30 repaid the full outstanding original principal on its capital loan by November 30, 2016,

204.1 under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by Laws
 204.2 2016, chapter 189, article 30, section 22:

204.3 \$ 2,350,000 2020

204.4 \$ 2,350,000 2021

204.5 (b) Of this amount, \$150,000 is for a grant to Independent School District No. 36,
 204.6 Kelliher; \$180,000 is for a grant to Independent School District No. 95, Cromwell; \$495,000
 204.7 is for a grant to Independent School District No. 299, Caledonia; \$220,000 is for a grant to
 204.8 Independent School District No. 306, Laporte; \$150,000 is for a grant to Independent School
 204.9 District No. 362, Littlefork; \$650,000 is for a grant to Independent School District No. 682,
 204.10 Roseau; and \$505,000 is for a grant to Independent School District No. 2580, East Central.

204.11 (c) The grant may be used for any school-related purpose.

204.12 (d) The base for fiscal year 2022 is \$0.

204.13 Subd. 6. **Maximum effort loan aid.** For aid payments to schools under Minnesota
 204.14 Statutes, section 477A.09.

204.15 \$ 3,291,000 2020

204.16 \$ 3,291,000 2021

204.17 The base for fiscal year 2022 is \$3,291,000 and the base for fiscal year 2023 is \$0.

ARTICLE 7

NUTRITION AND LIBRARIES

204.20 Section 1. Minnesota Statutes 2018, section 124D.111, is amended to read:

204.21 **124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE**
 204.22 **ACCOUNTING.**

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

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

204.30 (c) The policy must address whether the participant uses a collection agency to collect
 204.31 unpaid school meals debt.

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

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

205.8 (f) If a school contracts with a third party for its meal services, it must provide the vendor
205.9 with its school meals policy. Any contract between the school and a third-party provider
205.10 entered into or modified after July 1, 2019, must ensure that the third-party provider adheres
205.11 to the participant's school meals policy.

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

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

205.18 Subd. 2a. **Federal child and adult care food program; criteria and notice.** The
205.19 commissioner must post on the department's website eligibility criteria and application
205.20 information for nonprofit organizations interested in applying to the commissioner for
205.21 approval as a multisite sponsoring organization under the federal child and adult care food
205.22 program. The posted criteria and information must inform interested nonprofit organizations
205.23 about:

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

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

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

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

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

206.5 (c) Revenues and expenditures for food service activities must be recorded in the food
206.6 service fund. The costs of processing applications, accounting for meals, preparing and
206.7 serving food, providing kitchen custodial services, and other expenses involving the preparing
206.8 of meals or the kitchen section of the lunchroom may be charged to the food service fund
206.9 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial
206.10 services, lunchroom utilities, and other administrative costs of the food service program
206.11 must be charged to the general fund.

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

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

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

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

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

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

207.7 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must
207.8 make lunch available without charge and must not deny a school lunch to all participating
207.9 students who qualify for free or reduced-price meals, whether or not that student has an
207.10 outstanding balance in the student's meals account attributable to a la carte purchases or for
207.11 any other reason.

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

207.23 (b) If the commissioner or the commissioner's designee determines a participant has
207.24 violated the requirement to provide meals to participating students in a respectful manner,
207.25 the commissioner or the commissioner's designee must send a letter of noncompliance to
207.26 the participant. The participant is required to respond and, if applicable, remedy the practice
207.27 within 30 days.

207.28 **EFFECTIVE DATE.** This section is effective July 1, 2019.

207.29 Sec. 2. Minnesota Statutes 2018, section 124D.1158, is amended to read:

207.30 **124D.1158 SCHOOL BREAKFAST PROGRAM.**

207.31 Subdivision 1. **Purpose.** The purpose of the school breakfast program is to provide
207.32 affordable morning nutrition to children so that they can effectively learn. Public and
207.33 nonpublic schools that participate in the federal school breakfast program may receive state

208.1 breakfast aid. Schools shall encourage all children to eat a nutritious breakfast, either at
208.2 home or at school, and shall work to eliminate barriers to breakfast participation at school
208.3 such as inadequate facilities and transportation.

208.4 Subd. 1a. **Definitions.** (a) "Breakfast in the classroom" means a meal delivered to each
208.5 classroom near the beginning of the student's school day.

208.6 (b) "Federal reimbursement rate for free breakfast" means the federal reimbursement
208.7 rate for free breakfast for a Minnesota school not in severe need.

208.8 (c) "Full federal reimbursement of meals served" means that the reimbursement under
208.9 the Community Eligibility Provision program under section 11(a)(1) of the Richard B.
208.10 Russell National School Lunch Act, United States Code, title 42, section 1759a(a)(1), covers
208.11 the full stated meal price for each meal served.

208.12 (d) "Grab and go" means a breakfast model where foods are available for students to
208.13 take at the start of the school day or between morning classes to eat in the classroom or as
208.14 otherwise designated by the school.

208.15 (e) "Participating student" means a student at the school site enrolled in:

208.16 (1) an approved voluntary prekindergarten program under section 124D.151;

208.17 (2) kindergarten; or

208.18 (3) grades 1 to 12.

208.19 (f) "Second chance breakfast" means food served for breakfast available later in the
208.20 morning, including during recess or nutrition breaks.

208.21 Subd. 1b. **Breakfast after the bell program.** In order to increase participation in school
208.22 breakfast programs, a school may establish a voluntary "breakfast after the bell" program.
208.23 A breakfast after the bell program may include grab and go breakfasts, second chance
208.24 breakfasts, or breakfasts in the classroom according to a plan developed by the participating
208.25 school site.

208.26 **Subd. 2. Program; eligibility.** Each school year, public and nonpublic schools that
208.27 participate in the federal school breakfast program are eligible for the state breakfast program.

208.28 **Subd. 3. Program reimbursement; regular school breakfast.** Each school year, the
208.29 state must reimburse each participating school 30 cents for each reduced-price breakfast,
208.30 55 cents for each fully paid breakfast served to students in grades 1 to 12, and ~~\$1.30~~ \$1.35
208.31 for each fully paid breakfast served to a prekindergarten student enrolled in an approved
208.32 voluntary prekindergarten program under section 124D.151 or a kindergarten student.

209.1 Subd. 3a. Program reimbursement; voluntary breakfast after the bell. (a) A school
209.2 district where more than 40 percent of the students enrolled in the previous school year
209.3 were eligible for free or reduced-price meals and that is required to offer a school breakfast
209.4 program under section 124D.117, at its discretion, may elect, on a site by site basis, to
209.5 receive funding for its breakfast programs under this subdivision or under subdivision 3,
209.6 but not both. In order to receive aid under this subdivision, a school district with an eligible
209.7 school site must apply to the commissioner in the form and manner specified by the
209.8 commissioner and demonstrate to the commissioner's satisfaction that the school site is not
209.9 eligible for full federal reimbursement of its meals served. A school district's application
209.10 must include:

209.11 (1) documentation of engagement between the applicant school's administration and
209.12 staff indicating support to implement a breakfast after the bell program; and

209.13 (2) a description of the breakfast after the bell program model that will be used at the
209.14 school.

209.15 (b) Each school year, the state must reimburse each participating breakfast after the bell
209.16 school an amount equal to the greater of zero, or the difference between:

209.17 (1) the product of the number of breakfasts served to participating students and the
209.18 federal reimbursement rate for free breakfast; and

209.19 (2) the federal school breakfast program nonsevere reimbursements for the school.

209.20 Subd. 4. No fees. (a) A school that receives school breakfast aid under ~~this section~~
209.21 subdivision 3 must make breakfast available without charge to all participating students at
209.22 that school site in grades 1 to 12 who qualify for free or reduced-price meals and to all
209.23 prekindergarten students enrolled in an approved voluntary prekindergarten program under
209.24 section 124D.151 and all kindergarten students.

209.25 (b) A school that receives breakfast aid under subdivision 3a must make breakfast
209.26 available without charge to all participating students.

209.27 EFFECTIVE DATE. This section is effective for revenue for fiscal year 2020 and later.

209.28 Sec. 3. Minnesota Statutes 2018, section 134.355, subdivision 5, is amended to read:

209.29 Subd. 5. Base aid distribution. ~~Five~~ Fifteen percent of the available aid funds shall be
209.30 paid to each system as base aid for basic system services.

