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ARTICLE 35
EDUCATION EXCELLENCE

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ARTICLE 3
EDUCATION EXCELLENCE

S3086-2

- 5.3
- Section 1. Minnesota Statutes 2016, section 120A.22, subdivision 7, is amended to read:
- 5.4
- Subd. 7. **Education records.** (a) A district, a charter school, or a nonpublic school that
- 5.5
- receives services or aid under sections 123B.40 to 123B.48 from which a student is
- 5.6
- transferring must transmit the student's educational records, within ten business days of a
- 5.7
- request, to the district, the charter school, or the nonpublic school in which the student is
- 5.8
- enrolling. Districts, charter schools, and nonpublic schools that receive services or aid under
- 5.9
- sections 123B.40 to 123B.48 must make reasonable efforts to determine the district, the
- 5.10
- charter school, or the nonpublic school in which a transferring student is next enrolling in
- 5.11
- order to comply with this subdivision.
- 5.12
- (b) A closed charter school must transfer the student's educational records, within ten
- 5.13
- business days of the school's closure, to the student's school district of residence where the
- 5.14
- records must be retained unless the records are otherwise transferred under this subdivision.
- 5.15
- (c) A school district, a charter school, or a nonpublic school that receives services or aid
- 5.16
- under sections 123B.40 to 123B.48 that transmits a student's educational records to another
- 5.17
- school district or other educational entity, charter school, or nonpublic school to which the
- 5.18
- student is transferring must include in the transmitted records information about any formal
- 5.19
- suspension, expulsion, and exclusion disciplinary action or pupil withdrawal under sections
- 5.20
- 121A.40 to 121A.56. The transmitted records must include services a pupil needs to prevent
- 5.21
- the inappropriate behavior from recurring. The district, the charter school, or the nonpublic
- 5.22
- school that receives services or aid under sections 123B.40 to 123B.48 must provide notice
- 5.23
- to a student and the student's parent or guardian that formal disciplinary records will be
- 5.24
- transferred as part of the student's educational record, in accordance with data practices
- 5.25
- under chapter 13 and the Family Educational Rights and Privacy Act of 1974, United States
- 5.26
- Code, title 20, section 1232(g).
- 5.27
- (d) Notwithstanding section 138.17, a principal or chief administrative officer must
- 5.28
- remove from a student's educational record and destroy a probable cause notice received
- 5.29
- under section 260B.171, subdivision 5, or paragraph (e), if one year has elapsed since the
- 5.30
- date of the notice and the principal or chief administrative officer has not received a
- 5.31
- disposition or court order related to the offense described in the notice. This paragraph does
- 5.32
- not apply if the student no longer attends the school when this one-year period expires.

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

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

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

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

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

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

6.18 (ii) family emergencies;

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

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

6.21 ~~(iv)~~ (iv) the child has a condition that requires ongoing treatment for a mental health
6.22 diagnosis; or

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

6.24 (2) that the child is in active duty in any branch of the United States armed forces;

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

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

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

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

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

34.16 (ii) family emergencies;

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

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

34.19 ~~(iv)~~ (iv) the child has a condition that requires ongoing treatment for a mental health
34.20 diagnosis; or

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

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

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

6.27 ~~(2)~~ (4) that the child has already completed state and district standards required for
6.28 graduation from high school; or

6.29 ~~(2)~~ (5) that it is the wish of the parent, guardian, or other person having control of the
6.30 child, that the child attend for a period or periods not exceeding in the aggregate three hours
6.31 in any week, a school for religious instruction conducted and maintained by some church,
7.1 or association of churches, or any Sunday school association incorporated under the laws
7.2 of this state, or any auxiliary thereof. This school for religious instruction must be conducted
7.3 and maintained in a place other than a public school building, and it must not, in whole or
7.4 in part, be conducted and maintained at public expense. However, a child may be absent
7.5 from school on such days as the child attends upon instruction according to the ordinances
7.6 of some church.

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

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

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

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

7.16 (1) language arts;

7.17 (2) mathematics;

7.18 (3) science;

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

7.21 (5) physical education;

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

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

34.26 ~~(2)~~ (4) that the child has already completed state and district standards required for
34.27 graduation from high school; or

34.28 ~~(2)~~ (5) that it is the wish of the parent, guardian, or other person having control of the
34.29 child, that the child attend for a period or periods not exceeding in the aggregate three hours
34.30 in any week, a school for religious instruction conducted and maintained by some church,
34.31 or association of churches, or any Sunday school association incorporated under the laws
35.1 of this state, or any auxiliary thereof. This school for religious instruction must be conducted
35.2 and maintained in a place other than a public school building, and it must not, in whole or
35.3 in part, be conducted and maintained at public expense. However, a child may be absent
35.4 from school on such days as the child attends upon instruction according to the ordinances
35.5 of some church.

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

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35.16 (2) mathematics;

35.17 (3) science;

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

35.20 (5) physical education;

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

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

7.25 three and require at least two of the following four arts areas: dance; music; theater; and
 7.26 visual arts. Public high schools must offer at least three and require at least one of the
 7.27 following five arts areas: media arts; dance; music; theater; and visual arts.

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

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

8.11 (d) A school district may include child sexual abuse and sexual exploitation prevention
 8.12 instruction and consent instruction to prevent and reduce the incidence of sexual assault in
 8.13 a health curriculum, consistent with paragraph (a), clause (6). Child sexual abuse, sexual
 8.14 exploitation prevention, and consent instruction may include age-appropriate instruction
 8.15 on recognizing sexual abuse and, assault, and sexual exploitation; boundary violations; and
 8.16 ways offenders identify, groom, or desensitize victims, as well as strategies to promote
 8.17 disclosure, reduce self-blame, and mobilize bystanders. A school district may consult with
 8.18 other federal, state, or local agencies and community-based organizations to identify
 8.19 research-based tools, curricula, and programs to prevent child sexual abuse and sexual
 8.20 exploitation and develop consent instruction to prevent and reduce the incidence of sexual
 8.21 assault. A school district may provide instruction under this paragraph in a variety of ways,
 8.22 including at an annual assembly or classroom presentation. A school district may also
 8.23 provide parents information on the warning signs of child sexual abuse and sexual
 8.24 exploitation and available resources. Child sexual exploitation prevention instruction must
 8.25 be consistent with the definition of sexually exploited youth under section 260C.007,
 8.26 subdivision 31.

8.27 (e) A school district may include instruction in a health curriculum for students in grades
 8.28 5, 6, 8, 10, and 12 on substance misuse prevention, including opioids, controlled substances
 8.29 as defined in section 152.01, subdivision 4, prescription and nonprescription medications,
 8.30 and illegal drugs. A school district is not required to use a specific methodology or
 8.31 curriculum.

35.25 three and require at least two of the following four arts areas: dance; music; theater; and
 35.26 visual arts. Public high schools must offer at least three and require at least one of the
 35.27 following five arts areas: media arts; dance; music; theater; and visual arts.

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

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

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

8.32 (f) District efforts to develop, implement, or improve instruction or curriculum as a result
8.33 of the provisions of this section must be consistent with sections 120B.10, 120B.11, and
8.34 120B.20.

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

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

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

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

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

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

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

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

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

37.8 (2) age-appropriate strategies and techniques to recognize and report sexual abuse,
37.9 assault, or exploitation; and

37.10 (3) age-appropriate information to deter boundary violations and unwanted forms of
37.11 touching and contact.

37.12 (c) A school district's substance misuse prevention curriculum must be evidence-based.
37.13 Substance misuse prevention must include instruction on opioids and controlled substances

37.14 as defined in section 121A.25, subdivision 2, chemical abuse as defined in section 121A.25,
37.15 subdivision 3, prescription and nonprescription medications, and illegal drugs.

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

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

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

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

37.29 Subdivision 1. **Graduation requirements.** ~~Students beginning 9th grade in the~~
37.30 ~~2011-2012 school year and later~~ must successfully complete the following high school level
37.31 ~~credits for graduation:~~

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

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

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

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

38.11 (5) three and one-half credits of social studies, including credit for a specific course in
38.12 government and citizenship in either 11th or 12th grade for students beginning 9th grade
38.13 in the 2020-2021 school year and later, and a combination of other credits encompassing

38.14 at least United States history, geography, government and citizenship, world history, and
38.15 economics sufficient to satisfy all of the academic standards in social studies;

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

38.18 (7) a minimum of seven elective credits.

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

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

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

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

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

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

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

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

- 39.11 (g) "Inexperienced teacher" means a licensed teacher who has been employed as a teacher
39.12 for three years or less.
- 39.13 (h) "Out-of-field teacher" means a licensed teacher who is providing instruction in an
39.14 area in which the teacher is not licensed.
- 39.15 Sec. 7. Minnesota Statutes 2016, section 120B.11, subdivision 1a, is amended to read:
- 39.16 Subd. 1a. **Performance measures.** Measures to determine school district and school
39.17 site progress in striving to create the world's best workforce must include at least:
- 39.18 (1) the size of the academic achievement gap; as measured on the Minnesota
39.19 Comprehensive Assessments;
- 39.20 (2) rigorous course taking under section 120B.35, subdivision 3, paragraph (c), clause
39.21 (2), and enrichment experiences by student subgroup group;
- 39.22 ~~(2)~~ (3) student performance on the Minnesota Comprehensive Assessments in reading
39.23 and mathematics;
- 39.24 ~~(3)~~ (4) high school graduation rates; and
- 39.25 ~~(4)~~ (5) career and college readiness under section 120B.30, subdivision 1, paragraph
39.26 (p), as measured by student performance on the high school Minnesota Comprehensive
39.27 Assessments in reading and mathematics, and successful completion of rigorous coursework
39.28 that is part of a well-rounded education, including advanced placement, international
39.29 baccalaureate, or concurrent enrollment coursework, or attainment of a certificate or
39.30 industry-recognized credential; and
- 39.31 (6) performance measures consistent with the state plan not otherwise required by this
39.32 subdivision.
- 40.1 Sec. 8. Minnesota Statutes 2016, section 120B.11, subdivision 2, is amended to read:
- 40.2 Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, ~~shall~~ must
40.3 adopt a comprehensive, long-term strategic plan to support and improve teaching and
40.4 learning that is aligned with creating the world's best workforce and includes:
- 40.5 (1) clearly defined district and school site goals and benchmarks for toward meeting
40.6 statewide goals for instruction and student achievement for all student subgroups identified
40.7 in section 120B.35, subdivision 3, paragraph (b), clause (2);

- 40.8 (2) a process to assess and evaluate each student's progress toward meeting state and
 40.9 local academic standards, assess and identify students to participate in gifted and talented
 40.10 programs and accelerate their instruction, and adopt early-admission procedures consistent
 40.11 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit
 40.12 of student and school success and curriculum affecting students' progress and growth toward
 40.13 career and college readiness and leading to the world's best workforce;
- 40.14 (3) a system to periodically review and evaluate the effectiveness of all instruction and
 40.15 curriculum, taking into account strategies and best practices, student outcomes, school
 40.16 principal evaluations under section 123B.147, subdivision 3, students' access to effective
 40.17 teachers who are members of populations underrepresented among the licensed teachers in
 40.18 the district or school and who reflect the diversity of enrolled students under section 120B.35,
 40.19 subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40,
 40.20 subdivision 8, or 122A.41, subdivision 5;
- 40.21 (4) strategies for improving instruction, curriculum, and student achievement, including
 40.22 the English and, where practicable, the native language development and the academic
 40.23 achievement of English learners;
- 40.24 (5) a process to examine the equitable distribution of teachers and strategies to ensure
 40.25 low-income and minority children are not taught at higher rates than other children by
 40.26 inexperienced, ineffective, or out-of-field teachers;
- 40.27 (6) education effectiveness practices that integrate high-quality instruction, rigorous
 40.28 curriculum, technology, and a collaborative professional culture that develops and supports
 40.29 teacher quality, performance, and effectiveness; and
- 40.30 (7) an annual budget for continuing to implement the district plan.
- 41.1 Sec. 9. Minnesota Statutes 2016, section 120B.11, subdivision 5, is amended to read:
- 41.2 Subd. 5. **Report.** ~~Consistent with requirements for school performance reports under~~
 41.3 ~~section 120B.36, subdivision 1, the school board shall publish a report in the local newspaper~~
 41.4 ~~with the largest circulation in the district, by mail, or by electronic means on the district~~
 41.5 ~~Web site. (a) The school board shall must hold an annual public meeting to review, and~~
 41.6 ~~revise where appropriate, student achievement goals, local assessment outcomes, plans,~~
 41.7 ~~strategies, and practices for improving curriculum and instruction and cultural competency,~~
 41.8 ~~and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and~~
 41.9 ~~to review district success in realizing the previously adopted student achievement goals and~~
 41.10 ~~related benchmarks and the improvement plans leading to the world's best workforce. The~~
 41.11 ~~school board must transmit an electronic summary of its report to the commissioner in the~~
 41.12 ~~form and manner the commissioner determines.~~

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

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

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

41.24 (b) The commissioner must use the performance measures in the accountability system
 41.25 of the state plan, including academic achievement in math and reading, graduation rates,
 41.26 and a school quality indicator, to identify those districts in any consecutive three-year period
 41.27 and school sites not making sufficient progress in any consecutive three-year period toward
 41.28 improving teaching and learning for all students, including English learners with varied
 41.29 needs, consistent with section 124D.59, subdivisions 2 and 2a, and striving for the world's
 41.30 best workforce, meeting state goals. The commissioner must implement evaluation timelines
 41.31 and measures consistent with the state plan. The commissioner may identify districts or
 41.32 school sites that do not provide information required for evaluation as failing to make
 41.33 sufficient progress toward meeting state goals. The commissioner may evaluate, designate,
 42.1 and report on school districts and charter schools separately, consistent with the evaluation
 42.2 process under the state plan.

42.3 (c) The commissioner must review the curricula of a sample of three to five identified
 42.4 school sites to ensure the curricula are aligned with statewide reading and math standards
 42.5 for grades 3, 5, and 8. The sample of school sites must be of varied size and geographic
 42.6 distribution.

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

42.13 ~~(e)~~ (e) The commissioner ~~shall~~ must report by January 25 of each year to the committees
 42.14 of the legislature having jurisdiction over kindergarten through grade 12 education the list
 42.15 of school districts that have not submitted their report to the commissioner under subdivision
 42.16 5 and the list of school districts not achieving their performance goals established in their

9.2 Sec. 4. Minnesota Statutes 2017 Supplement, section 120B.12, subdivision 2, is amended
9.3 to read:

9.4 Subd. 2. **Identification; report.** (a) Each school district ~~shall~~ must identify before the
9.5 end of kindergarten, grade 1, and grade 2 students who are not reading at grade level before
9.6 the end of the current school year and ~~shall~~ must identify students in grade 3 or higher who
9.7 demonstrate a reading difficulty to a classroom teacher. A school district must screen for
9.8 dyslexia: (1) all students between the beginning of kindergarten and the beginning of grade
9.9 2; and (2) any student in grade 2 or higher who is identified as not reading at grade level.

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

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

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

42.17 ~~plan under subdivision 2 identified as not making sufficient progress toward meeting world's~~
42.18 ~~best workforce goals under paragraph (b).~~

42.19 Sec. 11. Minnesota Statutes 2016, section 120B.12, as amended by Laws 2017, First
42.20 Special Session chapter 5, article 2, sections 5, 6, and 7, is amended to read:

42.21 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE**
42.22 **3.**

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

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

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

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

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

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

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

9.20 (2) convergence insufficiency disorder.

9.21 ~~(b)~~ (d) A student identified under this subdivision must be provided with alternate

9.22 instruction under section 125A.56, subdivision 1.

43.14 (2) convergence insufficiency disorder.

43.15 ~~(b)~~ (d) A student identified under this subdivision must be provided with alternate

43.16 instruction under section 125A.56, subdivision 1.

43.17 Subd. 2a. **Parent notification and involvement.** Schools, at least annually, must give

43.18 the parent of each student who is not reading at or above grade level timely information

43.19 about:

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

43.21 (2) reading-related services currently being provided to the student and the student's

43.22 progress; and

43.23 (3) strategies for parents to use at home in helping their student succeed in becoming

43.24 grade-level proficient in reading in English and in their native language.

43.25 A district may not use this section to deny a student's right to a special education

43.26 evaluation.

43.27 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district

43.28 ~~shall~~ must provide reading intervention to accelerate student growth and reach the goal of

43.29 reading at or above grade level by the end of the current grade and school year. If a student

43.30 does not read at or above grade level by the end of grade 3, the district must continue to

43.31 provide reading intervention until the student reads at grade level. District intervention

43.32 methods shall encourage family engagement and, where possible, collaboration with

44.1 appropriate school and community programs. Intervention methods may include, but are

44.2 not limited to, requiring attendance in summer school, intensified reading instruction that

44.3 may require that the student be removed from the regular classroom for part of the school

44.4 day, extended-day programs, or programs that strengthen students' cultural connections.

44.5 (b) A school district or charter school is strongly encouraged to provide a personal

44.6 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured

44.7 by the statewide reading assessment in grade 3. The district or charter school must determine

44.8 the format of the personal learning plan in collaboration with the student's educators and

44.9 other appropriate professionals. The school must develop the learning plan in consultation

44.10 with the student's parent or guardian. The personal learning plan must address knowledge

44.11 gaps and skill deficiencies through strategies such as specific exercises and practices during

44.12 and outside of the regular school day, periodic assessments, and reasonable timelines. The

44.13 personal learning plan may include grade retention, if it is in the student's best interest. A

44.14 school must maintain and regularly update and modify the personal learning plan until the

44.15 student reads at grade level. This paragraph does not apply to a student under an
44.16 individualized education program.

44.17 Subd. 4. **Staff development.** (a) Each district ~~shall~~ must use the data under subdivision
44.18 2 to identify the staff development needs so that:

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

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

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

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

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

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

45.7 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must
45.8 adopt a local literacy plan to have every child reading at or above grade level no later than
45.9 the end of grade 3, including English learners. The plan must be consistent with section
45.10 122A.06, subdivision 4, and include the following:

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

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

- 45.14 (2) a process to notify and involve parents;
- 45.15 (3) a description of how schools in the district will determine the proper reading
- 45.16 intervention strategy for a student and the process for intensifying or modifying the reading
- 45.17 strategy in order to obtain measurable reading progress;
- 45.18 (4) evidence-based intervention methods for students who are not reading at or above
- 45.19 grade level and progress monitoring to provide information on the effectiveness of the
- 45.20 intervention; and
- 45.21 (5) identification of staff development needs, including a program to meet those needs.
- 45.22 (b) The district must post its literacy plan on the official school district Web site.
- 45.23 Subd. 5. **Commissioner.** The commissioner ~~shall~~ must recommend to districts multiple
- 45.24 assessment tools to assist districts and teachers with identifying students under subdivision
- 45.25 2. The commissioner ~~shall~~ must also make available examples of nationally recognized and
- 45.26 research-based instructional methods or programs to districts to provide comprehensive,
- 45.27 scientifically based reading instruction and intervention under this section.
- 45.28 **EFFECTIVE DATE.** Subdivision 2 is effective July 1, 2019. Subdivisions 1 and 3 to
- 45.29 5 are effective for revenue for fiscal year 2019 and later.
- 46.1 Sec. 12. Minnesota Statutes 2017 Supplement, section 120B.122, subdivision 1, is amended
- 46.2 to read:
- 46.3 Subdivision 1. **Purpose Duties.** (a) The department must employ a dyslexia specialist
- 46.4 to provide technical assistance for dyslexia and related disorders and to serve as the primary
- 46.5 source of information and support for schools in addressing the needs of students with
- 46.6 dyslexia and related disorders.
- 46.7 (b) The dyslexia specialist ~~shall also~~ must act to increase professional awareness and
- 46.8 instructional competencies to meet the educational needs of students with dyslexia or
- 46.9 identified with risk characteristics associated with dyslexia and ~~shall~~ must develop
- 46.10 implementation guidance and make recommendations to the commissioner consistent with
- 46.11 section 122A.06, subdivision 4, to be used to assist general education teachers and special
- 46.12 education teachers to recognize educational needs and to improve literacy outcomes for
- 46.13 students with dyslexia or identified with risk characteristics associated with dyslexia,
- 46.14 including recommendations related to increasing the availability of online and asynchronous
- 46.15 professional development programs and materials.

9.24 Sec. 5. Minnesota Statutes 2017 Supplement, section 120B.125, is amended to read:

9.25 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO**

9.26 **POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING**

9.27 **PLANS.**

9.28 (a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.30,

9.29 subdivision 1, paragraph (c), 125A.08, and other related sections, school districts, beginning

9.30 in the 2013-2014 school year, must assist all students by no later than grade 9 to explore

9.31 their educational, college, and career interests, aptitudes, and aspirations and develop a plan

10.1 for a smooth and successful transition to postsecondary education or employment. All

10.2 students' plans must:

10.3 (1) provide a comprehensive plan to prepare for and complete a career and college ready

10.4 curriculum by meeting state and local academic standards and developing career and

10.5 employment-related skills such as team work, collaboration, creativity, communication,

10.6 critical thinking, and good work habits;

10.7 (2) emphasize academic rigor and high expectations and inform the student, and the

10.8 student's parent or guardian if the student is a minor, of the student's achievement level

10.9 score on the Minnesota Comprehensive Assessments that are administered during high

10.10 school;

10.11 (3) help students identify interests, aptitudes, aspirations, and personal learning styles

10.12 that may affect their career and college ready goals and postsecondary education and

10.13 employment choices;

10.14 (4) set appropriate career and college ready goals with timelines that identify effective

10.15 means for achieving those goals;

46.16 (c) The dyslexia specialist must provide guidance to school districts and charter schools

46.17 on how to:

46.18 (1) access tools to screen and identify students showing characteristics associated with

46.19 dyslexia in accordance with section 120B.12, subdivision 2, paragraph (a);

46.20 (2) implement screening for characteristics associated with dyslexia in accordance with

46.21 section 120B.12, subdivision 2, paragraph (a), and in coordination with other early childhood

46.22 screenings; and

46.23 (3) participate in professional development opportunities on intervention strategies and

46.24 accommodations for students with dyslexia or characteristics associated with dyslexia.

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

46.26 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO**

46.27 **POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING**

46.28 **PLANS.**

46.29 (a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.30,

46.30 subdivision 1, paragraph (c), 125A.08, and other related sections, school districts, beginning

46.31 in the 2013-2014 school year, must assist all students by no later than grade 9 to explore

46.32 their educational, college, and career interests, aptitudes, and aspirations and develop a plan

47.1 for a smooth and successful transition to postsecondary education or employment. All

47.2 students' plans must:

47.3 (1) provide a comprehensive plan to prepare for and complete a career and college ready

47.4 curriculum by meeting state and local academic standards and developing career and

47.5 employment-related skills such as team work, collaboration, creativity, communication,

47.6 critical thinking, and good work habits;

47.7 (2) emphasize academic rigor and high expectations and inform the student, and the

47.8 student's parent or guardian if the student is a minor, of the student's achievement level

47.9 score on the Minnesota Comprehensive Assessments that are administered during high

47.10 school;

47.11 (3) help students identify interests, aptitudes, aspirations, and personal learning styles

47.12 that may affect their career and college ready goals and postsecondary education and

47.13 employment choices;

47.14 (4) set appropriate career and college ready goals with timelines that identify effective

47.15 means for achieving those goals;

10.16 (5) help students access education and career options, including armed forces career
10.17 options;

10.18 (6) integrate strong academic content into career-focused courses and applied and
10.19 experiential learning opportunities and integrate relevant career-focused courses and applied
10.20 and experiential learning opportunities into strong academic content;

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

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

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

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

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

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

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

47.16 (5) help students access education and career options, including armed forces career
47.17 options;

47.18 (6) integrate strong academic content into career-focused courses and applied and
47.19 experiential learning opportunities and integrate relevant career-focused courses and applied
47.20 and experiential learning opportunities into strong academic content;

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

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

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

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

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

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

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

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

11.21 (g) A school district must provide military recruiters the same access to secondary school
11.22 students as the district provides to institutions of higher education or to prospective employers
11.23 of students.

11.24 (h) School districts are encouraged to sponsor an armed forces career opportunity day
11.25 each school year prior to the third Thursday of November. A school district that sponsors
11.26 an armed forces career opportunity day shall extend invitations to recruiters from each
11.27 branch of the United States armed forces and allow the recruiters to make presentations to
11.28 all interested secondary school students.

11.29 Sec. 6. **[120B.219] CHILD ABUSE AWARENESS POSTERS.**

11.30 (a) The commissioner may, in consultation with local, state, and federal agencies and
11.31 nonprofit organizations, create a poster that notifies children of the appropriate number to
11.32 call to report child abuse or neglect. The poster shall:

11.33 (1) include a note that directs a child to dial 911 in case of emergency;

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

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

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

48.30 Sec. 14. **[120B.215] SUBSTANCE MISUSE PREVENTION.**

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

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

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

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

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

- 12.1 (2) include a spot to insert the phone number for the county's child protection services;
- 12.2 (3) be no smaller than 8-1/2 inches by 11 inches; and
- 12.3 (4) be produced in as many languages as practicable other than English that are spoken
- 12.4 in the state as determined by the commissioner.
- 12.5 (b) If created, the commissioner shall make all versions of the poster available to the
- 12.6 public on the department's Web site.
- 12.7 (c) If created, a school district, charter school, and nonpublic school may post the
- 12.8 commissioner-created poster or a district-created poster that meets the requirements in
- 12.9 paragraph (a) in an area of the school where students frequently congregate. The district or
- 12.10 school may post versions of the poster in languages spoken by a significant portion of the
- 12.11 student body.

49.8 Sec. 15. Minnesota Statutes 2016, section 120B.232, is amended by adding a subdivision

49.9 to read:

49.10 Subd. 3. **Youth membership organization access to schools.** (a) "Character development

49.11 youth member organization" as used in this section means an organization identified in

49.12 United States Code, title 36, subtitle II: Patriotic and National Organizations, part B, chapter

49.13 301, 309, 311, 709, or 803.

49.14 (b) Upon receiving notice in accordance with paragraph (c), a school principal may

49.15 provide a representative of a character development youth member organization the

49.16 opportunity to speak to students during the school day to provide students information about

49.17 how the organization supports citizenship, patriotism, and civic involvement. The principal

49.18 may limit the opportunity to speak at the school to one school day between September 8

49.19 and September 27, and to no more than 30 minutes of instructional time. A representative

49.20 of a character development youth member organization who speaks to students at the school

49.21 may provide students with written materials about the organization.

49.22 (c) A character development youth member organization that wishes to speak to students

49.23 at a school must provide written notice to the school principal at least 30 days before the

49.24 beginning of the school year. If the school principal approves the request, the principal must

49.25 provide the organization with written approval that includes the date and time the organization

49.26 will be allowed to address students.

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

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553.31 Section 1. **120B.25** ACADEMIC BALANCE POLICY.

554.1 A school board must adopt a written academic balance policy. At a minimum, the policy
554.2 must prohibit discrimination against students on the basis of political, ideological, or religious
554.3 beliefs. A student must not be required to publicly identify their personal beliefs, views,
554.4 and values for the purpose of academic credit, classroom, or extracurricular participation.
554.5 The policy must include reporting procedures and appropriate disciplinary actions for policy
554.6 violations. The disciplinary actions must conform with collective bargaining agreements
554.7 and sections 121A.41 to 121A.56. A district must post the policy on the district's Web site
554.8 during the 2018-2019 school year, provide a copy to each district employee, and include
554.9 the policy in subsequent editions of the student handbook.

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

49.28 Sec. 16. Minnesota Statutes 2016, section 120B.299, subdivision 10, is amended to read:

49.29 Subd. 10. **Proficiency.** "Proficiency" for purposes of reporting growth on school
49.30 performance report cards under section 120B.36, subdivision 1, means those students who,
49.31 in the previous school year, scored at or above "meets standards" on the statewide
49.32 assessments under section 120B.30. ~~Each year, school performance report cards must~~
50.1 ~~separately display: (1) the numbers and percentages of students who achieved low growth,~~
50.2 ~~medium growth, and high growth and achieved proficiency in the previous school year; and~~
50.3 ~~(2) the numbers and percentages of students who achieved low growth, medium growth,~~
50.4 ~~and high growth and did not achieve proficiency in the previous school year.~~

50.5 Sec. 17. Minnesota Statutes 2017 Supplement, section 120B.30, subdivision 1, is amended
50.6 to read:

50.7 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with
50.8 appropriate technical qualifications and experience and stakeholders, consistent with
50.9 subdivision 1a, ~~shall~~ must include in the comprehensive assessment system, for each grade
50.10 level to be tested, state-constructed tests developed as computer-adaptive reading and
50.11 mathematics assessments for students that are aligned with the state's required academic
50.12 standards under section 120B.021, include multiple choice questions, and are administered
50.13 annually to all students in grades 3 through 8. State-developed high school tests aligned
50.14 with the state's required academic standards under section 120B.021 and administered to
50.15 all high school students in a subject other than writing must include multiple choice questions.
50.16 The commissioner ~~shall~~ must establish ~~one or more months during which schools shall~~
50.17 ~~administer the tests to students~~ a testing period as late as possible each school year during

50.18 which schools must administer the Minnesota Comprehensive Assessments to students. The
50.19 commissioner must publish the testing schedule at least two years before the beginning of
50.20 the testing period except for a year in which revised standards are implemented.

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

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

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

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

51.3 (1) mathematics;

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

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

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

51.8 (3) language arts and reading; grades 3 through 8 and high school level beginning in the
51.9 2012-2013 school year.