209.31 EFFECTIVE DATE. This section is effective for state aid for fiscal year 2020 and
209.32 later.

210.1 Sec. 4. Minnesota Statutes 2018, section 134.355, subdivision 6, is amended to read:

210.2 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent
210.3 of the available aid funds shall be distributed to regional public library systems based upon
210.4 the adjusted net tax capacity per capita for each member county or participating portion of
210.5 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is
210.6 provided. Each system's entitlement shall be calculated as follows:

210.7 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating
210.8 portion of a county by .0082;

210.9 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the
210.10 amount of the county or participating portion of a county with the lowest value calculated
210.11 according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion
210.12 of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1).
210.13 Multiply the amount of the additional aid funds by the population of the county or
210.14 participating portion of a county;

210.15 ~~(c)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient
210.16 aid funds that are available under this subdivision to the amount of a county or participating
210.17 portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise
210.18 it and the amount of counties and participating portions of counties with lower values
210.19 calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion
210.20 of a county with the next highest value, until reaching an amount where funds available
210.21 under this subdivision are no longer sufficient to raise the amount of a county or participating
210.22 portion of a county and the amount of counties and participating portions of counties with
210.23 lower values up to the amount of the next highest county or participating portion of a county;
210.24 and

210.25 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (c)~~ clauses (2) and
210.26 (3) at which the remaining aid funds under this subdivision are not adequate for raising the
210.27 amount of a county or participating portion of a county and all counties and participating
210.28 portions of counties with amounts of lower value to the amount of the county or participating
210.29 portion of a county with the next highest value, those funds are to be divided on a per capita
210.30 basis for all counties or participating portions of counties that received aid funds under the
210.31 calculation in ~~paragraphs (b) and (c)~~ clauses (2) and (3).

210.32 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2020 and
210.33 later.

211.1 Sec. 5. Minnesota Statutes 2018, section 134.355, subdivision 7, is amended to read:

211.2 Subd. 7. **Population determination.** A regional public library system's population shall
211.3 be determined according to must be calculated using the most recent estimate available
211.4 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which
211.5 must be by April 1 in the year the calculation is made.

211.6 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2020 and
211.7 later.

211.8 Sec. 6. Minnesota Statutes 2018, section 134.355, subdivision 8, is amended to read:

211.9 Subd. 8. **Eligibility.** (a) A regional public library system may apply for regional library
211.10 telecommunications aid on behalf of itself and member public libraries.

211.11 (b) The aid must be used for connections and other eligible non-voice-related e-rate
211.12 program category one services. Aid may be used for e-rate program category two services
211.13 as identified in the Federal Communication Commission's eligible services list for the current
211.14 and preceding four funding years, if sufficient funds remain once category one needs are
211.15 met in each funding year. If sufficient funds remain after meeting category one and category
211.16 two needs in each funding year, aid may be used for other regional public library technology,
211.17 network infrastructure, security, and telecommunications services including nonphone
211.18 telecommunication services for remote self-service pickup locations for library materials
211.19 on nonlibrary property.

211.20 (c) To be eligible, a regional public library system must be officially designated by the
211.21 commissioner of education as a regional public library system as defined in section 134.34,
211.22 subdivision 3, and each of its participating cities and counties must meet local support levels
211.23 defined in section 134.34, subdivision 1. A public library building that receives aid under
211.24 this section must be open a minimum of 20 hours per week. Exceptions to the minimum
211.25 open hours requirement may be granted by the Department of Education on request of the
211.26 regional public library system for the following circumstances: short-term closing for
211.27 emergency maintenance and repairs following a natural disaster; in response to exceptional
211.28 economic circumstances; building repair or maintenance that requires public services areas
211.29 to be closed; or to adjust hours of public service to respond to documented seasonal use
211.30 patterns.

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

212.1 Sec. 7. APPROPRIATIONS.

212.2 Subdivision 1. Department of Education. The sums indicated in this section are
 212.3 appropriated from the general fund to the Department of Education for the fiscal years
 212.4 designated. Any balance in the first year does not cancel but is available in the second year.

212.5 Subd. 2. School lunch. For school lunch aid under Minnesota Statutes, section 124D.111,
 212.6 and Code of Federal Regulations, title 7, section 210.17:

212.7 \$ 16,359,000 2020

212.8 \$ 16,629,000 2021

212.9 Subd. 3. School breakfast. For traditional school breakfast aid under Minnesota Statutes,
 212.10 section 124D.1158:

212.11 \$ 11,273,000 2020

212.12 \$ 11,733,000 2021

212.13 Subd. 4. Breakfast after the bell. (a) For school breakfast aid under Minnesota Statutes,
 212.14 section 124D.1158:

212.15 \$ 2,000,000 2020

212.16 \$ 2,300,000 2021

212.17 (b) The base for fiscal year 2022 is \$2,600,000, and the base for fiscal year 2023 is
 212.18 \$3,200,000.

212.19 (c) The commissioner of education must report to the education committees of the
 212.20 legislature by February 15, 2021, on the outcomes and barriers of breakfast after the bell
 212.21 programs. The report must list the number of schools and the number of participating students
 212.22 by each type of breakfast after the bell program. The report must also identify the barriers
 212.23 to participation in the breakfast after the bell program, including for those school sites that
 212.24 are eligible for free breakfast but don't participate and school sites that are eligible for the
 212.25 Community Eligibility Program but do not participate. The report must recommend legislative
 212.26 actions that would simplify and eliminate barriers to participation in the breakfast after the
 212.27 bell program and the Community Eligibility Program.

212.28 Subd. 5. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes,
 212.29 section 124D.118:

212.30 \$ 691,000 2020

212.31 \$ 691,000 2021

213.1 Subd. 6. **Summer school food service replacement aid.** For summer school food service
 213.2 replacement aid under Minnesota Statutes, section 124D.119:

213.3 \$ 150,000 2020

213.4 \$ 150,000 2021

213.5 Subd. 7. **Regional library basic system support.** For regional library basic system
 213.6 support aid under Minnesota Statutes, section 134.355:

213.7 \$ 17,170,000 2020

213.8 \$ 17,570,000 2021

213.9 The 2020 appropriation includes \$1,357,000 for 2019 and \$15,813,000 for 2020. The
 213.10 2021 appropriation includes \$1,757,000 for 2020 and \$15,813,000 for 2021.

213.11 Subd. 8. **Multicounty, multitype library systems.** For aid under Minnesota Statutes,
 213.12 sections 134.353 and 134.354, to multicounty, multitype library systems:

213.13 \$ 1,300,000 2020

213.14 \$ 1,300,000 2021

213.15 The 2020 appropriation includes \$130,000 for 2019 and \$1,170,000 for 2020.

213.16 The 2021 appropriation includes \$130,000 for 2020 and \$1,170,000 for 2021.

213.17 Subd. 9. **Electronic library for Minnesota.** For statewide licenses to online databases
 213.18 selected in cooperation with the Minnesota Office of Higher Education for school media
 213.19 centers, public libraries, state government agency libraries, and public or private college or
 213.20 university libraries:

213.21 \$ 900,000 2020

213.22 \$ 900,000 2021

213.23 Any balance in the first year does not cancel but is available in the second year.

213.24 Subd. 10. **Regional library telecommunications aid.** For regional library
 213.25 telecommunications aid under Minnesota Statutes, section 134.355:

213.26 \$ 2,300,000 2020

213.27 \$ 2,300,000 2021

213.28 The 2020 appropriation includes \$230,000 for 2019 and \$2,070,000 for 2020.

213.29 The 2021 appropriation includes \$230,000 for 2020 and \$2,070,000 for 2021.

ARTICLE 8

EARLY CHILDHOOD

214.1

214.2

214.3 Section 1. Minnesota Statutes 2018, section 121A.45, subdivision 2, is amended to read:

214.4 Subd. 2. **Grounds for dismissal.** A school district must not dismiss a child participating

214.5 or enrolled in a prekindergarten program. A school district may dismiss a pupil ~~may be~~

214.6 ~~dismissed on any of the following grounds~~ in kindergarten through grade 12 for:

214.7 ~~(a)~~ (1) willful violation of any reasonable school board regulation. Such regulation must

214.8 be clear and definite to provide notice to pupils that they must conform their conduct to its

214.9 requirements;

214.10 ~~(b)~~ (2) willful conduct that significantly disrupts the rights of others to an education, or

214.11 the ability of school personnel to perform their duties, or school sponsored extracurricular

214.12 activities; or

214.13 ~~(c)~~ (3) willful conduct that endangers the pupil or other pupils, or surrounding persons,

214.14 including school district employees, or property of the school.

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

214.16 Sec. 2. **[122A.261] PREKINDERGARTEN, SCHOOL READINESS, PRESCHOOL,**

214.17 **AND EARLY EDUCATION PROGRAMS; LICENSURE REQUIREMENTS.**

214.18 Subdivision 1. **Licensure requirement.** A school district or charter school that operates

214.19 a preschool, school readiness, school readiness plus, prekindergarten, or other similar early

214.20 education program must employ a qualified teacher, as defined in section 122A.16, to

214.21 provide instruction in such a program.