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

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

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

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

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

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

52.11 (e) Though not a high school graduation requirement, students are encouraged to
 52.12 participate in a nationally recognized college entrance exam. To the extent state funding
 52.13 for college entrance exam fees is available, a district must pay the cost, one time, for an
 52.14 interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take
 52.15 a nationally recognized college entrance exam before graduating. A student must be able
 52.16 to take the exam under this paragraph at the student's high school during the school day and
 52.17 at any one of the multiple exam administrations available to students in the district. A district
 52.18 may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph.
 52.19 If the district administers only one of these two tests and a free or reduced-price meal eligible

52.20 student opts not to take that test and chooses instead to take the other of the two tests, the
52.21 student may take the other test at a different time or location and remains eligible for the
52.22 examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school
52.23 district may require a student that is not eligible for a free or reduced-price meal to pay the
52.24 cost of taking a nationally recognized college entrance exam. The district must waive the
52.25 cost for a student unable to pay.

52.26 (f) The commissioner and the chancellor of the Minnesota State Colleges and Universities
52.27 must collaborate in aligning instruction and assessments for adult basic education students
52.28 and English learners to provide the students with diagnostic information about any targeted
52.29 interventions, accommodations, modifications, and supports they need so that assessments
52.30 and other performance measures are accessible to them and they may seek postsecondary
52.31 education or employment without need for postsecondary remediation. When administering
52.32 formative or summative assessments used to measure the academic progress, including the
52.33 oral academic development, of English learners and inform their instruction, schools must
52.34 ensure that the assessments are accessible to the students and students have the modifications
52.35 and supports they need to sufficiently understand the assessments.

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

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

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

53.21 (j) In developing, supporting, and improving students' academic readiness for a career
53.22 or college, schools, districts, and the state must have a continuum of empirically derived,

53.23 clearly defined benchmarks focused on students' attainment of knowledge and skills so that
53.24 students, their parents, and teachers know how well students must perform to have a
53.25 reasonable chance to succeed in a career or college without need for postsecondary
53.26 remediation. The commissioner, in consultation with local school officials and educators,
53.27 and Minnesota's public postsecondary institutions must ensure that the foundational
53.28 knowledge and skills for students' successful performance in postsecondary employment
53.29 or education and an articulated series of possible targeted interventions are clearly identified
53.30 and satisfy Minnesota's postsecondary admissions requirements.

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

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

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

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

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

54.20 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
54.21 8 and testing at the high school levels that provides appropriate, technically sound
54.22 accommodations or alternate assessments;

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

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

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

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

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

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

55.10 Sec. 18. Minnesota Statutes 2016, section 120B.30, subdivision 1a, is amended to read:

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

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

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

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

55.18 ~~(4) "Above grade level" test items contain subject area content that is above the grade~~
55.19 ~~level of the student taking the assessment and is considered aligned with state academic~~
55.20 ~~standards to the extent it is aligned with content represented in state academic standards~~

- 55.21 ~~above the grade level of the student taking the assessment. Notwithstanding the student's~~
55.22 ~~grade level, administering above-grade level test items to a student does not violate the~~
55.23 ~~requirement that state assessments must be aligned with state standards.~~
- 55.24 ~~(5) "Below grade level" test items contain subject area content that is below the grade~~
55.25 ~~level of the student taking the test and is considered aligned with state academic standards~~
55.26 ~~to the extent it is aligned with content represented in state academic standards below the~~
55.27 ~~student's current grade level. Notwithstanding the student's grade level, administering~~
55.28 ~~below-grade level test items to a student does not violate the requirement that state~~
55.29 ~~assessments must be aligned with state standards.~~
- 55.30 ~~(b) The commissioner must use fully adaptive mathematics and reading assessments for~~
55.31 ~~grades 3 through 8.~~
- 56.1 ~~(a)~~ (a) For purposes of conforming with existing federal educational accountability
56.2 requirements, the commissioner must develop and implement computer-adaptive reading
56.3 and mathematics assessments for grades 3 through 8, state-developed high school reading
56.4 and mathematics tests aligned with state academic standards, a high school writing test
56.5 aligned with state standards when it becomes available, and science assessments under
56.6 clause (2) that districts and sites must use to monitor student growth toward achieving those
56.7 standards. The commissioner must not develop statewide assessments for academic standards
56.8 in social studies, health and physical education, and the arts. The commissioner must require:
- 56.9 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through
56.10 8, and high school reading, writing, and mathematics tests; and
- 56.11 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades
56.12 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the
56.13 commissioner must not require students to achieve a passing score on high school science
56.14 assessments as a condition of receiving a high school diploma.
- 56.15 ~~(b)~~ (b) The commissioner must ensure that for annual computer-adaptive assessments:
- 56.16 (1) individual student performance data and achievement reports are available to school
56.17 districts and teachers within three school days of when students take an assessment except
56.18 in a year when an assessment reflects new performance standards;
- 56.19 (2) growth information is available for each student from the student's first assessment
56.20 to each proximate assessment using a constant measurement scale;

- 56.21 (3) parents, teachers, and school administrators are able to use elementary and middle
56.22 school student performance data to project students' secondary and postsecondary
56.23 achievement; and
- 56.24 (4) useful diagnostic information about areas of students' academic strengths and
56.25 weaknesses is available to teachers and school administrators for improving student
56.26 instruction and indicating the specific skills and concepts that should be introduced and
56.27 developed for students at given performance levels, organized by strands within subject
56.28 areas, and aligned to state academic standards.
- 56.29 ~~(c)~~ (c) The commissioner must ensure that all state tests administered to elementary and
56.30 secondary students measure students' academic knowledge and skills and not students'
56.31 values, attitudes, and beliefs.
- 56.32 ~~(d)~~ (d) Reporting of state assessment results must:
- 57.1 (1) provide timely, useful, and understandable information on the performance of
57.2 individual students, schools, school districts, and the state;
- 57.3 (2) include a growth indicator of student achievement; and
- 57.4 (3) determine whether students have met the state's academic standards.
- 57.5 ~~(e)~~ (e) Consistent with applicable federal law, the commissioner must include appropriate,
57.6 technically sound accommodations or alternative assessments for the very few students with
57.7 disabilities for whom statewide assessments are inappropriate and for English learners.
- 57.8 ~~(f)~~ (f) A school, school district, and charter school must administer statewide assessments
57.9 under this section, as the assessments become available, to evaluate student progress toward
57.10 career and college readiness in the context of the state's academic standards. A school,
57.11 school district, or charter school may use a student's performance on a statewide assessment
57.12 as one of multiple criteria to determine grade promotion or retention. A school, school
57.13 district, or charter school may use a high school student's performance on a statewide
57.14 assessment as a percentage of the student's final grade in a course, or place a student's
57.15 assessment score on the student's transcript.
- 57.16 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.
- 57.17 Sec. 19. Minnesota Statutes 2016, section 120B.30, subdivision 3, is amended to read:
- 57.18 Subd. 3. **Reporting.** (a) The commissioner ~~shall~~ must report test results publicly and to
57.19 stakeholders, including the performance achievement levels developed from students'

57.20 unweighted test scores in each tested subject and a listing of demographic factors that
57.21 strongly correlate with student performance, including student homelessness, as data are
57.22 available, among other factors. The test results must not include personally identifiable
57.23 information as defined in Code of Federal Regulations, title 34, section 99.3. The
57.24 commissioner ~~shall~~ must also report data that compares performance results among school
57.25 sites, school districts, Minnesota and other states, and Minnesota and other nations.

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

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

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

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

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

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

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12.12 Sec. 7. Minnesota Statutes 2017 Supplement, section 120B.35, subdivision 3, is amended
12.13 to read:

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

58.10 Sec. 20. Minnesota Statutes 2017 Supplement, section 120B.35, subdivision 3, is amended
58.11 to read:

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

12.19 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and
12.20 report separate categories of information using the student categories identified under the
12.21 federal Elementary and Secondary Education Act, as most recently reauthorized, and, in
12.22 addition to "other" for each race and ethnicity, and the Karen community, seven of the most
12.23 populous Asian ~~and Pacific Islander~~ groups, three of the most populous Native groups,
12.24 seven of the most populous Hispanic/Latino groups, and five of the most populous Black
12.25 and African Heritage groups as determined by the total Minnesota population based on the
12.26 most recent American Community Survey in consultation with the state demographer;
12.27 English learners under section 124D.59; home language; free or reduced-price lunch; and
12.28 all students enrolled in a Minnesota public school who are currently or were previously in
12.29 foster care, except that such disaggregation and cross tabulation is not required if the number
12.30 of students in a category is insufficient to yield statistically reliable information or the results
12.31 would reveal personally identifiable information about an individual student.

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

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

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

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

13.21 (c) When reporting student performance under section 120B.36, subdivision 1, the
13.22 commissioner annually, beginning July 1, 2011, must report two core measures indicating

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

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

59.6 (1) report student the academic growth ~~consistent with this paragraph~~ rates, as defined
59.7 in the state plan; and

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

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

59.20 (c) When reporting student performance under section 120B.36, subdivision 1, the
59.21 commissioner annually, beginning July 1, 2011, must report two core measures indicating

13.23 the extent to which current high school graduates are being prepared for postsecondary
13.24 academic and career opportunities:

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

13.30 (2) a rigorous coursework measure indicating the number and percentage of high school
13.31 graduates in the most recent school year who successfully completed one or more
13.32 college-level advanced placement, international baccalaureate, postsecondary enrollment
13.33 options including concurrent enrollment, other rigorous courses of study under section
13.34 120B.021, subdivision 1a, or industry certification courses or programs.

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

14.5 (d) When reporting student performance under section 120B.36, subdivision 1, the
14.6 commissioner annually, beginning July 1, 2014, must report summary data on school safety
14.7 and students' engagement and connection at school, consistent with the student categories
14.8 identified under paragraph (a), clause (2). The summary data under this paragraph are
14.9 separate from and must not be used for any purpose related to measuring or evaluating the
14.10 performance of classroom teachers. The commissioner, in consultation with qualified experts
14.11 on student engagement and connection and classroom teachers, must identify highly reliable
14.12 variables that generate summary data under this paragraph. The summary data may be used
14.13 at school, district, and state levels only. Any data on individuals received, collected, or
14.14 created that are used to generate the summary data under this paragraph are nonpublic data
14.15 under section 13.02, subdivision 9.

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

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

59.22 the extent to which current high school graduates are being prepared for postsecondary
59.23 academic and career opportunities:

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

59.29 (2) a rigorous coursework measure indicating the number and percentage of high school
59.30 graduates in the most recent school year who successfully completed one or more
59.31 college-level advanced placement, international baccalaureate, postsecondary enrollment
59.32 options including concurrent enrollment, other rigorous courses of study under section
59.33 120B.021, subdivision 1a, or industry certification courses or programs.

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

60.5 (d) When reporting student performance under section 120B.36, subdivision 1, the
60.6 commissioner annually, beginning July 1, 2014, must report summary data on school safety
60.7 and students' engagement and connection at school, consistent with the student categories
60.8 identified under paragraph (a), clause (2). The summary data under this paragraph are
60.9 separate from and must not be used for any purpose related to measuring or evaluating the
60.10 performance of classroom teachers. The commissioner, in consultation with qualified experts
60.11 on student engagement and connection and classroom teachers, must identify highly reliable
60.12 variables that generate summary data under this paragraph. The summary data may be used
60.13 at school, district, and state levels only. Any data on individuals received, collected, or
60.14 created that are used to generate the summary data under this paragraph are nonpublic data
60.15 under section 13.02, subdivision 9.

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

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

14.22	(2) the percent of students under this paragraph whose progress and performance levels	60.22	(2) the percent of students under this paragraph whose progress and performance levels
14.23	are meeting career and college readiness benchmarks under section 120B.30, subdivision	60.23	are meeting career and college readiness benchmarks under section 120B.30, subdivision
14.24	1; and	60.24	1; and
14.25	(3) the success that learning year program providers experience in:	60.25	(3) the success that learning year program providers experience in:
14.26	(i) identifying at-risk and off-track student populations by grade;	60.26	(i) identifying at-risk and off-track student populations by grade;
14.27	(ii) providing successful prevention and intervention strategies for at-risk students;	60.27	(ii) providing successful prevention and intervention strategies for at-risk students;
14.28	(iii) providing successful recuperative and recovery or reenrollment strategies for off-track	60.28	(iii) providing successful recuperative and recovery or reenrollment strategies for off-track
14.29	students; and	60.29	students; and
14.30	(iv) improving the graduation outcomes of at-risk and off-track students.	60.30	(iv) improving the graduation outcomes of at-risk and off-track students.
14.31	The commissioner may include in the annual report summary data on other education	60.31	The commissioner may include in the annual report summary data on other education
14.32	providers serving a majority of students eligible to participate in a learning year program.	60.32	providers serving a majority of students eligible to participate in a learning year program.
15.1	(f) The commissioner, in consultation with recognized experts with knowledge and	61.1	(f) The commissioner, in consultation with recognized experts with knowledge and
15.2	experience in assessing the language proficiency and academic performance of all English	61.2	experience in assessing the language proficiency and academic performance of all English
15.3	learners enrolled in a Minnesota public school course or program who are currently or were	61.3	learners enrolled in a Minnesota public school course or program who are currently or were
15.4	previously counted as an English learner under section 124D.59, must identify and report	61.4	previously counted as an English learner under section 124D.59, must identify and report
15.5	appropriate and effective measures to improve current categories of language difficulty and	61.5	appropriate and effective measures to improve current categories of language difficulty and
15.6	assessments, and monitor and report data on students' English proficiency levels, program	61.6	assessments, and monitor and report data on students' English proficiency levels, program
15.7	placement, and academic language development, including oral academic language.	61.7	placement, and academic language development, including oral academic language.
15.8	(g) When reporting <u>four-and-six-year graduation rates, including four-year graduation</u>	61.8	(g) When reporting four-and-six-year graduation rates, the commissioner or school
15.9	<u>rates</u> , the commissioner or school district must disaggregate the data by student categories	61.9	district must disaggregate the data by student categories according to paragraph (a), clause
15.10	according to paragraph (a), clause (2).	61.10	(2).
15.11	(h) A school district must inform parents and guardians that volunteering information	61.11	(h) A school district must inform parents and guardians that volunteering information
15.12	on student categories not required by the most recent reauthorization of the Elementary and	61.12	on student categories not required by the most recent reauthorization of the Elementary and
15.13	Secondary Education Act is optional and will not violate the privacy of students or their	61.13	Secondary Education Act is optional and will not violate the privacy of students or their
15.14	families, parents, or guardians. The notice must state the purpose for collecting the student	61.14	families, parents, or guardians. The notice must state the purpose for collecting the student
15.15	data.	61.15	data.
		61.16	Sec. 21. <u>[120B.355] ACADEMIC ACHIEVEMENT RATING SYSTEM.</u>
		61.17	Subdivision 1. <u>Rating system.</u> (a) <u>The commissioner of education must develop an</u>
		61.18	<u>academic achievement rating system consistent with this section to provide parents and</u>