214.22 Subd. 2. **Exemption from licensure.** A person employed by a school district or charter

214.23 school as a teacher in an early education program during the 2018-2019 school year, who

214.24 does not have a Minnesota teaching license issued in accordance with chapter 122A, is

214.25 exempt from the teacher licensure requirement until July 1, 2024, or until the teacher obtains

214.26 a Minnesota teaching license, whichever occurs first. Notwithstanding the licensure

214.27 exemption under this subdivision, a person employed as a teacher in a school district or

214.28 charter school based early education program is a teacher, as defined in section 179A.03,

214.29 subdivision 18.

215.1 Sec. 3. Minnesota Statutes 2018, section 124D.151, subdivision 2, is amended to read:

215.2 Subd. 2. **Program requirements.** (a) A voluntary prekindergarten program provider
215.3 must:

215.4 (1) provide instruction through play-based learning to foster children's social and
215.5 emotional development, cognitive development, physical and motor development, and
215.6 language and literacy skills, including the native language and literacy skills of English
215.7 learners, to the extent practicable;

215.8 (2) measure each child's cognitive and social skills using a formative measure aligned
215.9 to the state's early learning standards when the child enters and again before the child leaves
215.10 the program, screening and progress monitoring measures, and ~~others~~ other age-appropriate
215.11 versions from the state-approved menu of kindergarten entry profile measures;

215.12 (3) provide comprehensive program content including the implementation of curriculum,
215.13 assessment, and instructional strategies aligned with the state early learning standards, and
215.14 kindergarten through grade 3 academic standards;

215.15 (4) provide instructional content and activities that are of sufficient length and intensity
215.16 to address learning needs including offering a program with at least 350 hours of instruction
215.17 per school year for a prekindergarten student;

215.18 (5) provide voluntary prekindergarten instructional staff salaries comparable to the
215.19 salaries of local kindergarten through grade 12 instructional staff;

215.20 (6) coordinate appropriate kindergarten transition with families, community-based
215.21 prekindergarten programs, and school district kindergarten programs;

215.22 (7) involve parents in program planning and transition planning by implementing parent
215.23 engagement strategies that include culturally and linguistically responsive activities in
215.24 prekindergarten through third grade that are aligned with early childhood family education
215.25 under section 124D.13;

215.26 (8) coordinate with relevant community-based services, including health and social
215.27 service agencies, to ensure children have access to comprehensive services;

215.28 (9) coordinate with all relevant school district programs and services including early
215.29 childhood special education, homeless students, and English learners;

215.30 (10) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children;

215.31 (11) provide high-quality coordinated professional development, training, and coaching
215.32 for both school district and community-based early learning providers that is informed by

216.1 a measure of adult-child interactions and enables teachers to be highly knowledgeable in
216.2 early childhood curriculum content, assessment, native and English language development
216.3 programs, and instruction; and

216.4 (12) implement strategies that support the alignment of professional development,
216.5 instruction, assessments, and prekindergarten through grade 3 curricula.

216.6 (b) A voluntary prekindergarten program must have teachers knowledgeable in early
216.7 childhood curriculum content, assessment, native and English language programs, and
216.8 instruction.

216.9 (c) Districts and charter schools must include their strategy for implementing and
216.10 measuring the impact of their voluntary prekindergarten program under section 120B.11
216.11 and provide results in their world's best workforce annual summary to the commissioner of
216.12 education.

216.13 Sec. 4. Minnesota Statutes 2018, section 124D.151, subdivision 4, is amended to read:

216.14 Subd. 4. **Eligibility.** A child who is four years of age as of September 1 in the calendar
216.15 year in which the school year commences is eligible to participate in a voluntary
216.16 prekindergarten program free of charge. An eligible four-year-old child served in a
216.17 mixed-delivery system by a child care center, family child care program licensed under
216.18 section 245A.03, or community-based organization may be charged a fee as long as the
216.19 mixed-delivery partner was not awarded a seat for that child. Each eligible child must
216.20 complete a health and developmental screening within 90 days of program enrollment under
216.21 sections 121A.16 to 121A.19, and provide documentation of required immunizations under
216.22 section 121A.15.

216.23 Sec. 5. Minnesota Statutes 2018, section 124D.151, subdivision 5, is amended to read:

216.24 Subd. 5. **Application process; priority for high poverty schools.** (a) ~~To qualify for~~
216.25 ~~program approval for fiscal year 2017, a district or charter school must submit an application~~
216.26 ~~to the commissioner by July 1, 2016. To qualify for program approval for fiscal year 2018~~
216.27 ~~and later, a district or charter school must submit an application to the commissioner by~~
216.28 January 30 of the fiscal year prior to the fiscal year in which the program will be
216.29 implemented. The application must include:

216.30 (1) a description of the proposed program, including the number of hours per week the
216.31 program will be offered at each school site or mixed-delivery location;

217.1 (2) an estimate of the number of eligible children to be served in the program at each
217.2 school site or mixed-delivery location; and

217.3 (3) a statement of assurances signed by the superintendent or charter school director that
217.4 the proposed program meets the requirements of subdivision 2.

217.5 (b) The commissioner must review all applications submitted ~~for fiscal year 2017 by~~
217.6 ~~August 1, 2016, and must review all applications submitted for fiscal year 2018 and later~~
217.7 by March 1 of the fiscal year in which the applications are received and determine whether
217.8 each application meets the requirements of paragraph (a).

217.9 (c) The commissioner must divide all applications for new or expanded voluntary
217.10 prekindergarten programs under this section meeting the requirements of paragraph (a) and
217.11 school readiness plus programs into ~~four~~ five groups as follows: the Minneapolis and school
217.12 district; the St. Paul school districts district; other school districts located in the metropolitan
217.13 equity region as defined in section 126C.10, subdivision 28; school districts located in the
217.14 rural equity region as defined in section 126C.10, subdivision 28; and charter schools.
217.15 Within each group, the applications must be ordered by rank using a sliding scale based on
217.16 the following criteria:

217.17 (1) concentration of kindergarten students eligible for free or reduced-price lunches by
217.18 school site on October 1 of the previous school year. A school site may contract to partner
217.19 with a community-based provider or Head Start under subdivision 3 or establish an early
217.20 childhood center and use the concentration of kindergarten students eligible for free or
217.21 reduced-price meals from a specific school site as long as those eligible children are
217.22 prioritized and guaranteed services at the mixed-delivery site or early education center. For
217.23 school district programs to be operated at locations that do not have free and reduced-price
217.24 lunch concentration data for kindergarten programs for October 1 of the previous school
217.25 year, including mixed-delivery programs, the school district average concentration of
217.26 kindergarten students eligible for free or reduced-price lunches must be used for the rank
217.27 ordering;

217.28 (2) presence or absence of a three- or four-star Parent Aware rated program within the
217.29 school district or close proximity of the district. School sites with the highest concentration
217.30 of kindergarten students eligible for free or reduced-price lunches that do not have a three-
217.31 or four-star Parent Aware program within the district or close proximity of the district shall
217.32 receive the highest priority, and school sites with the lowest concentration of kindergarten
217.33 students eligible for free or reduced-price lunches that have a three- or four-star Parent

218.1 Aware rated program within the district or close proximity of the district shall receive the
218.2 lowest priority; and

218.3 (3) whether the district has implemented a ~~mixed-delivery~~ mixed-delivery system.

218.4 (d) If the participation limit under subdivision 6 is higher than the participation limit for
218.5 the previous year, the limit on participation for the programs as specified in subdivision 6
218.6 must initially be allocated among the ~~four~~ five groups based on each group's percentage
218.7 share of the statewide kindergarten enrollment on October 1 of the previous school year. If
218.8 the participation limit is the same as the participation limit for the previous year, the
218.9 participation limit must initially be allocated among the five groups based on each group's
218.10 participation limit for the previous school year. Within each group, the participation limit
218.11 ~~for fiscal years 2018 and 2019~~ must first be allocated to school sites approved for aid in the
218.12 previous year to ensure that those sites are funded for the same number of participants as
218.13 approved for the previous year. The remainder of the participation limit for each group must
218.14 be allocated among school sites in priority order until that region's share of the participation
218.15 limit is reached. If the participation limit is not reached for all groups, the remaining amount
218.16 must be allocated to the highest priority school sites, as designated under this section, not
218.17 funded in the initial allocation on a statewide basis. ~~For fiscal year 2020 and later, the~~
218.18 ~~participation limit must first be allocated to school sites approved for aid in fiscal year 2017,~~
218.19 ~~and then to school sites approved for aid in fiscal year 2018 based on the statewide rankings~~
218.20 ~~under paragraph (c).~~

218.21 (e) Once a school site or a ~~mixed-delivery~~ mixed-delivery site under subdivision 3 is
218.22 approved for aid under this subdivision, it shall remain eligible for aid if it continues to
218.23 meet program requirements, regardless of changes in the concentration of students eligible
218.24 for free or reduced-price lunches.

218.25 (f) If the total number of participants approved based on applications submitted under
218.26 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
218.27 notify all school districts and charter schools of the amount that remains available within
218.28 30 days of the initial application deadline under paragraph (a), and complete a second round
218.29 of allocations based on applications received within 60 days of the initial application deadline.

218.30 (g) Procedures for approving applications submitted under paragraph (f) shall be the
218.31 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the
218.32 highest priority school sites not funded in the initial allocation on a statewide basis.

218.33 **EFFECTIVE DATE.** This section is effective for applications for fiscal year 2020 and
218.34 later.

219.1 Sec. 6. Minnesota Statutes 2018, section 124D.151, subdivision 6, is amended to read:

219.2 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
219.3 paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school
219.4 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
219.5 school district or charter school under section 126C.05, subdivision 1, paragraph (e).

219.6 (b) In reviewing applications under subdivision 5, ~~the commissioner must limit the~~
219.7 ~~estimated state aid entitlement approved under this section to \$27,092,000 for fiscal year~~
219.8 ~~2017. If the actual state aid entitlement based on final data exceeds the limit in any year,~~
219.9 ~~the aid of the participating districts must be prorated so as not to exceed the limit.~~

219.10 (c) ~~The commissioner must limit the total number of funded participants in the voluntary~~
219.11 ~~prekindergarten program under this section to not more than 3,160.~~

219.12 (d) ~~Notwithstanding paragraph (c),~~ the commissioner must limit the total number of
219.13 participants in the voluntary prekindergarten and school readiness plus programs under
219.14 Laws 2017, First Special Session chapter 5, article 8, section 9 to not more than 6,160
219.15 ~~participants for fiscal year 2018 and 7,160 participants for per fiscal year 2019.~~

219.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

219.17 Sec. 7. Minnesota Statutes 2018, section 124D.165, subdivision 2, is amended to read:

219.18 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
219.19 parents or guardians must meet the following eligibility requirements:

219.20 (1) have an eligible child; and

219.21 (2) have income equal to or less than 185 percent of federal poverty level income in the
219.22 current calendar year, or be able to document their child's current participation in the free
219.23 and reduced-price lunch program or Child and Adult Care Food Program, National School
219.24 Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution
219.25 Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections
219.26 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act
219.27 of 2007; Minnesota family investment program under chapter 256J; child care assistance
219.28 programs under chapter 119B; the supplemental nutrition assistance program; or placement
219.29 in foster care under section 260C.212. Parents or guardians are not required to provide
219.30 income verification under this clause if the child is an eligible child under paragraph (b),
219.31 clause (4) or (5).

219.32 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

220.1 (1) ~~at least from birth to age three but not yet five years of age~~ on September 1 of the
220.2 current school year;

220.3 (2) a sibling from birth to age ~~five~~ four of a child who has been awarded a scholarship
220.4 under this section provided the sibling attends the same program as long as funds are
220.5 available;

220.6 (3) the child of a parent under age 21 who is pursuing a high school degree or a course
220.7 of study for a high school equivalency test; ~~or~~

220.8 ~~(4) homeless, in foster care, or in need of child protective services.~~

220.9 (4) a child in need of protective services or in foster care; or

220.10 (5) designated as homeless under the federal McKinney-Vento Homeless Assistance
220.11 Act, United States Code, title 42, section 11434a.

220.12 (c) A child who has received a scholarship under this section must continue to receive
220.13 a scholarship each year until that child is eligible for kindergarten under section 120A.20
220.14 and as long as funds are available. This paragraph applies notwithstanding the age
220.15 requirements under paragraph (b).

220.16 (d) Early learning scholarships may not be counted as earned income for the purposes
220.17 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
220.18 family investment program under chapter 256J, child care assistance programs under chapter
220.19 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
220.20 2007.

220.21 (e) A child from an adjoining state whose family resides at a Minnesota address as
220.22 assigned by the United States Postal Service, who has received developmental screening
220.23 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
220.24 and whose family meets the criteria of paragraph (a) is eligible for an early learning
220.25 scholarship under this section.

220.26 Sec. 8. Minnesota Statutes 2018, section 124D.165, subdivision 3, is amended to read:

220.27 Subd. 3. **Administration.** (a) The commissioner shall establish application timelines
220.28 and determine the schedule for awarding scholarships that meets operational needs of eligible
220.29 families and programs. The commissioner must give highest priority to applications from
220.30 children who:

220.31 (1) have a parent under age 21 who is pursuing a high school diploma or a course of
220.32 study for a high school equivalency test;

221.1 (2) are in foster care or otherwise in need of protection or services; or

221.2 (3) have experienced homelessness in the last 24 months, as defined under the federal
221.3 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

221.4 The commissioner may prioritize applications on additional factors including family
221.5 income, geographic location, and whether the child's family is on a waiting list for a publicly
221.6 funded program providing early education or child care services.

221.7 (b) The commissioner shall establish a target for the average scholarship amount per
221.8 child based on the results of the rate survey conducted under section 119B.02.

221.9 (c) A four-star rated program that has children eligible for a scholarship enrolled in or
221.10 on a waiting list for a program beginning in July, August, or September may notify the
221.11 commissioner, in the form and manner prescribed by the commissioner, each year of the
221.12 program's desire to enhance program services or to serve more children than current funding
221.13 provides. The commissioner may designate a predetermined number of scholarship slots
221.14 for that program and notify the program of that number. ~~For fiscal year 2018 and later, the~~
221.15 ~~statewide amount of funding directly designated by the commissioner must not exceed the~~
221.16 ~~funding directly designated for fiscal year 2017. Beginning July 1, 2016,~~ A school district
221.17 or Head Start program qualifying under this paragraph may use its established registration
221.18 process to enroll scholarship recipients and may verify a scholarship recipient's family
221.19 income in the same manner as for other program participants.

221.20 (d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not
221.21 been accepted and subsequently enrolled in a rated program within ten months of the
221.22 awarding of the scholarship, the scholarship cancels and the recipient must reapply in order
221.23 to be eligible for another scholarship. A child may not be awarded more than one scholarship
221.24 in a 12-month period.

221.25 (e) A child over the age of three who receives a scholarship ~~who~~ and has not completed
221.26 development screening under sections 121A.16 to 121A.19 must complete that screening
221.27 within 90 days of first attending an eligible program. A child who receives a scholarship
221.28 before the age of three must complete the developmental screening no later than 90 days
221.29 after the child's third birthday.

221.30 (f) For fiscal year 2017 and later, a school district or Head Start program enrolling
221.31 scholarship recipients under paragraph (c) may apply to the commissioner, in the form and
221.32 manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of
221.33 the application, the commissioner must pay each program directly for each approved

222.1 scholarship recipient enrolled under paragraph (c) according to the metered payment system
222.2 or another schedule established by the commissioner.

222.3 Sec. 9. Minnesota Statutes 2018, section 124D.165, subdivision 4, is amended to read:

222.4 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an
222.5 early learning scholarship, a program must:

222.6 (1) participate in the quality rating and improvement system under section 124D.142;
222.7 and

222.8 (2) beginning July 1, 2020, have a three- or four-star rating in the quality rating and
222.9 improvement system.

222.10 (b) Any program accepting scholarships must use the revenue to supplement and not
222.11 supplant federal funding.

222.12 ~~(c) Notwithstanding paragraph (a), all Minnesota early learning foundation scholarship~~
222.13 ~~program pilot sites are eligible to accept an early learning scholarship under this section.~~

222.14 Sec. 10. Minnesota Statutes 2018, section 124D.165, is amended by adding a subdivision
222.15 to read:

222.16 Subd. 6. **Early learning scholarship account.** (a) An account is established in the
222.17 special revenue fund known as the "early learning scholarship account."

222.18 (b) Funds appropriated for early learning scholarships under this section must be
222.19 transferred to the early learning scholarship account in the special revenue fund.

222.20 (c) Money in the account is annually appropriated to the commissioner for early learning
222.21 scholarships under this section. Money in the account is available until spent. Any returned
222.22 funds are available to be regranted.

222.23 (d) Up to \$950,000 annually is available to the commissioner for costs associated with
222.24 administering and monitoring early learning scholarships.

222.25 Sec. 11. Minnesota Statutes 2018, section 126C.05, subdivision 1, is amended to read:

222.26 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
222.27 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
222.28 average daily membership enrolled in the district of residence, in another district under
222.29 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
222.30 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,

223.1 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
 223.2 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

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

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

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

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

223.17 ~~(e)~~ (d) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil
 223.18 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
 223.19 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in
 223.20 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
 223.21 every day kindergarten program available to all kindergarten pupils at the pupil's school.

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

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

223.24 (h) (g) A pupil who is in the postsecondary enrollment options program is counted as
 223.25 1.2 pupil units.