- 61.19 students with a brief overview of student performance and growth in districts, school sites,
 61.20 and charter schools across the state.
- 61.21 (b) Each district, school site, and charter school must be assigned a summative rating
 61.22 based on a score on a scale of zero to 100.
- 61.23 (c) The summative rating must be based on the accountability indicators used in the state
 61.24 plan to identify schools for support and improvement. "State plan" as used in this section
 61.25 means the plan submitted by the commissioner in accordance with the Elementary and
 61.26 Secondary Education Act, as most recently authorized, and approved by the United States
 61.27 Department of Education, including state goals.
- 61.28 (d) The summative rating and score of each district, school site, and charter school must
 61.29 be reported on the Department of Education's Web site as part of the commissioner's school
 61.30 performance reports pursuant to section 120B.36 by September 1, 2020, and annually
 61.31 thereafter.
- 61.32 (e) The commissioner must examine how revisions to statewide assessments under
 61.33 section 120B.30 impact school and district ratings under this section. The commissioner
 62.1 may adjust district, school site, and charter school ratings accordingly to maintain consistency
 62.2 in reporting.
- 62.3 Subd. 2. **Report.** The commissioner must report on progress toward developing the
 62.4 rating system required under subdivision 1 to the chairs and ranking minority members of
 62.5 the legislative committees with jurisdiction over kindergarten through grade 12 education
 62.6 in accordance with section 3.195 no later than February 1, 2020.
- 62.7 Sec. 22. Minnesota Statutes 2017 Supplement, section 120B.36, subdivision 1, is amended
 62.8 to read:
- 62.9 Subdivision 1. **School performance reports and public reporting.** (a) The commissioner
 62.10 shall must report:
- 62.11 (1) student academic performance data under section 120B.35, subdivisions 2 and 3;
- 62.12 (2) district, school site, and charter school ratings under section 120B.355;
- 62.13 (3) the percentages of students showing low, medium, and high academic growth rates
 62.14 under section 120B.35, subdivision 3, paragraph (b) the state plan;
- 62.15 (4) school safety and student engagement and connection under section 120B.35,
 62.16 subdivision 3, paragraph (d);

- 62.17 (5) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);
- 62.18 (6) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause
62.19 (2), whose progress and performance levels are meeting career and college readiness
62.20 benchmarks under sections 120B.30, subdivision 1, and 120B.35, subdivision 3, paragraph
62.21 (e);
- 62.22 (7) longitudinal data on the progress of eligible districts in reducing disparities in students'
62.23 academic achievement and realizing racial and economic integration under section 124D.861;
- 62.24 (8) the acquisition of English, and where practicable, native language academic literacy,
62.25 including oral academic language, and the academic progress of all English learners enrolled
62.26 in a Minnesota public school course or program who are currently or were previously counted
62.27 as English learners under section 124D.59;
- 62.28 (9) the percentage of students who graduated in the previous school year and correctly
62.29 answered at least 30 of 50 civics test questions in accordance with section 120B.02,
62.30 subdivision 3;
- 63.1 (10) two separate student-to-teacher ratios that clearly indicate the definition of teacher
63.2 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;
- 63.3 (11) staff characteristics excluding salaries;
- 63.4 (12) student enrollment demographics;
- 63.5 (13) foster care status, including all students enrolled in a Minnesota public school course
63.6 or program who are currently or were previously in foster care, student homelessness, and
63.7 district mobility; and
- 63.8 (14) extracurricular activities.
- 63.9 (b) The school performance report for a ~~school site and a school~~ district, school site, or
63.10 charter school must include:
- 63.11 (1) school performance reporting information and calculate proficiency, including a
63.12 prominent display of both the district's, school site's, or charter school's summative rating
63.13 and score assigned by the commissioner under section 120B.355;
- 63.14 (2) academic achievement rates as required by the ~~most recently reauthorized Elementary~~
63.15 and Secondary Education Act, state plan as defined under section 120B.355; and

63.16 (3) progress toward statewide goals under the state plan as defined under section
63.17 120B.355.

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

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

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

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

64.1 Sec. 23. Minnesota Statutes 2016, section 120B.36, subdivision 2, is amended to read:

64.2 Subd. 2. **Student progress and other data.** (a) All data the department receives, collects,
64.3 or creates under section 120B.11, governing the world's best workforce, or uses to determine
64.4 ~~federal~~ and set goals for expectations under the most recently reauthorized Elementary and
64.5 Secondary Education Act, ~~set state growth targets~~, and to determine ~~student~~ academic
64.6 growth, learning, and outcomes under section 120B.35 are nonpublic data under section
64.7 13.02, subdivision 9, until the commissioner publicly releases the data.

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

15.16 Sec. 8. [121A.12] NATIONAL MOTTO.

15.17 (a) To the extent funds or in-kind contributions are available under paragraph (b), a
15.18 school board may prominently display in a conspicuous place in each school an easily

15.19 readable durable poster, framed copy, or mounted plaque of the national motto of the United
15.20 States, "In God We Trust."

15.21 (b) A school board may accept nonpublic funds or in-kind contributions to implement
15.22 this section.

15.23 Sec. 9. Minnesota Statutes 2016, section 121A.22, subdivision 1, is amended to read:

15.24 Subdivision 1. **Applicability.** (a) This section applies only:

15.25 (1) when the parent of a pupil requests school personnel to administer drugs or medicine
15.26 to the pupil; or

15.27 (2) when administration is allowed by the individualized education program of a child
15.28 with a disability.

15.29 The request of a parent may be oral or in writing. An oral request must be reduced to
15.30 writing within two school days, provided that the district may rely on an oral request until
15.31 a written request is received.

16.1 (b) If the administration of a drug or medication described in paragraph (a) requires the
16.2 school to store the drugs or medication, the parent or legal guardian must inform the school
16.3 if the drug or medication is a controlled substance. For drugs or medications that are not
16.4 controlled substances, the request must include a provision designating the school district
16.5 as an authorized entity to transport the drug or medication for the purpose of destruction if
16.6 any unused drug or medication is left in the possession of school personnel. For drugs or
16.7 medications that are controlled substances, the request must specify that the parent or legal
16.8 guardian is required to retrieve the drug when requested by the school.

16.9 Sec. 10. Minnesota Statutes 2016, section 121A.22, is amended by adding a subdivision
16.10 to read:

16.11 Subd. 4a. **Unclaimed drugs or medications.** (a) Each school district shall adopt a
16.12 procedure for the collection and transport of any unclaimed or abandoned prescription drugs
16.13 or over-the-counter medications left in the possession of school personnel in accordance
16.14 with this subdivision. The procedure must ensure that before the transportation of any
16.15 prescription drug under this subdivision, the school district shall make a reasonable attempt
16.16 to return the unused prescription drug to the student's parent or legal guardian. The procedure
16.17 must provide that transportation of unclaimed or unused prescription drugs or
16.18 over-the-counter medications occur at least annually, or more frequently as determined by
16.19 the school district.

16.20 (b) If the unclaimed or abandoned prescription drug is not a controlled substance as
16.21 defined under section 152.01, subdivision 4, or is an over-the-counter medication, the school
16.22 district may designate an individual who shall be responsible for transporting these drugs
16.23 or medications to a designated drop-off box or collection bin or may request a law
16.24 enforcement agency to transport the drugs or medications to a drop-off box or collection
16.25 bin on behalf of the school district.

16.26 (c) If the unclaimed or abandoned prescription drug is a controlled substance as defined
16.27 in section 152.01, subdivision 4, a school district or school personnel is prohibited from
16.28 transporting the prescription drug to a drop-off box or collection site for prescription drugs
16.29 identified under this paragraph. The school district must request a law enforcement agency
16.30 to transport the prescription drug or medication to a collection bin that complies with Drug
16.31 Enforcement Agency regulations, or if a bin is not available, under the agency's procedure
16.32 for transporting drugs.

17.8 Sec. 12. Minnesota Statutes 2016, section 121A.39, is amended to read:

17.9 **121A.39 SCHOOL COUNSELORS.**

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

17.12 (b) A school counselor shall assist a student in meeting the requirements for high school
17.13 graduation, college and career exploration, and selection, college affordability planning,
17.14 and successful transitions into postsecondary education or training. As part of college and
17.15 career exploration, a counselor is encouraged to present and explain the career opportunities
17.16 and benefits offered by the United States armed forces and share information provided to
17.17 the counselor by armed forces recruiters. In discussing military service with a student or a
17.18 student's parent, a school counselor is encouraged to provide the student or parent information
17.19 concerning the military enlistment test.

NOTE: FROM TEACHERS ARTICLE 4, SECTION 1

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

77.31 **121A.39 SCHOOL COUNSELORS.**

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

78.1 (b) A school counselor shall must assist a student in meeting the requirements for high
78.2 school graduation, college and career exploration, and selection, college affordability
78.3 planning, and successful transitions into postsecondary education or training. As part of
78.4 college and career exploration, a counselor is encouraged to present and explain the career
78.5 opportunities and benefits offered by the United States armed forces and share information
78.6 provided to the counselor by armed forces recruiters. In discussing military service with a
78.7 student or a student's parent or guardian, a school counselor is encouraged to provide the
78.8 student, parent, or guardian information concerning the military enlistment test. A counselor
78.9 may consult with the Department of Labor and Industry to identify resources for students
78.10 interested in exploring career opportunities in high-wage, high-demand occupations in the
78.11 skilled trades and manufacturing.

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

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 2

17.20 Sec. 13. Minnesota Statutes 2016, section 121A.41, is amended by adding a subdivision
17.21 to read:

17.22 Subd. 12. Nonexclusionary disciplinary policies and practices; alternatives to pupil
17.23 removal and dismissal. "Nonexclusionary disciplinary policies and practices" means
17.24 policies and practices that are alternatives to removing a pupil from class or dismissing a
17.25 pupil from school, including, but not limited to, positive behavioral interventions and
17.26 supports and alternative education services, that require school officials to intervene in,
17.27 redirect, and support a pupil's behavior before removing a pupil from class or beginning
17.28 dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are
17.29 not limited to the policies and practices under sections 121A.031, subdivision 4, paragraph
17.30 (a), clause (1); 121A.575, clauses (1) and (2); and 121A.61, subdivision 3, paragraph (q).

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

18.1 Sec. 14. Minnesota Statutes 2016, section 121A.41, is amended by adding a subdivision
18.2 to read:

18.3 Subd. 13. Pupil withdrawal agreements. "Pupil withdrawal agreements" means a verbal
18.4 or written agreement between a school or district administrator and a pupil's parent or
18.5 guardian to withdraw a student from the school district to avoid expulsion or exclusion
18.6 dismissal proceedings. The duration of the withdrawal agreement may be no longer than
18.7 12 months.

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

18.9 Sec. 15. Minnesota Statutes 2016, section 121A.42, is amended to read:
18.10 **121A.42 POLICY.**

18.11 (a) No public school shall deny due process or equal protection of the law to any public
18.12 school pupil involved in a dismissal proceeding which may result in suspension, exclusion,
18.13 or expulsion.

18.14 (b) School officials are encouraged to use nonexclusionary disciplinary policies and
18.15 practices before beginning dismissal proceedings.

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

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

14.13 Subd. 12. Nonexclusionary disciplinary policies and practices; alternatives to pupil
14.14 dismissal. "Nonexclusionary disciplinary policies and practices" means policies and practices
14.15 that require school officials to intervene in, redirect, and support a pupil's behavior before
14.16 dismissing a pupil from school. Nonexclusionary disciplinary policies and practices include
14.17 evidence-based positive behavioral interventions and supports, social and emotional learning,
14.18 character education consistent with section 120B.232, school-linked mental health services,
14.19 counseling services, social work services, referrals for special education or 504 evaluations,
14.20 academic screening for Title I services or reading interventions, and alternative education
14.21 services.

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

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 4

18.17 Sec. 16. Minnesota Statutes 2016, section 121A.45, is amended to read:

18.18 **121A.45 GROUNDS FOR DISMISSAL.**

18.19 Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil
18.20 without attempting to provide alternative educational services or use nonexclusionary
18.21 disciplinary policies and practices before dismissal proceedings, except where it appears
18.22 that the pupil will create an immediate and substantial danger to self or to surrounding
18.23 persons or property.

18.24 Subd. 2. **Grounds for dismissal.** A pupil may be dismissed on any of the following
18.25 grounds for:

18.26 (a) (1) willful violation of any reasonable school board regulation. Such regulation must
18.27 be that is specific and sufficiently clear and definite to provide notice to pupils that they
18.28 must conform their conduct to its requirements;

18.29 (b) (2) willful conduct that significantly disrupts the rights of others to an education, or
18.30 the ability of school personnel to perform their duties, or school sponsored extracurricular
18.31 activities; or

19.1 (c) (3) willful conduct that endangers the pupil or other pupils, or surrounding persons,
19.2 including school district employees, or property of the school.

19.3 Subd. 3. **Parent notification and meeting.** If a pupil's total days of removal from school
19.4 exceeds ten cumulative days in a school year, the school district shall make reasonable
19.5 attempts to convene a meeting with the pupil and the pupil's parent or guardian before
19.6 subsequently removing the pupil from school and, with the permission of the parent or
19.7 guardian, arrange for a mental health screening for the pupil. The district is not required to
19.8 pay for the mental health screening. The purpose of this meeting is to attempt to determine
19.9 the pupil's need for assessment or other services or whether the parent or guardian should
19.10 have the pupil assessed or diagnosed to determine whether the pupil needs treatment for a
19.11 mental health disorder.

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

19.13 Sec. 17. Minnesota Statutes 2016, section 121A.46, subdivision 2, is amended to read:

19.14 Subd. 2. **Administrator notifies pupil of grounds for suspension.** At the informal
19.15 administrative conference, a school administrator shall notify the pupil of the grounds for
19.16 the suspension, provide an explanation of and explain the evidence the authorities have;

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

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

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

19.17 ~~and the pupil may present the pupil's version of the facts. The pupil may present the pupil's~~
19.18 ~~version of the facts and ask questions but is not required to do so.~~

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

19.20 Sec. 18. Minnesota Statutes 2016, section 121A.46, subdivision 3, is amended to read:

19.21 Subd. 3. **Written notice of grounds for suspension.** A written notice ~~containing~~ of
19.22 grounds for suspension shall be personally served upon the pupil at or before the time the
19.23 suspension is to take effect and served upon the pupil's parent or guardian electronically or
19.24 by mail within 48 hours of the conference. A written notice required under this section must
19.25 contain:

19.26 (1) the grounds for suspension;

19.27 (2) a brief statement of the facts;

19.28 (3) a description of the testimony;

19.29 (4) documents indicating the nonexclusionary disciplinary policies and practices initially
19.30 used with the pupil, if applicable;

19.31 (5) the length of the suspension;

20.1 (6) a readmission plan; that includes the pupil's date of return to school;

20.2 (7) a request for a meeting with the pupil's parent or guardian consistent with subdivision
20.3 3a; and

20.4 ~~(8) a copy of sections 121A.40 to 121A.56, shall be personally served upon the pupil at~~
20.5 ~~or before the time the suspension is to take effect, and upon the pupil's parent or guardian~~
20.6 ~~by mail within 48 hours of the conference.~~

20.7 The district shall make reasonable efforts to notify the parents of the suspension by telephone
20.8 or electronically as soon as possible following the suspension. In the event a pupil is
20.9 suspended without an informal administrative conference on the grounds that the pupil will
20.10 create an immediate and substantial danger to surrounding persons or property, the written
20.11 notice shall be served upon the pupil and the pupil's parent or guardian within 48 hours of
20.12 the suspension. Service by mail is complete upon mailing.