223.26 ~~(i) For fiscal years 2018 and 2019 only,~~ (h) A prekindergarten pupil who:

223.27 (1) is not included in paragraph (a), (b), or ~~(d)~~ (c);

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

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

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

224.5 Sec. 12. Minnesota Statutes 2018, section 245C.12, is amended to read:

224.6 **245C.12 BACKGROUND STUDY; TRIBAL ORGANIZATIONS.**

224.7 Subdivision 1. Access to data. ~~(a)~~ For the purposes of background studies completed
224.8 by tribal organizations performing licensing activities otherwise required of the commissioner
224.9 under this chapter, after obtaining consent from the background study subject, tribal licensing
224.10 agencies shall have access to criminal history data in the same manner as county licensing
224.11 agencies and private licensing agencies under this chapter.

224.12 Subd. 2. Adoptions; child foster care. ~~(b)~~ Tribal organizations may contract with the
224.13 commissioner to obtain background study data on individuals under tribal jurisdiction related
224.14 to adoptions according to section 245C.34. Tribal organizations may also contract with the
224.15 commissioner to obtain background study data on individuals under tribal jurisdiction related
224.16 to child foster care according to section 245C.34.

224.17 Subd. 3. Nursing facility. ~~(c)~~ For the purposes of background studies completed to
224.18 comply with a tribal organization's licensing requirements for individuals affiliated with a
224.19 tribally licensed nursing facility, the commissioner shall obtain criminal history data from
224.20 the National Criminal Records Repository in accordance with section 245C.32.

224.21 Subd. 4. Child care. ~~(a)~~ Tribal organizations may contract with the commissioner to:

224.22 (1) conduct background studies on individuals affiliated with a child care program
224.23 sponsored, managed, or licensed by a tribal organization; and

224.24 (2) obtain background study data on individuals affiliated with a child care program
224.25 sponsored, managed, or licensed by a tribal organization.

224.26 (b) The commissioner must include a national criminal history record check in a
224.27 background study conducted under paragraph (a).

224.28 (c) A tribally affiliated child care program that does not contract with the commissioner
224.29 to conduct background studies is exempt from the relevant requirements in this chapter. For
224.30 a background study conducted under this subdivision to be transferable to other child care
224.31 entities, the study must include all components of studies for a certified license-exempt
224.32 child care center under this chapter.

225.1 **Sec. 13. [245C.125] BACKGROUND STUDY; HEAD START PROGRAMS.**

225.2 (a) Head Start programs that receive funds under section 119A.52 may contract with
225.3 the commissioner to:

225.4 (1) conduct background studies on individuals affiliated with a Head Start program; and

225.5 (2) obtain background study data on individuals affiliated with a Head Start program.

225.6 (b) The commissioner must include a national criminal history record check in a
225.7 background study conducted under paragraph (a).

225.8 (c) A Head Start program site that does not contract with the commissioner, is not
225.9 licensed, and is not registered to receive payments under chapter 119B is exempt from the
225.10 relevant requirements in this chapter. Nothing in this section supersedes requirements for
225.11 background studies in this chapter or chapter 119B or 245H that relate to licensed child care
225.12 programs or programs registered to receive payments under chapter 119B. For a background
225.13 study conducted under this section to be transferable to other child care entities, the study
225.14 must include all components of studies for a certified license-exempt child care center under
225.15 this chapter.

225.16 **Sec. 14. Laws 2017, First Special Session chapter 5, article 8, section 8, the effective date,**
225.17 **is amended to read:**

225.18 **EFFECTIVE DATE.** Paragraph (i) of this section ~~expires at the end of fiscal year 2019~~
225.19 **does not expire.**

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

225.21 **Sec. 15. LEGISLATIVE REPORT ON EARLY CARE AND EDUCATION**
225.22 **COORDINATION.**

225.23 (a) By February 15, 2020, the commissioners of education and human services must
225.24 jointly submit a report on enhancing coordination of the child care assistance programs
225.25 under Minnesota Statutes, chapter 119B, and the early learning scholarship program under
225.26 Minnesota Statutes, section 124D.165, to the members and staff of the legislative committees
225.27 with jurisdiction over early childhood, human services, and education.

225.28 (b) As part of forming recommendations in the report, the commissioners must consult
225.29 with interested stakeholders, including child care providers, families using the programs,
225.30 program administrators, school districts, and early care and education advocacy groups.

226.1 Stakeholders must be representative of perspectives throughout the state and different racial,
 226.2 cultural, and ethnic groups.

226.3 (c) At a minimum, the report must:

226.4 (1) review and evaluate changes to child care assistance and early learning scholarship
 226.5 program quality and administration, including eligibility, billing, payment, and child and
 226.6 family identification;

226.7 (2) identify challenges and concerns among providers and among recipients of child
 226.8 care assistance and early learning scholarships;

226.9 (3) consider the goals outlined in the Department of Human Services' early childhood
 226.10 systems reform effort;

226.11 (4) develop recommendations for a consolidated universal application process;

226.12 (5) analyze layering and duplication of funds; and

226.13 (6) develop preliminary estimates of costs and uses of funds for identified options and
 226.14 recommendations.

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

226.16 Sec. 16. **APPROPRIATIONS.**

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

226.20 Subd. 2. **School readiness.** (a) For revenue for school readiness programs under
 226.21 Minnesota Statutes, sections 124D.15 and 124D.16:

226.22 \$ 33,683,000 2020

226.23 \$ 33,683,000 2021

226.24 (b) The 2020 appropriation includes \$3,368,000 for 2019 and \$30,315,000 for 2020.

226.25 (c) The 2021 appropriation includes \$3,368,000 for 2020 and \$30,315,000 for 2021.

226.26 Subd. 3. **Early learning scholarships.** (a) For the early learning scholarship program
 226.27 under Minnesota Statutes, section 124D.165:

226.28 \$ 78,805,000 2020

226.29 \$ 78,805,000 2021

227.1 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
 227.2 124D.165, subdivision 6.

227.3 Subd. 4. **Head Start program.** For Head Start programs under Minnesota Statutes,
 227.4 section 119A.52:

227.5 \$ 25,100,000 2020

227.6 \$ 25,100,000 2021

227.7 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
 227.8 aid under Minnesota Statutes, section 124D.135:

227.9 \$ 32,653,000 2020

227.10 \$ 34,072,000 2021

227.11 (b) The 2020 appropriation includes \$3,098,000 for 2019 and \$29,555,000 for 2020.

227.12 (c) The 2021 appropriation includes \$3,283,000 for 2020 and \$30,789,000 for 2021.

227.13 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under
 227.14 Minnesota Statutes, sections 121A.17 and 121A.19:

227.15 \$ 3,639,000 2020

227.16 \$ 3,625,000 2021

227.17 (b) The 2020 appropriation includes \$363,000 for 2019 and \$3,276,000 for 2020.

227.18 (c) The 2021 appropriation includes \$364,000 for 2020 and \$3,261,000 for 2021.

227.19 Subd. 7. **Parent-child home program.** For a grant to the parent-child home program:

227.20 \$ 900,000 2020

227.21 \$ 900,000 2021

227.22 The grant must be used for an evidence-based and research-validated early childhood
 227.23 literacy and school readiness program for children ages 16 months to four years at its existing
 227.24 suburban program location. The program must include urban and rural program locations
 227.25 for fiscal years 2020 and 2021.

227.26 Subd. 8. **Kindergarten entrance assessment initiative and intervention program.** For
 227.27 the kindergarten entrance assessment initiative and intervention program under Minnesota
 227.28 Statutes, section 124D.162:

227.29 \$ 281,000 2020

227.30 \$ 281,000 2021

228.1 Subd. 9. **Quality rating and improvement system.** (a) For transfer to the commissioner
 228.2 of human services for the purposes of expanding the quality rating and improvement system
 228.3 under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports
 228.4 for providers participating in the quality rating and improvement system:

228.5 \$ 1,750,000 2020

228.6 \$ 1,750,000 2021

228.7 (b) The amounts in paragraph (a) must be in addition to any federal funding under the
 228.8 child care and development block grant authorized under Public Law 101-508 in that year
 228.9 for the system under Minnesota Statutes, section 124D.142.

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

228.11 Subd. 10. **Early childhood programs at tribal contract schools.** For early childhood
 228.12 family education programs at tribal contract schools under Minnesota Statutes, section
 228.13 124D.83, subdivision 4:

228.14 \$ 68,000 2020

228.15 \$ 68,000 2021

228.16 Subd. 11. **Metro Deaf Charter School.** (a) For a grant to a charter school that enrolls
 228.17 students as provided under Minnesota Statutes, section 124E.11, paragraph (h), to provide
 228.18 services to additional children with a disability ages birth to five:

228.19 \$ 100,000 2020

228.20 \$ 100,000 2021

228.21 (b) Notwithstanding any other law to the contrary, a charter school that receives a grant
 228.22 under this subdivision may not bill or seek reimbursement from a resident school district
 228.23 for any portion of costs for a child served as a result of grant funds.

228.24 Subd. 12. **Reach Out and Read Minnesota.** (a) For a grant to support Reach Out and
 228.25 Read Minnesota to expand a program that encourages early childhood development through
 228.26 a network of health care clinics, and for the purchase of culturally and developmentally
 228.27 appropriate books to sustain and expand the program in partnership with health clinics
 228.28 statewide:

228.29 \$ 105,000 2020

228.30 \$ 100,000 2021

228.31 (b) The grant recipient must implement a program that includes:

228.32 (1) integrating children's books and parent education into well-child visits;

229.1 (2) creating literacy-rich environments at clinics, including books for visits outside of
 229.2 Reach Out and Read Minnesota parameters or for waiting room use or volunteer readers to
 229.3 model read-aloud techniques for parents where possible;

229.4 (3) working with public health clinics, federally qualified health centers, tribal sites,
 229.5 community health centers, and clinics that belong to health care systems, as well as
 229.6 independent clinics in underserved areas; and

229.7 (4) training medical professionals on speaking with parents of infants, toddlers, and
 229.8 preschoolers on the importance of early literacy and numeracy.

229.9 (c) This is a onetime appropriation.

229.10 Subd. 13. **College savings account pilot program.** (a) For a matching grant to the city
 229.11 of St. Paul to establish a pilot program that (1) creates a college savings account for every
 229.12 child born in the city of St. Paul over the time period for which funds are available, and (2)
 229.13 performs analysis of potential establishment of a statewide program or program duplication
 229.14 by other cities.

229.15 \$ 250,000 2020

229.16 \$ 250,000 2021

229.17 (b) The city must administer the pilot program and partner with a qualified financial
 229.18 institution to support current and potential pilot program participants and their families. The
 229.19 city is the owner of an account established under this pilot program, but the beneficiary
 229.20 must be the individual child.

229.21 (c) The city must use the grant money to establish and fund the accounts, to provide
 229.22 incentives to current and potential pilot program participants and their families, and to
 229.23 provide outreach and education to current and potential pilot program participants and their
 229.24 families. The city may not use grant funds for the administrative costs of managing and
 229.25 operating the pilot program.

229.26 (d) By February 15, 2021, the city must submit a report on the pilot program to the
 229.27 commissioner of education and to the chairs, ranking minority members, and staff of the
 229.28 legislative committees with primary jurisdiction over early childhood and education policy
 229.29 and finance. At a minimum, the report must:

229.30 (1) provide a detailed review of pilot program design and features, including program
 229.31 requirements, funding, and outreach and education activities;

229.32 (2) identify the number of accounts created in the pilot program, including basic
 229.33 demographic information about account beneficiaries;

230.1 (3) provide analysis of savings program development throughout the state, which at a
 230.2 minimum must examine:

230.3 (i) methods for program replication in other cities; and

230.4 (ii) options, models, or frameworks for implementation on a statewide basis, including
 230.5 review of alternative policy approaches; and

230.6 (4) make recommendations regarding program expansion, if any, based on the analysis
 230.7 under clause (3).

230.8 (e) The commissioner of education must provide reasonable technical assistance as
 230.9 requested by the city for the analysis and recommendations under paragraph (d), clauses
 230.10 (3) and (4).

230.11 (f) This is a onetime appropriation. Grant money provided under this subdivision must
 230.12 be matched with money from nonstate sources. This appropriation is available until December
 230.13 30, 2022.

230.14 Subd. 14. **Educate parents partnership.** For the educate parents partnership under
 230.15 Minnesota Statutes, section 124D.129:

230.16 \$ 49,000 2020

230.17 \$ 49,000 2021

230.18 Subd. 15. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
 230.19 124D.135:

230.20 \$ 521,000 2020

230.21 \$ 503,000 2021

230.22 (b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

230.23 (c) The 2021 appropriation includes \$51,000 for 2020 and \$452,000 for 2021.

230.24 **ARTICLE 9**

230.25 **COMMUNITY EDUCATION AND LIFELONG LEARNING**

230.26 Section 1. Minnesota Statutes 2018, section 124D.531, subdivision 1, is amended to read:

230.27 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic
 230.28 education aid for fiscal year ~~2011~~ 2020 equals ~~\$44,419,000~~ \$51,000,000, plus any amount
 230.29 that is not paid during the previous fiscal year as a result of adjustments under subdivision
 230.30 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education
 230.31 aid for later fiscal years equals:

231.1 (1) the state total adult basic education aid for the preceding fiscal year plus any amount
231.2 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision
231.3 4, paragraph (a), or section 124D.52, subdivision 3; times

231.4 (2) the lesser of 1.03, or the greater of:

231.5 (i) ~~1.03~~ one plus the percent change in the formula allowance under section 126C.10,
231.6 subdivision 2, from the previous fiscal year to the current fiscal year; or

231.7 (ii) ~~the average growth in~~ ratio of the state total contact hours over the prior ten program
231.8 years for the previous year to the state total contact hours for the second previous year.

231.9 Three percent of the state total adult basic education aid must be set aside for adult basic
231.10 education supplemental service grants under section 124D.522.

231.11 (b) The state total adult basic education aid, excluding basic population aid, equals the
231.12 difference between the amount computed in paragraph (a), and the state total basic population
231.13 aid under subdivision 2.

231.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

231.15 Sec. 2. Minnesota Statutes 2018, section 124D.99, subdivision 3, is amended to read:

231.16 Subd. 3. **Administration; design.** (a) The commissioner shall establish program
231.17 requirements, an application process and timeline for each tier of grants specified in
231.18 subdivision 4, criteria for evaluation of applications, and a grant awards process. The
231.19 commissioner's process must minimize administrative costs, minimize burdens for applicants
231.20 and grant recipients, and provide a framework that permits flexibility in program design
231.21 and implementation among grant recipients.

231.22 (b) To the extent practicable, the commissioner shall design the program to align with
231.23 programs implemented or proposed by organizations in Minnesota that:

231.24 (1) identify and increase the capacity of organizations that are focused on achieving
231.25 data-driven, locally controlled positive outcomes for children and youth throughout an entire
231.26 neighborhood or geographic area through programs such as Strive Together, Promise
231.27 Neighborhood, and the Education Partnerships Coalition members;

231.28 (2) build a continuum of educational family and community supports with academically
231.29 rigorous schools at the center;

231.30 (3) maximize program efficiencies by integrating programmatic activities and eliminating
231.31 administrative barriers;

- 232.1 (4) develop local infrastructure needed to sustain and scale up proven and effective
 232.2 solutions beyond the initial neighborhood or geographic area; ~~and~~
- 232.3 (5) utilize appropriate outcome measures based on unique community needs and interests
 232.4 and apply rigorous evaluation on a periodic basis to be used to both monitor outcomes and
 232.5 allow for continuous improvements to systems;
- 232.6 (6) collect and utilize data to improve student outcomes;
- 232.7 (7) share disaggregated performance data with the community to set community-level
 232.8 outcomes;
- 232.9 (8) employ continuous improvement processes;
- 232.10 (9) have a tribal entity, community foundation, higher education institution, or
 232.11 community-based organization as an anchor entity managing the partnership;
- 232.12 (10) convene a cross-sector leadership group and have a documented accountability
 232.13 structure; and
- 232.14 (11) demonstrate use of nonstate funds, from multiple sources, including in-kind
 232.15 contributions.
- 232.16 (c) A grant recipient's supportive services programming must address:
- 232.17 (1) kindergarten readiness and youth development;
- 232.18 (2) grade 3 reading proficiency;
- 232.19 (3) middle school mathematics;
- 232.20 (4) high school graduation;
- 232.21 ~~(4)~~ (5) postsecondary educational attainment enrollment;
- 232.22 (6) postsecondary education completion or attainment;
- 232.23 ~~(5)~~ (7) physical and mental health;
- 232.24 ~~(6)~~ (8) development of career skills and readiness;
- 232.25 ~~(7)~~ (9) parental engagement and development;
- 232.26 ~~(8)~~ (10) community engagement and programmatic alignment; and
- 232.27 ~~(9)~~ (11) reduction of remedial education.
- 232.28 (d) The commissioner, in consultation with grant recipients, must:

233.1 (1) develop and revise core indicators of progress toward outcomes specifying impacts
 233.2 for each tier identified under subdivision 4;

233.3 (2) establish a reporting system for grant recipients to measure program outcomes using
 233.4 data sources and program goals; and

233.5 (3) evaluate effectiveness based on the core indicators established by each partnership
 233.6 for each tier.

233.7 **Sec. 3. APPROPRIATIONS.**

233.8 **Subdivision 1. Department of Education.** The sums indicated in this section are
 233.9 appropriated from the general fund to the Department of Education for the fiscal years
 233.10 designated. Any balances in the first year do not cancel but are available in the second year.