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

20.14 Sec. 19. Minnesota Statutes 2016, section 121A.46, is amended by adding a subdivision
20.15 to read:

20.16 Subd. 3a. **Parent notification and meeting; suspension; mental health screening.** (a)
20.17 After suspending a pupil from school, a school official must make reasonable attempts to
20.18 convene a meeting with the pupil and the pupil's parent or guardian within 30 calendar days
20.19 of the dismissal. The purpose of the meeting is to engage the pupil's parent or guardian in
20.20 developing a plan to help the pupil succeed in school by addressing the behavior that led
20.21 to the dismissal.

20.22 (b) If a pupil's total days of removal from school exceeds ten cumulative days in a school
20.23 year, the school district shall make reasonable attempts to convene a meeting with the pupil
20.24 and the pupil's parent or guardian before subsequently removing the pupil from school and,
20.25 with the permission of the parent or guardian, arrange for a mental health screening for the
20.26 pupil. The district is not required to pay for the mental health screening. The purpose of
20.27 this meeting is to attempt to determine the pupil's need for assessment or other services or
20.28 whether the parent or guardian should have the pupil assessed or diagnosed to determine
20.29 whether the pupil needs treatment for a mental health disorder.

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

21.1 Sec. 20. Minnesota Statutes 2016, section 121A.46, is amended by adding a subdivision
21.2 to read:

21.3 Subd. 5. **Minimum education services.** School officials must give a suspended pupil
21.4 a reasonable opportunity to complete all school work assigned during the pupil's suspension
21.5 and to receive full credit for satisfactorily completing the assignments. The school principal
21.6 or other person having administrative control of the school building or program is encouraged
21.7 to designate a district or school employee as a liaison to work with the pupil's teachers to
21.8 allow the suspended pupil to (1) receive timely course materials and other information, and
21.9 (2) complete daily and weekly assignments and receive teachers' feedback.

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

21.11 Sec. 21. Minnesota Statutes 2016, section 121A.47, subdivision 2, is amended to read:

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

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 6

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

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

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

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 7

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

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

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

21.14 ~~(b)~~ (2) contain a complete statement of the facts, a list of the witnesses and a description

21.15 of their testimony;

21.16 ~~(c)~~ (3) explain the grounds for expelling the pupil instead of imposing nonexclusionary

21.17 disciplinary policies and practices under section 121A.41, subdivision 12;

21.18 (4) state the date, time, and place of the hearing;

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

21.20 ~~(e)~~ (6) describe alternative educational services accorded the pupil in an attempt to avoid

21.21 the exclusion or expulsion proceedings; and

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

21.23 ~~(i)~~ (i) have a representative of the pupil's own choosing, including legal counsel, at the

21.24 hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost

21.25 legal assistance may be available and that a legal assistance resource list is available from

21.26 the Department of Education;

21.27 ~~(j)~~ (ii) examine the pupil's records before the hearing;

21.28 ~~(k)~~ (iii) present evidence; and

21.29 ~~(l)~~ (iv) confront and cross-examine witnesses.

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

22.1 Sec. 22. Minnesota Statutes 2016, section 121A.53, subdivision 1, is amended to read:

22.2 Subdivision 1. **Exclusions and expulsions; physical assaults.** Consistent with

22.3 subdivision 2, the school board must report through use the department electronic reporting

22.4 system to report to the commissioner each exclusion or expulsion and each physical assault

22.5 of a district employee by a student pupil, and each pupil withdrawal agreement within 30

22.6 days of the effective date of the dismissal action or assault to the commissioner of education.

22.7 This report must include a statement of alternative educational services, or other sanction,

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

15.27 ~~(b)~~ (2) contain a complete statement of the facts, a list of the witnesses and a description

15.28 of their testimony;

15.29 (3) explain the grounds for expelling the pupil instead of imposing nonexclusionary

15.30 disciplinary policies and practices under section 121A.41, subdivision 12;

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

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

16.3 ~~(e)~~ (6) describe alternative educational services the nonexclusionary disciplinary policies

16.4 and practices accorded the pupil in an attempt to avoid the expulsion proceedings; and

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

16.6 ~~(i)~~ (i) have a representative of the pupil's own choosing, including legal counsel, at the

16.7 hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost

16.8 legal assistance may be available and that a legal assistance resource list is available from

16.9 the Department of Education and is posted on the department's Web site;

16.10 ~~(j)~~ (ii) examine the pupil's records before the hearing;

16.11 ~~(k)~~ (iii) present evidence; and

16.12 ~~(l)~~ (iv) confront and cross-examine witnesses.

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

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 9

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

17.6 Subdivision 1. **Exclusions and expulsions; physical assaults.** Consistent with

17.7 subdivision 2, the school board must report through the department electronic reporting

17.8 system each exclusion or expulsion and each physical assault of a district employee by a

17.9 student pupil within 30 days of the effective date of the dismissal action or assault to the

17.10 commissioner of education. This report must include a statement of alternative educational

17.11 services nonexclusionary disciplinary policies and practices, or other sanction, intervention,

17.12 or resolution in response to the assault given the pupil and the reason for, the effective date,

22.8 ~~intervention, or resolution in response to the assault given the pupil and the reason for,~~
22.9 identify:

22.10 (1) the pupil's behavior leading to the discipline;

22.11 (2) the nonexclusionary disciplinary policies and practices used, if applicable;

22.12 (3) any attempts to provide the pupil with alternative education services before excluding
22.13 or expelling the pupil;

22.14 (4) the effective date, and of the disciplinary action; and

22.15 (5) the duration of the exclusion or expulsion or other sanction, intervention, or resolution.

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

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

22.19 Sec. 23. Minnesota Statutes 2016, section 121A.55, is amended to read:
22.20 **121A.55 POLICIES TO BE ESTABLISHED.**

22.21 (a) The commissioner of education shall promulgate guidelines to assist each school
22.22 board. Each school board ~~shall~~ establish uniform criteria for dismissal and adopt written
22.23 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies
22.24 ~~shall~~ emphasize preventing dismissals through early detection of problems ~~and shall~~ be
22.25 designed to address ~~students' pupils'~~ inappropriate behavior from recurring.

22.26 (b) The policies shall recognize the continuing responsibility of the school for the
22.27 education of the pupil during the dismissal period. The alternative educational services, ~~if~~
22.28 ~~the pupil wishes to take advantage of them, must be~~ adequate to allow the pupil to make
22.29 progress towards meeting the graduation standards adopted under section 120B.02 ~~and help~~
22.30 ~~prepare the pupil for readmission, and are consistent with section 121A.46, subdivision 5.~~

17.13 ~~and the duration of the exclusion or expulsion or other sanction, intervention, or resolution.~~
17.14 ~~The report must also include the student's pupil's age, grade, gender, race, and special~~
17.15 ~~education status.~~

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

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 10

17.17 Sec. 10. Minnesota Statutes 2016, section 121A.55, is amended to read:
17.18 **121A.55 POLICIES TO BE ESTABLISHED.**

17.19 (a) The commissioner of education shall promulgate guidelines to assist each school
17.20 board. Each school board ~~shall~~ must establish uniform criteria for dismissal and adopt written
17.21 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies
17.22 ~~shall~~ must include nonexclusionary disciplinary policies and practices consistent with section
17.23 121A.41, subdivision 12, and emphasize preventing dismissals through early detection of
17.24 problems ~~and shall~~. The policies must be designed to address ~~students'~~ inappropriate behavior
17.25 from recurring.

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

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

23.3 (1) if school-linked mental health services are provided in the district under section
23.4 245.4889, pupils continue to be eligible for those services until they are enrolled in a new
23.5 district; and

23.6 (2) the district must provide to the pupil's parent or guardian a list of mental health and
23.7 counseling services available to the pupil after expulsion. The list must also be posted on
23.8 the district's Web site.

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

23.13 (e) (e) Each school district shall develop a policy and report it to the commissioner on
23.14 the appropriate use of peace and school resource officers and crisis teams to remove students
23.15 pupils who have an individualized education program from school grounds.

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

23.17 Sec. 24. Minnesota Statutes 2016, section 121A.61, is amended to read:
23.18 **121A.61 DISCIPLINE AND REMOVAL OF STUDENTS PUPILS FROM CLASS.**

23.19 Subdivision 1. **Required policy.** Each school board must adopt a written districtwide
23.20 school discipline policy which includes written rules of conduct for students pupils, minimum
23.21 potential consequences for violations of the rules, parental notification requirements, and
23.22 grounds and procedures for removal of a student pupil from class. The board must develop
23.23 the policy must be developed in consultation with administrators, teachers, employees,
23.24 pupils, parents, community members, law enforcement agencies, county attorney offices,
23.25 social service agencies, and such other individuals or organizations as the board determines
23.26 appropriate. A school site council may adopt additional provisions to the policy subject to
23.27 the approval of the school board.

17.32 (c) For expulsion and exclusion dismissals:

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

18.6 (2) a pupil remains eligible for school-linked mental health services under section
18.7 245.4889 in the manner determined by the district until the pupil is enrolled in a new district;
18.8 and

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

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

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

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

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 11

23.28 Subd. 2. **Grounds for removal from class.** The policy must establish the various grounds
23.29 for which a ~~student~~ pupil may be removed from a class in the district for a period of time
23.30 under the procedures specified in the policy. The policy must include a procedure for
23.31 notifying and meeting with a ~~student's~~ pupil's parent or guardian to discuss the problem that
23.32 is causing the ~~student~~ pupil to be removed from class after the ~~student~~ pupil has been removed
23.33 from class more than ~~ten~~ five times in one school year. The grounds in the policy must
24.1 include at least the following provisions as well as other grounds determined appropriate
24.2 by the board:

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

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

24.8 (c) willful violation of any rule of conduct specified in the discipline policy adopted by
24.9 the board.

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

24.11 (a) rules governing ~~student~~ pupil conduct and procedures for informing ~~students~~ pupils
24.12 of the rules;

24.13 (b) the grounds for removal of a ~~student~~ pupil from a class;

24.14 (c) the authority of the classroom teacher to remove ~~students~~ pupils from the classroom
24.15 pursuant to procedures and rules established in the district's policy;

24.16 (d) the procedures for removal of a ~~student~~ pupil from a class by a teacher, school
24.17 administrator, or other school district employee;

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

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

18.20 Subd. 2. **Grounds for removal from class.** The policy must establish the various grounds
18.21 for which a ~~student~~ pupil may be removed from a class in the district for a period of time
18.22 under the procedures specified in the policy. The policy must include a procedure for
18.23 notifying and meeting with a ~~student's~~ pupil's parent or guardian to discuss the problem that
18.24 is causing the ~~student~~ pupil to be removed from class after the ~~student~~ pupil has been removed
18.25 from class more than ~~ten~~ five times in one school year. The grounds in the policy must
18.26 include at least the following provisions as well as other grounds determined appropriate
18.27 by the board:

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

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

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

- 24.20 (f) provisions relating to the responsibility for and custody of a student pupil removed
24.21 from a class;
- 24.22 (g) the procedures for return of a student pupil to the specified class from which the
24.23 student pupil has been removed;
- 24.24 (h) the procedures for notifying a student pupil and the student's pupil's parents or
24.25 guardian of violations of the rules of conduct and of resulting disciplinary actions;
- 24.26 (i) any procedures determined appropriate for encouraging early involvement of parents
24.27 or guardians in attempts to improve a student's pupil's behavior;
- 24.28 (j) any procedures determined appropriate for encouraging early detection of behavioral
24.29 problems;
- 24.30 (k) any procedures determined appropriate for referring a student pupil in need of special
24.31 education services to those services;
- 25.1 (l) the procedures for consideration of whether there is a need for a further assessment
25.2 or of whether there is a need for a review of the adequacy of a current individualized
25.3 education program of a student pupil with a disability who is removed from class;
- 25.4 (m) procedures for detecting and addressing chemical abuse problems of a student pupil
25.5 while on the school premises;
- 25.6 (n) the minimum potential consequences for violations of the code of conduct;
- 25.7 (o) procedures for immediate and appropriate interventions tied to violations ~~of the code~~;
- 25.8 (p) a provision that states that a teacher, school employee, school bus driver, or other
25.9 agent of a district may use reasonable force in compliance with section 121A.582 and other
25.10 laws;
- 25.11 (q) an agreement regarding procedures to coordinate crisis services to the extent funds
25.12 are available with the county board responsible for implementing sections 245.487 to
25.13 245.4889 for students pupils with a serious emotional disturbance or other students pupils
25.14 who have an individualized education program whose behavior may be addressed by crisis
25.15 intervention; and
- 25.16 (r) a provision that states a student pupil must be removed from class immediately if the
25.17 student pupil engages in assault or violent behavior. For purposes of this paragraph, "assault"

25.18 has the meaning given it in section 609.02, subdivision 10. The removal shall be for a period
25.19 of time deemed appropriate by the principal, in consultation with the teacher.

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

25.21 Sec. 25. Minnesota Statutes 2016, section 121A.67, is amended by adding a subdivision
25.22 to read:

25.23 Subd. 3. **Parent notification.** A school administrator must make and document efforts
25.24 to immediately contact the parent or guardian of a pupil removed from a school building
25.25 or school grounds by a peace or school resource officer unless such notice is specifically
25.26 prohibited by law. If a pupil is secluded, a school administrator must make reasonable efforts
25.27 to notify the pupil's parent or guardian of the seclusion by the end of the same school day.

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

26.1 Sec. 26. Minnesota Statutes 2017 Supplement, section 122A.09, is amended by adding a
26.2 subdivision to read:

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

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554.11 Sec. 2. Minnesota Statutes 2016, section 122A.63, subdivision 1, is amended to read:

554.12 Subdivision 1. **Establishment.** (a) A grant program is established to assist American
554.13 Indian people to become teachers and to provide additional education for American Indian
554.14 teachers. The commissioner may award a joint grant to each of the following:

554.15 (1) the Duluth campus of the University of Minnesota and Independent School District
554.16 No. 709, Duluth;

554.17 (2) Bemidji State University and Independent School District No. 38, Red Lake;

554.18 (3) Moorhead State University and one of the school districts located within the White
554.19 Earth Reservation; and

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 12

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

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

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

64.15 Sec. 24. Minnesota Statutes 2017 Supplement, section 122A.09, is amended by adding a
64.16 subdivision to read:

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

554.20 (4) Augsburg College, Independent School District No. 625, St. Paul, and Special School
554.21 District No. 1, Minneapolis.

554.22 (b) If additional funds are available, the commissioner may award additional joint grants
554.23 to other postsecondary institutions and school districts.

554.24 (c) Grantees may enter into contracts with tribal, technical, and community colleges and
554.25 four-year postsecondary institutions to identify and provide grants to students at those
554.26 institutions interested in the field of education. Each grantee is eligible to and may contract
554.27 with partner institutions to provide professional development and supplemental services to
554.28 a tribal, technical, or community college or four-year postsecondary institution, including
554.29 identification of prospective students, provision of instructional supplies and materials, and
554.30 provision of grant money to students. A contract with a tribal, technical, or community
554.31 college or four-year postsecondary institution includes coordination of student identification,
554.32 professional development, and mentorship services.