233.11 **Subd. 2. Community education aid.** For community education aid under Minnesota
 233.12 Statutes, section 124D.20:

233.13 \$ 330,000 2020

233.14 \$ 257,000 2021

233.15 The 2020 appropriation includes \$40,000 for 2019 and \$290,000 for 2020.

233.16 The 2021 appropriation includes \$32,000 for 2020 and \$225,000 for 2021.

233.17 **Subd. 3. Adults with disabilities program aid.** For adults with disabilities programs
 233.18 under Minnesota Statutes, section 124D.56:

233.19 \$ 710,000 2020

233.20 \$ 710,000 2021

233.21 The 2020 appropriation includes \$639,000 for 2019 and \$71,000 for 2020.

233.22 The 2021 appropriation includes \$639,000 for 2020 and \$71,000 for 2021.

233.23 **Subd. 4. Hearing-impaired adults.** For programs for hearing-impaired adults under
 233.24 Minnesota Statutes, section 124D.57:

233.25 \$ 70,000 2020

233.26 \$ 70,000 2021

233.27 **Subd. 5. School-age care aid.** For school-age care aid under Minnesota Statutes, section
 233.28 124D.22:

233.29 \$ 1,000 2020

233.30 \$ 1,000 2021

234.1 The 2020 appropriation includes \$0 for 2019 and \$1,000 for 2020.

234.2 The 2021 appropriation includes \$0 for 2020 and \$1,000 for 2021.

234.3 Subd. 6. **Tier 1 grants.** (a) For education partnership program Tier 1 sustaining grants
 234.4 under Minnesota Statutes, section 124D.99:

234.5 \$ 2,970,000 2020

234.6 \$ 2,970,000 2021

234.7 (b) Of the amounts in paragraph (a), \$1,485,000 each year is for the Northside
 234.8 Achievement Zone and \$1,485,000 each year is for the St. Paul Promise Neighborhood.

234.9 (c) The base for fiscal year 2022 is \$2,970,000.

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

234.11 Subd. 7. **Tier 2 implementing grants.** (a) For Tier 2 implementing grants under
 234.12 Minnesota Statutes, section 124D.99:

234.13 \$ 1,100,000 2020

234.14 \$ 1,100,000 2021

234.15 (b) Of the amounts in paragraph (a), \$185,000 each year is for the Northfield Healthy
 234.16 Community Initiative in Northfield; \$185,000 is for the Jones Family Foundation for the
 234.17 Every Hand Joined program in Red Wing; \$185,000 is for the United Way of Central
 234.18 Minnesota for the Partners for Student Success program; \$185,000 is for Austin Aspires;
 234.19 \$185,000 is for the Rochester Area Foundation for the Cradle to Career program; and
 234.20 \$185,000 is for Generation Next.

234.21 (c) The base for fiscal year 2022 is \$1,100,000. The base includes \$185,000 each year
 234.22 for each of the following programs: the Northfield Healthy Community Initiative, the Every
 234.23 Hand Joined program, the Partners for Student Success program, Austin Aspires, the Cradle
 234.24 to Career program, and Generation Next.

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

234.26 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota
 234.27 Statutes, section 124D.531:

234.28 \$ 51,906,000 2020

234.29 \$ 53,620,000 2021

234.30 The 2020 appropriation includes \$4,868,000 for 2019 and \$47,038,000 for 2020.

234.31 The 2021 appropriation includes \$5,226,000 for 2020 and \$48,394,000 for 2021.

236.1 (d) The dyslexia specialist must provide guidance to the Professional Educator Licensing
236.2 and Standards Board on developing licensing renewal requirements under section 122A.187,
236.3 subdivision 5, on understanding dyslexia, recognizing dyslexia characteristics in students,
236.4 and using evidence-based best practices.

236.5 (e) Nothing in this subdivision limits the ability of the dyslexia specialist to do other
236.6 dyslexia related work as directed by the commissioner.

236.7 Sec. 2. Minnesota Statutes 2018, section 122A.14, subdivision 9, is amended to read:

236.8 Subd. 9. **Fee.** Each person licensed by the Board of School Administrators shall pay the
236.9 board a fee of ~~\$75~~ \$100, collected each fiscal year. When transmitting notice of the license
236.10 fee, the board also must notify the licensee of the penalty for failing to pay the fee within
236.11 the time specified by the board. The board may provide a lower fee for persons on retired
236.12 or inactive status. After receiving notice from the board, any licensed school administrator
236.13 who does not pay the fee in the given fiscal year shall have all administrative licenses held
236.14 by the person automatically suspended, without the right to a hearing, until the fee has been
236.15 paid to the board. If the board suspends a licensed school administrator for failing to pay
236.16 the fee, it must immediately notify the district currently employing the school administrator
236.17 of the school administrator's suspension. The executive ~~secretary~~ director shall deposit the
236.18 fees in the ~~educator~~ administrator licensure account in the special revenue fund in the state
236.19 treasury.

236.20 **EFFECTIVE DATE.** This section is effective for licenses issued or renewed on or after
236.21 July 1, 2019.

236.22 Sec. 3. **[122A.145] SPECIAL REVENUE FUND ACCOUNTS; ADMINISTRATOR**
236.23 **LICENSURE.**

236.24 An administrator licensure account is created in the special revenue fund. Fees received
236.25 by the Board of School Administrators under section 122A.14, subdivision 9, and Minnesota
236.26 Rules, chapter 3512, must be deposited in the administrator licensure account.

236.27 **EFFECTIVE DATE.** This section is effective July 1, 2019.

236.28 Sec. 4. Minnesota Statutes 2018, section 122A.175, subdivision 1, is amended to read:

236.29 Subdivision 1. **Educator licensure account.** An educator licensure account is created
236.30 in the special revenue fund. Applicant licensure fees received by the Department of
236.31 Education, or the Professional Educator Licensing and Standards Board, ~~or the Board of~~
236.32 ~~School Administrators~~ must be deposited in the educator licensure account. ~~Any funds~~

237.1 ~~appropriated from this account that remain unexpended at the end of the biennium cancel~~
237.2 ~~to the educator licensure account in the special revenue fund.~~

237.3 **EFFECTIVE DATE.** This section is effective July 1, 2019.

237.4 Sec. 5. Minnesota Statutes 2018, section 127A.052, is amended to read:

237.5 **127A.052 SCHOOL SAFETY CLIMATE TECHNICAL ASSISTANCE CENTER.**

237.6 (a) The commissioner shall establish a school safety climate technical assistance center
237.7 at the department to help districts and schools under section 121A.031 provide a safe and
237.8 supportive learning environment and foster academic achievement for all students by focusing
237.9 on prevention, intervention, support, and recovery efforts to develop and maintain safe and
237.10 supportive schools. The center must work collaboratively with implicated state agencies
237.11 identified by the center and schools, communities, and interested individuals and
237.12 organizations to determine how to best use available resources.

237.13 (b) The center's services shall include:

237.14 (1) evidence-based policy review, development, and dissemination;

237.15 (2) single, point-of-contact services designed for schools, parents, and students seeking
237.16 information or other help;

237.17 (3) qualitative and quantitative data gathering, interpretation, and dissemination of
237.18 summary data for existing reporting systems and student surveys and the identification and
237.19 pursuit of emerging trends and issues;

237.20 (4) assistance to districts and schools in using Minnesota student survey results to inform
237.21 intervention and prevention programs;

237.22 (5) education and skill building;

237.23 (6) multisector and multiagency planning and advisory activities incorporating best
237.24 practices and research; and

237.25 (7) administrative and financial support for school and district planning, schools
237.26 recovering from incidents of violence, and school and district violence prevention education.

237.27 (c) The center shall:

237.28 (1) compile and make available to all districts and schools evidence-based elements and
237.29 resources to develop and maintain safe and supportive schools;

237.30 (2) establish and maintain a central repository for collecting and analyzing information
237.31 about prohibited conduct under section 121A.031, including, but not limited to:

238.1 (i) training materials on strategies and techniques to prevent and appropriately address
 238.2 prohibited conduct under section 121A.031;

238.3 (ii) model programming;

238.4 (iii) remedial responses consistent with section 121A.031, subdivision 2, paragraph (i);
 238.5 and

238.6 (iv) other resources for improving the school climate and preventing prohibited conduct
 238.7 under section 121A.031;

238.8 (3) assist districts and schools to develop strategies and techniques for effectively
 238.9 communicating with and engaging parents in efforts to protect and deter students from
 238.10 prohibited conduct under section 121A.031; and

238.11 (4) solicit input from social media experts on implementing this section.

238.12 (d) The commissioner shall provide administrative services including personnel, budget,
 238.13 payroll and contract services, and staff support for center activities including developing
 238.14 and disseminating materials, providing seminars, and developing and maintaining a website.
 238.15 Center staff shall include a center director, a data analyst coordinator, and trainers who
 238.16 provide training to affected state and local organizations under a fee-for-service agreement.
 238.17 The financial, administrative, and staff support the commissioner provides under this section
 238.18 must be based on an annual budget and work program developed by the center and submitted
 238.19 to the commissioner by the center director.