555.1 Sec. 3. Minnesota Statutes 2016, section 122A.63, subdivision 4, is amended to read:

555.2 Subd. 4. **Grant amount.** The commissioner may award a joint grant in the amount it
555.3 determines to be appropriate. The grant shall include money for the postsecondary institution,
555.4 school district, and student ~~scholarships, and student loans~~ grants.

555.5 Sec. 4. Minnesota Statutes 2016, section 122A.63, subdivision 5, is amended to read:

555.6 Subd. 5. **Information to student applicants.** At the time a student applies for a
555.7 ~~scholarship and loan~~ grant, the student shall be provided information about the fields of
555.8 licensure needed by school districts in the part of the state within which the district receiving
555.9 the joint grant is located. The information shall be acquired and periodically updated by the
555.10 recipients of the joint grant and their contracted partner institutions. Information provided
555.11 to students shall clearly state that scholarship and loan decisions are not based upon the
555.12 field of licensure selected by the student.

555.13 Sec. 5. Minnesota Statutes 2016, section 122A.63, subdivision 6, is amended to read:

555.14 Subd. 6. **Eligibility for scholarships and loans student grants.** The following Indian
555.15 people are eligible for ~~scholarships~~ student grants:

555.16 (1) a student having origins in any of the original peoples of North America and
555.17 maintaining cultural identification through tribal affiliation or community recognition;

555.18 ~~(2)~~ (2) a student, including a teacher aide employed by a district receiving a joint grant
555.19 or their contracted partner school, who intends to become a teacher or who is interested in

555.20 the field of education and who is enrolled in a postsecondary institution or their contracted
555.21 partner institutions receiving a joint grant;

555.22 ~~(2)~~ (3) a licensed employee of a district receiving a joint grant or a contracted partner
555.23 school, who is enrolled in a master of education program; and

555.24 ~~(3)~~ (4) a student who, after applying for federal and state financial aid and an Indian
555.25 scholarship according to section 136A.126, has financial needs that remain unmet. Financial
555.26 need shall be determined according to the congressional methodology for needs determination
555.27 or as otherwise set in federal law.

555.28 ~~A person who has actual living expenses in addition to those addressed by the~~
555.29 ~~congressional methodology for needs determination, or as otherwise set in federal law, may~~
555.30 ~~receive a loan according to criteria established by the commissioner. A contract shall be~~
555.31 ~~executed between the state and the student for the amount and terms of the loan. Priority~~
556.1 shall be given to a student who is tribally enrolled and then to first- and second-generation
556.2 descendants.

556.3 Sec. 6. Minnesota Statutes 2016, section 122A.63, is amended by adding a subdivision to
556.4 read:

556.5 Subd. 9. **Eligible programming.** (a) The grantee institutions and the contracted partner
556.6 institutions may provide grants to students progressing toward educational goals in any area
556.7 of teacher licensure, including an associate of arts, bachelor's, master's, or doctoral degree
556.8 in the following:

556.9 (1) any educational certification necessary for employment;

556.10 (2) early childhood family education or prekindergarten licensure;

556.11 (3) elementary and secondary education;

556.12 (4) school administration; or

556.13 (5) any educational program that provides services to American Indian students in
556.14 prekindergarten through grade 12.

556.15 The grantee institutions and the contracted partner institutions must give priority to grants
556.16 for students progressing towards an associate of arts or a bachelor's degree. Students
556.17 progressing towards a master's or doctoral degree may be awarded a grant if they were
556.18 enrolled in the degree granting program before May 1, 2018.

556.19 (b) For purposes of recruitment, the grantees or their partner contracted institutions shall
556.20 agree to work with their respective organizations to hire an American Indian work-study
556.21 student or other American Indian staff to conduct initial information queries and to contact
556.22 persons working in schools to provide programming regarding education professions to a
556.23 high school student who may be interested in education as a profession.

556.24 (c) At least 80 percent of the grants awarded under this section must be used for student
556.25 grants. No more than 20 percent of the grants awarded under this section may be used for
556.26 recruitment or administration of the student grants.

556.27 Sec. 7. **[123B.022] PROHIBITING SCHOOL EMPLOYEES FROM USING PUBLIC**
556.28 **RESOURCES FOR ADVOCACY; ENDORSING TIMELY AND CURRENT**
556.29 **FACTUAL INFORMATION.**

556.30 (a) A school board must adopt and implement a districtwide policy that prohibits district
556.31 employees from using district funds or other publicly funded district resources, including
557.1 time, materials, equipment, facilities, social media, and communication technologies, among
557.2 other resources, to advocate for electing or defeating a candidate, or passing or defeating a
557.3 ballot question. The policy must apply when the employee performs the duties assigned to
557.4 the employee under the employee's employment contract with the district, and includes the
557.5 periods when the employee represents the district in an official capacity, among other duties.
557.6 The policy must not apply when an employee disseminates factual information consistent
557.7 with the employee's contractual duties.

557.8 (b) The school board must provide the district's electorate with timely factual information
557.9 about a pending ballot question.

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

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26.7 Sec. 27. Minnesota Statutes 2016, section 123B.14, subdivision 7, is amended to read:

26.8 Subd. 7. **Clerk records.** The clerk shall keep a record of all meetings of the district and
26.9 the board in books provided by the district for that purpose. The clerk shall, within three
26.10 days after an election, notify all persons elected of their election. By September 15 of each
26.11 year the clerk shall file with the board a report of the revenues, expenditures and balances
26.12 in each fund for the preceding fiscal year. The report together with vouchers and supporting
26.13 documents shall subsequently be examined by a public accountant or the state auditor, either
26.14 of whom shall be paid by the district, as provided in section 123B.77, subdivision 3. The
26.15 board shall by resolution approve the report or require a further or amended report. ~~By~~

64.21 Sec. 25. Minnesota Statutes 2016, section 123B.14, subdivision 7, is amended to read:

64.22 Subd. 7. **Clerk records.** The clerk shall must keep a record of all meetings of the district
64.23 and the board in books provided by the district for that purpose. The clerk shall must, within
64.24 three days after an election, notify all persons elected of their election. By September 15 of
64.25 each year the clerk shall must file with the board a report of the revenues, expenditures and
64.26 balances in each fund for the preceding fiscal year. The report together with vouchers and
64.27 supporting documents shall must subsequently be examined by a public accountant or the
64.28 state auditor, either of whom shall must be paid by the district, as provided in section
64.29 123B.77, subdivision 3. The board shall must by resolution approve the report or require a

26.16 ~~September 15 of each year, the clerk shall make and transmit to the commissioner certified~~
26.17 ~~reports, showing:~~

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

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

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

26.22 The clerk shall enter in the clerk's record book copies of all reports and of the teachers'
26.23 term reports, as they appear in the registers, and of the proceedings of any meeting as
26.24 furnished by the clerk pro tem, and keep an itemized account of all the expenses of the
26.25 district. The clerk shall furnish to the auditor of the proper county, by September 30 of each
26.26 year, an attested copy of the clerk's record, showing the amount of proposed property tax
26.27 voted by the district or the board for school purposes; draw and sign all orders upon the
26.28 treasurer for the payment of money for bills allowed by the board for salaries of officers
26.29 and for teachers' wages and all claims, to be countersigned by the chair. Such orders must
26.30 state the consideration, payee, and the fund and the clerk shall take a receipt therefor.
26.31 Teachers' wages shall have preference in the order in which they become due, and no money
26.32 applicable for teachers' wages shall be used for any other purpose, nor shall teachers' wages
26.33 be paid from any fund except that raised or apportioned for that purpose.

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557.11 Sec. 8. **124D.5222 ADULT BASIC EDUCATION AID FOR COMMUNITY-BASED**
557.12 **PROVIDERS.**

557.13 (a) The International Education Center, the American Indian Opportunities
557.14 Industrialization Center, and the Minnesota Office of Communication Service for the Deaf
557.15 are eligible for additional adult basic education aid for fiscal year 2019 only.

557.16 (b) The additional aid for each eligible organization equals \$400,000 times the ratio of
557.17 (1) the number of students served for the previous fiscal year by the organization to (2) the
557.18 sum of the number of students served for the previous fiscal year by all eligible organizations.

557.19 (c) The additional aid under this section must be paid in the same form and manner as
557.20 the aid under section 124D.531.

557.21 **EFFECTIVE DATE.** This section is effective for fiscal year 2019 only.

64.30 further or amended report. ~~By September 15 of each year, the clerk shall make and transmit~~
64.31 ~~to the commissioner certified reports, showing:~~

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

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

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

65.3 The clerk shall must enter in the clerk's record book copies of all reports and of the
65.4 teachers' term reports, as they appear in the registers, and of the proceedings of any meeting
65.5 as furnished by the clerk pro tem, and keep an itemized account of all the expenses of the
65.6 district. The clerk shall must furnish to the auditor of the proper county, by September 30
65.7 of each year, an attested copy of the clerk's record, showing the amount of proposed property
65.8 tax voted by the district or the board for school purposes; draw and sign all orders upon the
65.9 treasurer for the payment of money for bills allowed by the board for salaries of officers
65.10 and for teachers' wages and all claims, to be countersigned by the chair. Such orders must
65.11 state the consideration, payee, and the fund and the clerk shall take a receipt therefor.
65.12 Teachers' wages shall have preference in the order in which they become due, and no money
65.13 applicable for teachers' wages shall be used for any other purpose, nor shall teachers' wages
65.14 be paid from any fund except that raised or apportioned for that purpose.

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27.1 Sec. 28. Minnesota Statutes 2016, section 124D.78, subdivision 2, is amended to read:

27.2 Subd. 2. **Resolution of concurrence.** Prior to March 1, the school board or American

27.3 Indian school must submit to the department a copy of a resolution adopted by the American

27.4 Indian education parent advisory committee. The copy must be signed by the chair of the

27.5 committee and must state whether the committee concurs with the educational programs

27.6 for American Indian students offered by the school board or American Indian school. If the

27.7 committee does not concur with the educational programs, the reasons for nonconcurrence

27.8 and recommendations shall be submitted directly to the school board with the resolution.

27.9 By resolution, the board must respond in writing within 60 days, in cases of nonconcurrence,

27.10 to each recommendation made by the committee and state its reasons for not implementing

27.11 the recommendations.

65.15 Sec. 26. Minnesota Statutes 2016, section 124D.78, subdivision 2, is amended to read:

65.16 Subd. 2. **Resolution of concurrence.** Prior to March 1, the school board or American

65.17 Indian school must submit to the department a copy of a resolution adopted by the American

65.18 Indian education parent advisory committee. The copy must be signed by the chair of the

65.19 committee and must state whether the committee concurs with the educational programs

65.20 for American Indian students offered by the school board or American Indian school. If the

65.21 committee does not concur with the educational programs, the reasons for nonconcurrence

65.22 and recommendations shall must be submitted directly to the school board with the resolution.

65.23 By resolution, the board must respond in writing within 60 days, in cases of nonconcurrence,

65.24 to each recommendation made by the committee and state its reasons for not implementing

65.25 the recommendations.

65.26 Sec. 27. Minnesota Statutes 2016, section 124D.83, subdivision 1, is amended to read:

65.27 Subdivision 1. **Authorization.** (a) Each year each American Indian-controlled tribal

65.28 contract or grant school authorized by the United States Code, title 25, section 450f, that is

65.29 located on a reservation within the state is eligible to receive tribal contract or grant school

65.30 aid subject to the requirements in paragraphs (b) to (d).

65.31 (b) The school must plan, conduct, and administer an education program that complies

65.32 with the requirements of either this chapter and chapters 120A, 120B, 121A, 122A, 123A,

66.1 123B, 125A, 125B, 126C, 127A, 129, and 268A or and Code of Federal Regulations, title

66.2 25, sections 31.0 to 45.80.

66.3 (c) The school must comply with all other state statutes governing independent school

66.4 districts or their equivalent in the Code of Federal Regulations, title 25.

66.5 (d) The state tribal contract or grant school aid must be used to supplement, and not to

66.6 replace, the money for American Indian education programs provided by the federal

66.7 government.

66.8 Sec. 28. Minnesota Statutes 2017 Supplement, section 124D.83, subdivision 2, is amended

66.9 to read:

66.10 Subd. 2. **Revenue amount.** An American Indian-controlled tribal contract or grant school

66.11 that is located on a reservation within the state and that complies with the requirements in

66.12 subdivision 1 is eligible to receive tribal contract or grant school aid. The amount of aid is

66.13 derived by:

66.14 (1) multiplying the formula allowance under section 126C.10, subdivision 2, less \$170,
66.15 times the difference between (i) the resident pupil units as defined in section 126C.05,
66.16 subdivision 6, in average daily membership, excluding section 126C.05, subdivision 13,
66.17 and (ii) the number of pupils for the current school year, weighted according to section
66.18 126C.05, subdivision 1, receiving benefits under section 123B.42 or 123B.44 or for which
66.19 the school is receiving reimbursement under section 124D.69;

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

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

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

67.4 (5) multiplying the sum of the resident pupil units, including section 126C.05, subdivision
67.5 13, in average daily membership plus the tribal contract compensation revenue pupil units
67.6 by the lesser of \$3,230 for fiscal years 2016 to 2019 and \$1,500 for fiscal year 2020 and
67.7 later or the result in clause (4).

67.8 Sec. 29. Minnesota Statutes 2016, section 124D.98, is amended to read:

67.9 **124D.98 LITERACY INCENTIVE AID.**

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

67.12 Subd. 2. **Proficiency aid.** The proficiency aid for each school in a district that has
67.13 submitted to the commissioner its local literacy plan under section 120B.12, subdivision
67.14 4a, is equal to the product of the school's proficiency allowance times the number of third
67.15 grade pupils at the school on October 1 of the previous fiscal year. A school's proficiency
67.16 allowance is equal to the percentage of students in each building that meet or exceed

67.17 proficiency on the third grade reading Minnesota Comprehensive Assessment, averaged
67.18 across the previous three test administrations, times \$530.

67.19 Subd. 3. **Growth aid.** The growth aid for each school in a district that has submitted to
67.20 the commissioner its local literacy plan under section 120B.12, subdivision 4a, is equal to
67.21 the product of the school's growth allowance times the number of fourth grade pupils enrolled
67.22 at the school on October 1 of the previous fiscal year. A school's growth allowance is equal
67.23 to the percentage of students at that school making medium or high growth, under section
67.24 120B.299, scoring at least one-half standard deviation below the state expected scores on
67.25 the fourth grade reading Minnesota Comprehensive Assessment, averaged across the previous
67.26 three test administrations, times \$530. The state expected scores are based on the average
67.27 assessment scores for students with similar third grade assessment scores on the Minnesota
67.28 Comprehensive Assessment.

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

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

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

68.7 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2019 and
68.8 later.

S3656-2

557.22 Sec. 9. Minnesota Statutes 2017 Supplement, section 124E.03, subdivision 2, is amended
557.23 to read:

557.24 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
557.25 meet all federal, state, and local health and safety requirements applicable to school districts.

557.26 (b) A school must comply with statewide accountability requirements governing standards
557.27 and assessments in chapter 120B.

- 557.28 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
557.29 123B.34 to 123B.39.
- 557.30 (d) A charter school is a district for the purposes of tort liability under chapter 466.
- 558.1 (e) A charter school must comply with the Pledge of Allegiance requirement under
558.2 section 121A.11, subdivision 3.
- 558.3 (f) A charter school and charter school board of directors must comply with chapter 181
558.4 governing requirements for employment.
- 558.5 (g) A charter school must comply with continuing truant notification under section
558.6 260A.03.
- 558.7 (h) A charter school must develop and implement a teacher evaluation and peer review
558.8 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
558.9 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
558.10 The teacher evaluation process in this paragraph does not create any additional employment
558.11 rights for teachers.
- 558.12 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
558.13 section 120B.11, to review curriculum, instruction, and student achievement and strive for
558.14 the world's best workforce.
- 558.15 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
558.16 sections 121A.40 to 121A.56.
- 558.17 (k) A charter school must adopt an academic balance policy under section 120B.25.
- 558.18 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

S3086-2

- 27.12 Sec. 29. Minnesota Statutes 2017 Supplement, section 124E.03, subdivision 2, is amended
27.13 to read:
- 27.14 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
27.15 meet all federal, state, and local health and safety requirements applicable to school districts.
- 27.16 (b) A school must comply with statewide accountability requirements governing standards
27.17 and assessments in chapter 120B.

27.18 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
27.19 123B.34 to 123B.39.

27.20 (d) A charter school is a district for the purposes of tort liability under chapter 466.

27.21 (e) A charter school must comply with the Pledge of Allegiance requirement under
27.22 section 121A.11, subdivision 3.

27.23 (f) A charter school and charter school board of directors must comply with chapter 181
27.24 governing requirements for employment.

27.25 (g) A charter school must comply with continuing truant notification under section
27.26 260A.03.

27.27 (h) A charter school must develop and implement a teacher evaluation and peer review
27.28 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
27.29 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
27.30 The teacher evaluation process in this paragraph does not create any additional employment
27.31 rights for teachers.

28.1 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
28.2 section 120B.11, to review curriculum, instruction, and student achievement and strive for
28.3 the world's best workforce.

28.4 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
28.5 sections 121A.40 to 121A.56.

28.6 (k) A charter school must comply with the national motto requirement under section
28.7 121A.12.

68.9 Sec. 30. Minnesota Statutes 2017 Supplement, section 124E.11, is amended to read:
68.10 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

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

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

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

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

68.19 Subd. 2. **Timely application; lottery; enrollment preference.** ~~(b)~~ A charter school,
68.20 including its preschool or prekindergarten program established under section 124E.06,
68.21 subdivision 3, paragraph (b), ~~shall~~ must enroll an eligible pupil who submits a timely
68.22 application, unless the number of applications exceeds the capacity of a program, class,
68.23 grade level, or building. In this case, pupils must be accepted by lot. The charter school
68.24 must develop and publish, including on its Web site, a lottery policy and process that it must
68.25 use when accepting pupils by lot.

68.26 Subd. 3. **Lottery exceptions.** ~~(c)~~ (a) A charter school ~~shall~~ must give enrollment
68.27 preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and
68.28 may give preference for enrolling children of the school's staff before accepting other pupils
68.29 by lot.

68.30 (b) A charter school may give enrollment preference to children currently enrolled in
68.31 the school's free preschool or prekindergarten program under section 124E.06, subdivision
68.32 3, paragraph (b), who are eligible to enroll in kindergarten in the next school year.

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

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

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

69.11 Subd. 4. **Age of enrollment.** ~~(d)~~ A person ~~shall~~ must not be admitted to a charter school
69.12 (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of
69.13 the calendar year in which the school year for which the pupil seeks admission commences;
69.14 or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of
69.15 the calendar year in which the school year for which the pupil seeks admission commences
69.16 or has completed kindergarten; except that a charter school may establish and publish on

<div>Senate Language S3086-2</div> <div>Education Excellence</div>	<div>May 04, 2018 11:09 AM</div>	<div>House Language H4328-3</div> <div> <div> <div>69.17</div> <div>its Web site a policy for admission of selected pupils at an earlier age, consistent with the</div> <div>69.18</div> <div>enrollment process in paragraphs (b) and (c) <u>subdivisions 2 and 3.</u></div> </div> <div> <div>69.19</div> <div>Subd. 5. Admission limits not allowed. (c) Except as permitted in paragraph (d)</div> <div>69.20</div> <div><u>subdivision 4</u>, a charter school, including its preschool or prekindergarten program established</div> <div>69.21</div> <div><u>under section 124E.06, subdivision 3, paragraph (b)</u>, may not limit admission to pupils on</div> <div>69.22</div> <div><u>the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and</u></div> <div>69.23</div> <div><u>may not establish any criteria or requirements for admission that are inconsistent with this</u></div> <div>69.24</div> <div><u>section.</u></div> </div> <div> <div>69.25</div> <div>Subd. 6. Enrollment incentives prohibited. (f) The charter school shall not distribute</div> <div>69.26</div> <div><u>any services or goods of value to students, parents, or guardians as an inducement, term, or</u></div> <div>69.27</div> <div><u>condition of enrolling a student in a charter school.</u></div> </div> <div> <div>69.28</div> <div>Subd. 7. Enrollment continues. (g) Once a student is enrolled in the school, the student</div> <div>69.29</div> <div><u>is considered enrolled in the school until the student formally withdraws or is expelled under</u></div> <div>69.30</div> <div><u>the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56.</u></div> </div> <div> <div>69.31</div> <div>Subd. 8. Prekindergarten pupils. (h) A charter school with at least 90 percent of enrolled</div> <div>69.32</div> <div><u>students who are eligible for special education services and have a primary disability of</u></div> <div>69.33</div> <div><u>deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section</u></div> <div>69.34</div> <div><u>126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with</u></div> <div>70.1</div> <div><u>Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324,</u></div> <div>70.2</div> <div><u>subsection (2), clause (iv).</u></div> </div> <div> <div>70.3</div> <div>EFFECTIVE DATE. <u>This section is effective for enrollment decisions made on or</u></div> <div>70.4</div> <div><u>after July 1, 2018.</u></div> </div> <div> <div>28.8</div> <div>Sec. 30. Minnesota Statutes 2016, section 125B.07, subdivision 6, is amended to read:</div> </div> <div> <div>28.9</div> <div>Subd. 6. Essential data. The department shall maintain a list of essential data elements</div> <div>28.10</div> <div>which must be recorded and stored about each pupil, licensed and nonlicensed staff member,</div> <div>28.11</div> <div>and educational program. Each school district must provide the essential data to the</div> <div>28.12</div> <div>department in the form and format prescribed by the department.</div> </div> <div> <div>28.13</div> <div>Sec. 31. Minnesota Statutes 2016, section 126C.15, subdivision 5, is amended to read:</div> </div> <div> <div>28.14</div> <div>Subd. 5. Annual expenditure report. Each year a district that receives basic skills</div> <div>28.15</div> <div>revenue must submit a report identifying the expenditures it incurred to meet the needs of</div> <div>28.16</div> <div>eligible learners under subdivision 1. The report must conform to uniform financial and</div> <div>28.17</div> <div>reporting standards established for this purpose. <u>Using</u> valid and reliable data and</div> </div> </div>
		<div> <div>70.5</div> <div>Sec. 31. Minnesota Statutes 2016, section 125B.07, subdivision 6, is amended to read:</div> </div> <div> <div>70.6</div> <div>Subd. 6. Essential data. The department shall <u>must</u> maintain a list of essential data</div> <div>70.7</div> <div>elements which must be recorded and stored about each pupil, licensed and nonlicensed</div> <div>70.8</div> <div>staff member, and educational program. Each school district must provide the essential data</div> <div>70.9</div> <div>to the department in the form and format prescribed by the department.</div> </div> <div> <div>NOTE: FROM GENERAL EDUCATION ARTICLE 1, SECTION 5</div> </div> <div> <div>4.28</div> <div>Sec. 5. Minnesota Statutes 2016, section 126C.15, subdivision 5, is amended to read:</div> </div> <div> <div>4.29</div> <div>Subd. 5. Annual expenditure report. (a) Each year, a district that receives basic skills</div> <div>4.30</div> <div>revenue must submit a report <u>to the commissioner of education</u> identifying the expenditures</div> <div>4.31</div> <div>it incurred to meet the needs of eligible learners under subdivision 1.</div> </div>
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28.18 measurement criteria, ~~the a report also must determine that determines~~ whether increased
28.19 expenditures raised student achievement levels must be reported under section 120B.11.

28.20 Sec. 32. Minnesota Statutes 2017 Supplement, section 609A.03, subdivision 7a, is amended
28.21 to read:

28.22 Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance
28.23 of an expungement order related to a charge supported by probable cause, the DNA samples
28.24 and DNA records held by the Bureau of Criminal Apprehension and collected under authority
28.25 other than section 299C.105 shall not be sealed, returned to the subject of the record, or
28.26 destroyed.

28.27 (b) Notwithstanding the issuance of an expungement order:

28.28 (1) except as provided in clause (2), an expunged record may be opened, used, or
28.29 exchanged between criminal justice agencies without a court order for the purposes of
28.30 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing
28.31 purposes or providing probation or other correctional services;

29.1 (2) when a criminal justice agency seeks access to a record that was sealed under section
29.2 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing
29.3 for lack of probable cause, for purposes of a criminal investigation, prosecution, or
29.4 sentencing, the requesting agency must obtain an ex parte court order after stating a
29.5 good-faith basis to believe that opening the record may lead to relevant information;

29.6 (3) an expunged record of a conviction may be opened for purposes of evaluating a
29.7 prospective employee in a criminal justice agency without a court order;

29.8 (4) an expunged record of a conviction may be opened for purposes of a background
29.9 study under section 245C.08 unless the commissioner had been properly served with notice
29.10 of the petition for expungement and the court order for expungement is directed specifically
29.11 to the commissioner of human services;

4.32 (b) The report must:
5.1 (1) conform to uniform financial and reporting standards established for this purpose;
5.2 (2) categorize expenditures by each of the permitted uses authorized in subdivision 1,
5.3 in the form and manner specified by the commissioner; and
5.4 (3) report under section 120B.11, using valid and reliable data and measurement criteria,
5.5 the report also must determine whether increased expenditures raised student achievement
5.6 levels.

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

NOTE: FROM TEACHERS ARTICLE 4, SECTION 22

101.7 Sec. 22. Minnesota Statutes 2017 Supplement, section 609A.03, subdivision 7a, is amended
101.8 to read:

101.9 Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance
101.10 of an expungement order related to a charge supported by probable cause, the DNA samples
101.11 and DNA records held by the Bureau of Criminal Apprehension and collected under authority
101.12 other than section 299C.105 shall not be sealed, returned to the subject of the record, or
101.13 destroyed.

101.14 (b) Notwithstanding the issuance of an expungement order:

101.15 (1) except as provided in clause (2), an expunged record may be opened, used, or
101.16 exchanged between criminal justice agencies without a court order for the purposes of
101.17 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing
101.18 purposes or providing probation or other correctional services;

101.19 (2) when a criminal justice agency seeks access to a record that was sealed under section
101.20 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing
101.21 for lack of probable cause, for purposes of a criminal investigation, prosecution, or
101.22 sentencing, the requesting agency must obtain an ex parte court order after stating a
101.23 good-faith basis to believe that opening the record may lead to relevant information;

101.24 (3) an expunged record of a conviction may be opened for purposes of evaluating a
101.25 prospective employee in a criminal justice agency without a court order;

101.26 (4) an expunged record of a conviction may be opened for purposes of a background
101.27 study under section 245C.08 unless the commissioner had been properly served with notice
101.28 of the petition for expungement and the court order for expungement is directed specifically
101.29 to the commissioner of human services;

29.12 (5) an expunged record of a conviction may be opened for purposes of a background
29.13 check required under section 122A.18, subdivision 8, unless the court order for expungement
29.14 is directed specifically to the Professional Educator Licensing and Standards Board or the
29.15 licensing division of the Department of Education; and

29.16 (6) the court may order an expunged record opened upon request by the victim of the
29.17 underlying offense if the court determines that the record is substantially related to a matter
29.18 for which the victim is before the court.

29.19 (c) An agency or jurisdiction subject to an expungement order shall maintain the record
29.20 in a manner that provides access to the record by a criminal justice agency under paragraph
29.21 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau
29.22 of Criminal Apprehension shall notify the commissioner of human services; and the
29.23 Professional Educator Licensing and Standards Board, ~~or the licensing division of the~~
29.24 ~~Department of Education~~ of the existence of a sealed record and of the right to obtain access
29.25 under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to
29.26 the expungement order shall provide access to the record to the commissioner of human
29.27 services, the Professional Educator Licensing and Standards Board, or the licensing division
29.28 of the Department of Education under paragraph (b), clause (4) or (5).

29.29 (d) An expunged record that is opened or exchanged under this subdivision remains
29.30 subject to the expungement order in the hands of the person receiving the record.

29.31 (e) A criminal justice agency that receives an expunged record under paragraph (b),
29.32 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the
29.33 record to the investigation, prosecution, or sentencing for which it was obtained.

30.1 (f) For purposes of this section, a "criminal justice agency" means a court or government
30.2 agency that performs the administration of criminal justice under statutory authority.

30.3 (g) This subdivision applies to expungement orders subject to its limitations and effective
30.4 on or after January 1, 2015.

30.5 Sec. 33. Minnesota Statutes 2017 Supplement, section 626.556, subdivision 2, is amended
30.6 to read:

30.7 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
30.8 given them unless the specific content indicates otherwise:

101.30 (5) an expunged record of a conviction may be opened for purposes of a background
101.31 check required under section 122A.18, subdivision 8, unless the court order for expungement
102.1 is directed specifically to the Professional Educator Licensing and Standards Board or the
102.2 licensing division of the Department of Education; and

102.3 (6) the court may order an expunged record opened upon request by the victim of the
102.4 underlying offense if the court determines that the record is substantially related to a matter
102.5 for which the victim is before the court.

102.6 (c) An agency or jurisdiction subject to an expungement order shall maintain the record
102.7 in a manner that provides access to the record by a criminal justice agency under paragraph
102.8 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau
102.9 of Criminal Apprehension shall notify the commissioner of human services; and the
102.10 Professional Educator Licensing and Standards Board, ~~or the licensing division of the~~
102.11 ~~Department of Education~~ of the existence of a sealed record and of the right to obtain access
102.12 under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to
102.13 the expungement order shall provide access to the record to the commissioner of human
102.14 services, the Professional Educator Licensing and Standards Board, or the licensing division
102.15 of the Department of Education under paragraph (b), clause (4) or (5).

102.16 (d) An expunged record that is opened or exchanged under this subdivision remains
102.17 subject to the expungement order in the hands of the person receiving the record.

102.18 (e) A criminal justice agency that receives an expunged record under paragraph (b),
102.19 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the
102.20 record to the investigation, prosecution, or sentencing for which it was obtained.

102.21 (f) For purposes of this section, a "criminal justice agency" means a court or government
102.22 agency that performs the administration of criminal justice under statutory authority.

102.23 (g) This subdivision applies to expungement orders subject to its limitations and effective
102.24 on or after January 1, 2015.