238.20 (e) School ~~safety~~ climate technical assistance center staff may consult with school safety
 238.21 center staff at the Department of Public Safety in providing services under this section.

238.22 (f) The center is voluntary and advisory. The center does not have enforcement,
 238.23 rulemaking, oversight, or regulatory authority.

238.24 ~~(g) The center expires on June 30, 2019.~~

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

238.26 Sec. 6. Laws 2017, First Special Session chapter 5, article 11, section 9, subdivision 2, is
 238.27 amended to read:

238.28 Subd. 2. **Department.** (a) For the Department of Education:

238.29 \$ 27,158,000 2018

238.30 ~~24,874,000~~

238.31 \$ 22,874,000 2019

239.1 Of these amounts:

239.2 (1) \$231,000 each year is for the Board of School Administrators, and beginning in fiscal
239.3 year 2020, the amount indicated is from the educator licensure account in the special revenue
239.4 fund;

239.5 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
239.6 section 120B.115;

239.7 (3) \$500,000 each year is for the school safety technical assistance center under Minnesota
239.8 Statutes, section 127A.052;

239.9 (4) \$250,000 each year is for the School Finance Division to enhance financial data
239.10 analysis;

239.11 (5) \$720,000 each year is for implementing Minnesota's Learning for English Academic
239.12 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

239.13 (6) \$2,750,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for the Department
239.14 of Education's mainframe update;

239.15 (7) \$123,000 each year is for a dyslexia specialist; and

239.16 (8) \$2,000,000 ~~each year~~ in fiscal year 2018 is for legal fees and costs associated with
239.17 litigation.

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

239.19 (c) None of the amounts appropriated under this subdivision may be used for Minnesota's
239.20 Washington, D.C. office.

239.21 (d) The expenditures of federal grants and aids as shown in the biennial budget document
239.22 and its supplements are approved and appropriated and shall be spent as indicated.

239.23 (e) This appropriation includes funds for information technology project services and
239.24 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
239.25 information technology costs will be incorporated into the service level agreement and will
239.26 be paid to the Office of MN.IT Services by the Department of Education under the rates
239.27 and mechanism specified in that agreement.

239.28 ~~(f) The agency's base is \$22,054,000 for fiscal year 2020 and \$21,965,000 for 2021.~~

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

240.1 **Sec. 7. APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

240.2 **Subdivision 1. Department of Education.** Unless otherwise indicated, the sums indicated
 240.3 in this section are appropriated from the general fund to the Department of Education for
 240.4 the fiscal years designated. Any balance in the first year does not cancel but is available in
 240.5 the second year.

240.6 **Subd. 2. Department.** (a) For the Department of Education:

240.7 \$ 31,778,000 2020

240.8 \$ 28,382,000 2021

240.9 Of these amounts:

240.10 (1) \$2,000,000 in fiscal year 2020 and \$3,000,000 in fiscal year 2021 and later are for
 240.11 regional centers of excellence under Minnesota Statutes, section 120B.115;

240.12 (2) \$250,000 each year is for the School Finance Division to enhance financial data
 240.13 analysis;

240.14 (3) \$720,000 each year is for implementing Minnesota's Learning for English Academic
 240.15 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

240.16 (4) \$123,000 each year is for a dyslexia specialist;

240.17 (5) \$4,700,000 in fiscal year 2020 is for legal fees and costs associated with litigation;

240.18 (6) \$400,000 in fiscal year 2020 and \$480,000 in fiscal year 2021 and later are for the
 240.19 Department of Education's mainframe update;

240.20 (7) \$171,000 in fiscal year 2020 and \$174,000 in fiscal year 2021 and later are to fund
 240.21 a Second Chance Agency director;

240.22 (8) \$406,000 in fiscal year 2020 and \$288,000 in fiscal year 2021 and later are for a
 240.23 maltreatment investigations program;

240.24 (9) \$822,000 each year is for the IT program and data integration;

240.25 (10) \$140,000 each year is for the turnaround arts program;

240.26 (11) \$222,000 in fiscal year 2020 and \$226,000 in fiscal year 2021 and later are for data
 240.27 analytics; and

240.28 (12) \$140,000 each year is to conduct stakeholder engagement and draft a plan to increase
 240.29 the number of national board certified teachers in Minnesota.

241.1 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
 241.2 Washington, D.C. office.

241.3 (c) The expenditures of federal grants and aids as shown in the biennial budget document
 241.4 and its supplements are approved and appropriated and shall be spent as indicated.

241.5 (d) This appropriation includes funds for information technology project services and
 241.6 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
 241.7 information technology costs will be incorporated into the service level agreement and will
 241.8 be paid to the Office of MN.IT Services by the Department of Education under the rates
 241.9 and mechanism specified in that agreement.

241.10 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 241.11 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is
 241.12 \$28,402,000. The base for fiscal year 2023 is \$28,422,000.

241.13 **Sec. 8. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

241.14 (a) The sums indicated in this section are appropriated from the general fund to the
 241.15 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

241.16 \$ 14,966,000 2020

241.17 \$ 14,872,000 2021

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

241.19 (c) Of the amounts in paragraph (a), \$650,000 in fiscal year 2020 and \$505,000 in fiscal
 241.20 year 2021 are for information technology improvements.

241.21 (d) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 241.22 section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2022 is
 241.23 \$14,879,000. The base for fiscal year 2023 is \$14,886,000.

241.24 **Sec. 9. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

241.25 (a) The sums in this section are appropriated from the general fund to the Perpich Center
 241.26 for Arts Education for the fiscal years designated:

241.27 \$ 8,172,000 2020

241.28 \$ 7,663,000 2021

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

242.1 (c) Of the amounts in paragraph (a), \$960,000 in fiscal year 2020 and \$380,000 in fiscal
 242.2 year 2021 are for information technology improvements. \$340,000 is included in the base
 242.3 for fiscal year 2022, and \$285,000 is included in the base for fiscal year 2023 for this purpose.

242.4 (d) To account for onetime technology initiatives and for the base adjustments provided
 242.5 in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph
 242.6 (c), the base for fiscal year 2022 is \$7,628,000. The base for fiscal year 2023 is \$7,579,000.

242.7 **Sec. 10. APPROPRIATIONS; BOARD OF SCHOOL ADMINISTRATORS.**

242.8 (a) The sums indicated in this section are appropriated from the administrator licensure
 242.9 account in the special revenue fund to the commissioner of education for the Board of School
 242.10 Administrators:

242.11 \$ 387,000 2020

242.12 \$ 347,000 2021

242.13 (b) For fiscal year 2020 only, if the amount in the administrator licensure account is
 242.14 insufficient, the remainder of the appropriation must be made from the general fund.

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

242.16 (d) The base for fiscal year 2022 is \$347,000.

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

242.18 **Sec. 11. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
 242.19 **STANDARDS BOARD.**

242.20 Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums
 242.21 indicated in this section are appropriated from the educator licensure account in the special
 242.22 revenue fund to the commissioner of education for the Professional Educator Licensing and
 242.23 Standards Board for the fiscal years designated:

242.24 \$ 2,744,000 2020

242.25 \$ 2,719,000 2021

242.26 (b) This appropriation includes funds for information technology project services and
 242.27 support subject to Minnesota Statutes, section 16E.0466. Any ongoing information
 242.28 technology costs will be incorporated into an interagency agreement and will be paid to the
 242.29 Office of MN.IT Services by the Professional Educator Licensing and Standards Board
 242.30 under the mechanism specified in that agreement.

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

243.1 (d) If the amount in the educator licensure account is insufficient, the remainder of the
 243.2 appropriation must be made from the general fund.

243.3 (e) The base for fiscal year 2022 and later is \$2,719,000.

243.4 Subd. 2. Licensure by portfolio. For licensure by portfolio:

243.5 \$ 34,000 2020

243.6 \$ 34,000 2021

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

243.8 Sec. 12. REVISOR INSTRUCTION.

243.9 (a) The revisor of statutes shall substitute the term "School Climate Technical Assistance
 243.10 Center" for "School Safety Technical Assistance Center" wherever the term appears in
 243.11 Minnesota Statutes.

243.12 (b) The revisor of statutes shall substitute the term "School Climate Technical Assistance
 243.13 Council" for "School Safety Technical Assistance Council" wherever the term appears in
 243.14 Minnesota Statutes.

243.15 Sec. 13. REPEALER.

243.16 Minnesota Statutes 2018, section 127A.051, subdivision 7, is repealed.

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

243.18 **ARTICLE 11**

243.19 **FORECAST ADJUSTMENTS**

243.20 **A. GENERAL EDUCATION"**

243.21 Amend the title accordingly