NOTE: FROM TEACHERS ARTICLE 4, SECTION 23

102.25 Sec. 23. Minnesota Statutes 2017 Supplement, section 626.556, subdivision 2, is amended
102.26 to read:

102.27 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
102.28 given them unless the specific content indicates otherwise:

30.9 (a) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence
30.10 or event which:

30.11 (1) is not likely to occur and could not have been prevented by exercise of due care; and

30.12 (2) if occurring while a child is receiving services from a facility, happens when the
30.13 facility and the employee or person providing services in the facility are in compliance with
30.14 the laws and rules relevant to the occurrence or event.

30.15 (b) "Commissioner" means the commissioner of human services.

30.16 (c) "Facility" means:

30.17 (1) a licensed or unlicensed day care facility, certified license-exempt child care center,
30.18 residential facility, agency, hospital, sanitarium, or other facility or institution required to
30.19 be licensed under sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16, or chapter
30.20 144H, 245D, or 245H;

30.21 (2) a school as defined in section 120A.05, subdivisions 9, 11, and 13; and chapter 124E;
30.22 or

30.23 (3) a nonlicensed personal care provider organization as defined in section 256B.0625,
30.24 subdivision 19a.

30.25 (d) "Family assessment" means a comprehensive assessment of child safety, risk of
30.26 subsequent child maltreatment, and family strengths and needs that is applied to a child
30.27 maltreatment report that does not allege sexual abuse or substantial child endangerment.
30.28 Family assessment does not include a determination as to whether child maltreatment
30.29 occurred but does determine the need for services to address the safety of family members
30.30 and the risk of subsequent maltreatment.

31.1 (e) "Investigation" means fact gathering related to the current safety of a child and the
31.2 risk of subsequent maltreatment that determines whether child maltreatment occurred and
31.3 whether child protective services are needed. An investigation must be used when reports
31.4 involve sexual abuse or substantial child endangerment, and for reports of maltreatment in
31.5 facilities required to be licensed or certified under chapter 245A, 245D, or 245H; under
31.6 sections 144.50 to 144.58 and 241.021; in a school as defined in section 120A.05,
31.7 subdivisions 9, 11, and 13, and chapter 124E; or in a nonlicensed personal care provider
31.8 association as defined in section 256B.0625, subdivision 19a.

31.9 (f) "Mental injury" means an injury to the psychological capacity or emotional stability
31.10 of a child as evidenced by an observable or substantial impairment in the child's ability to

102.29 (a) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence
102.30 or event which:

102.31 (1) is not likely to occur and could not have been prevented by exercise of due care; and

103.1 (2) if occurring while a child is receiving services from a facility, happens when the
103.2 facility and the employee or person providing services in the facility are in compliance with
103.3 the laws and rules relevant to the occurrence or event.

103.4 (b) "Commissioner" means the commissioner of human services.

103.5 (c) "Facility" means:

103.6 (1) a licensed or unlicensed day care facility, certified license-exempt child care center,
103.7 residential facility, agency, hospital, sanitarium, or other facility or institution required to
103.8 be licensed under sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16, or chapter
103.9 144H, 245D, or 245H;

103.10 (2) a school as defined in section 120A.05, subdivisions 9, 11, and 13; and chapter 124E;
103.11 or

103.12 (3) a nonlicensed personal care provider organization as defined in section 256B.0625,
103.13 subdivision 19a.

103.14 (d) "Family assessment" means a comprehensive assessment of child safety, risk of
103.15 subsequent child maltreatment, and family strengths and needs that is applied to a child
103.16 maltreatment report that does not allege sexual abuse or substantial child endangerment.
103.17 Family assessment does not include a determination as to whether child maltreatment
103.18 occurred but does determine the need for services to address the safety of family members
103.19 and the risk of subsequent maltreatment.

103.20 (e) "Investigation" means fact gathering related to the current safety of a child and the
103.21 risk of subsequent maltreatment that determines whether child maltreatment occurred and
103.22 whether child protective services are needed. An investigation must be used when reports
103.23 involve sexual abuse or substantial child endangerment, and for reports of maltreatment in
103.24 facilities required to be licensed or certified under chapter 245A, 245D, or 245H; under
103.25 sections 144.50 to 144.58 and 241.021; in a school as defined in section 120A.05,
103.26 subdivisions 9, 11, and 13, and chapter 124E; or in a nonlicensed personal care provider
103.27 association as defined in section 256B.0625, subdivision 19a.

103.28 (f) "Mental injury" means an injury to the psychological capacity or emotional stability
103.29 of a child as evidenced by an observable or substantial impairment in the child's ability to

31.11 function within a normal range of performance and behavior with due regard to the child's
31.12 culture.

31.13 (g) "Neglect" means the commission or omission of any of the acts specified under
31.14 clauses (1) to (9), other than by accidental means:

31.15 (1) failure by a person responsible for a child's care to supply a child with necessary
31.16 food, clothing, shelter, health, medical, or other care required for the child's physical or
31.17 mental health when reasonably able to do so;

31.18 (2) failure to protect a child from conditions or actions that seriously endanger the child's
31.19 physical or mental health when reasonably able to do so, including a growth delay, which
31.20 may be referred to as a failure to thrive, that has been diagnosed by a physician and is due
31.21 to parental neglect;

31.22 (3) failure to provide for necessary supervision or child care arrangements appropriate
31.23 for a child after considering factors as the child's age, mental ability, physical condition,
31.24 length of absence, or environment, when the child is unable to care for the child's own basic
31.25 needs or safety, or the basic needs or safety of another child in their care;

31.26 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
31.27 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
31.28 child with sympathomimetic medications, consistent with section 125A.091, subdivision
31.29 5;

31.30 (5) nothing in this section shall be construed to mean that a child is neglected solely
31.31 because the child's parent, guardian, or other person responsible for the child's care in good
31.32 faith selects and depends upon spiritual means or prayer for treatment or care of disease or
31.33 remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker,
31.34 or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of
32.1 medical care may cause serious danger to the child's health. This section does not impose
32.2 upon persons, not otherwise legally responsible for providing a child with necessary food,
32.3 clothing, shelter, education, or medical care, a duty to provide that care;

32.4 (6) prenatal exposure to a controlled substance, as defined in section 253B.02, subdivision
32.5 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in
32.6 the child at birth, results of a toxicology test performed on the mother at delivery or the
32.7 child at birth, medical effects or developmental delays during the child's first year of life
32.8 that medically indicate prenatal exposure to a controlled substance, or the presence of a
32.9 fetal alcohol spectrum disorder;

32.10 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

103.30 function within a normal range of performance and behavior with due regard to the child's
103.31 culture.

103.32 (g) "Neglect" means the commission or omission of any of the acts specified under
103.33 clauses (1) to (9), other than by accidental means:

104.1 (1) failure by a person responsible for a child's care to supply a child with necessary
104.2 food, clothing, shelter, health, medical, or other care required for the child's physical or
104.3 mental health when reasonably able to do so;

104.4 (2) failure to protect a child from conditions or actions that seriously endanger the child's
104.5 physical or mental health when reasonably able to do so, including a growth delay, which
104.6 may be referred to as a failure to thrive, that has been diagnosed by a physician and is due
104.7 to parental neglect;

104.8 (3) failure to provide for necessary supervision or child care arrangements appropriate
104.9 for a child after considering factors as the child's age, mental ability, physical condition,
104.10 length of absence, or environment, when the child is unable to care for the child's own basic
104.11 needs or safety, or the basic needs or safety of another child in their care;

104.12 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
104.13 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
104.14 child with sympathomimetic medications, consistent with section 125A.091, subdivision
104.15 5;

104.16 (5) nothing in this section shall be construed to mean that a child is neglected solely
104.17 because the child's parent, guardian, or other person responsible for the child's care in good
104.18 faith selects and depends upon spiritual means or prayer for treatment or care of disease or
104.19 remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker,
104.20 or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of
104.21 medical care may cause serious danger to the child's health. This section does not impose
104.22 upon persons, not otherwise legally responsible for providing a child with necessary food,
104.23 clothing, shelter, education, or medical care, a duty to provide that care;

104.24 (6) prenatal exposure to a controlled substance, as defined in section 253B.02, subdivision
104.25 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in
104.26 the child at birth, results of a toxicology test performed on the mother at delivery or the
104.27 child at birth, medical effects or developmental delays during the child's first year of life
104.28 that medically indicate prenatal exposure to a controlled substance, or the presence of a
104.29 fetal alcohol spectrum disorder;

104.30 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

32.11 (8) chronic and severe use of alcohol or a controlled substance by a parent or person
32.12 responsible for the care of the child that adversely affects the child's basic needs and safety;
32.13 or

32.14 (9) emotional harm from a pattern of behavior which contributes to impaired emotional
32.15 functioning of the child which may be demonstrated by a substantial and observable effect
32.16 in the child's behavior, emotional response, or cognition that is not within the normal range
32.17 for the child's age and stage of development, with due regard to the child's culture.

32.18 (h) "Nonmaltreatment mistake" means:

32.19 (1) at the time of the incident, the individual was performing duties identified in the
32.20 center's child care program plan required under Minnesota Rules, part 9503.0045;

32.21 (2) the individual has not been determined responsible for a similar incident that resulted
32.22 in a finding of maltreatment for at least seven years;

32.23 (3) the individual has not been determined to have committed a similar nonmaltreatment
32.24 mistake under this paragraph for at least four years;

32.25 (4) any injury to a child resulting from the incident, if treated, is treated only with
32.26 remedies that are available over the counter, whether ordered by a medical professional or
32.27 not; and

32.28 (5) except for the period when the incident occurred, the facility and the individual
32.29 providing services were both in compliance with all licensing requirements relevant to the
32.30 incident.

32.31 This definition only applies to child care centers licensed under Minnesota Rules, chapter
32.32 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated
33.1 maltreatment by the individual, the commissioner of human services shall determine that a
33.2 nonmaltreatment mistake was made by the individual.

33.3 (i) "Operator" means an operator or agency as defined in section 245A.02.

33.4 (j) "Person responsible for the child's care" means (1) an individual functioning within
33.5 the family unit and having responsibilities for the care of the child such as a parent, guardian,
33.6 or other person having similar care responsibilities, or (2) an individual functioning outside
33.7 the family unit and having responsibilities for the care of the child such as a teacher, school
33.8 administrator, other school employees or agents, or other lawful custodian of a child having
33.9 either full-time or short-term care responsibilities including, but not limited to, day care,
33.10 babysitting whether paid or unpaid, counseling, teaching, and coaching.

104.31 (8) chronic and severe use of alcohol or a controlled substance by a parent or person
104.32 responsible for the care of the child that adversely affects the child's basic needs and safety;
104.33 or

105.1 (9) emotional harm from a pattern of behavior which contributes to impaired emotional
105.2 functioning of the child which may be demonstrated by a substantial and observable effect
105.3 in the child's behavior, emotional response, or cognition that is not within the normal range
105.4 for the child's age and stage of development, with due regard to the child's culture.

105.5 (h) "Nonmaltreatment mistake" means:

105.6 (1) at the time of the incident, the individual was performing duties identified in the
105.7 center's child care program plan required under Minnesota Rules, part 9503.0045;

105.8 (2) the individual has not been determined responsible for a similar incident that resulted
105.9 in a finding of maltreatment for at least seven years;

105.10 (3) the individual has not been determined to have committed a similar nonmaltreatment
105.11 mistake under this paragraph for at least four years;

105.12 (4) any injury to a child resulting from the incident, if treated, is treated only with
105.13 remedies that are available over the counter, whether ordered by a medical professional or
105.14 not; and

105.15 (5) except for the period when the incident occurred, the facility and the individual
105.16 providing services were both in compliance with all licensing requirements relevant to the
105.17 incident.

105.18 This definition only applies to child care centers licensed under Minnesota Rules, chapter
105.19 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated
105.20 maltreatment by the individual, the commissioner of human services shall determine that a
105.21 nonmaltreatment mistake was made by the individual.

105.22 (i) "Operator" means an operator or agency as defined in section 245A.02.

105.23 (j) "Person responsible for the child's care" means (1) an individual functioning within
105.24 the family unit and having responsibilities for the care of the child such as a parent, guardian,
105.25 or other person having similar care responsibilities, or (2) an individual functioning outside
105.26 the family unit and having responsibilities for the care of the child such as a teacher, school
105.27 administrator, other school employees or agents, or other lawful custodian of a child having
105.28 either full-time or short-term care responsibilities including, but not limited to, day care,
105.29 babysitting whether paid or unpaid, counseling, teaching, and coaching.

33.11 (k) "Physical abuse" means any physical injury, mental injury, or threatened injury,
33.12 inflicted by a person responsible for the child's care on a child other than by accidental
33.13 means, or any physical or mental injury that cannot reasonably be explained by the child's
33.14 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
33.15 that have not been authorized under section 125A.0942 or 245.825.

33.16 Abuse does not include reasonable and moderate physical discipline of a child
33.17 administered by a parent or legal guardian which does not result in an injury. Abuse does
33.18 not include the use of reasonable force by a teacher, principal, or school employee as allowed
33.19 by section 121A.582. Actions which are not reasonable and moderate include, but are not
33.20 limited to, any of the following:

33.21 (1) throwing, kicking, burning, biting, or cutting a child;

33.22 (2) striking a child with a closed fist;

33.23 (3) shaking a child under age three;

33.24 (4) striking or other actions which result in any nonaccidental injury to a child under 18
33.25 months of age;

33.26 (5) unreasonable interference with a child's breathing;

33.27 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

33.28 (7) striking a child under age one on the face or head;

33.29 (8) striking a child who is at least age one but under age four on the face or head, which
33.30 results in an injury;

33.31 (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
33.32 substances which were not prescribed for the child by a practitioner, in order to control or
34.1 punish the child; or other substances that substantially affect the child's behavior, motor
34.2 coordination, or judgment or that results in sickness or internal injury, or subjects the child
34.3 to medical procedures that would be unnecessary if the child were not exposed to the
34.4 substances;

34.5 (10) unreasonable physical confinement or restraint not permitted under section 609.379,
34.6 including but not limited to tying, caging, or chaining; or

34.7 (11) in a school facility or school zone, an act by a person responsible for the child's
34.8 care that is a violation under section 121A.58.

105.30 (k) "Physical abuse" means any physical injury, mental injury, or threatened injury,
105.31 inflicted by a person responsible for the child's care on a child other than by accidental
105.32 means, or any physical or mental injury that cannot reasonably be explained by the child's
106.1 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
106.2 that have not been authorized under section 125A.0942 or 245.825.

106.3 Abuse does not include reasonable and moderate physical discipline of a child
106.4 administered by a parent or legal guardian which does not result in an injury. Abuse does
106.5 not include the use of reasonable force by a teacher, principal, or school employee as allowed
106.6 by section 121A.582. Actions which are not reasonable and moderate include, but are not
106.7 limited to, any of the following:

106.8 (1) throwing, kicking, burning, biting, or cutting a child;

106.9 (2) striking a child with a closed fist;

106.10 (3) shaking a child under age three;

106.11 (4) striking or other actions which result in any nonaccidental injury to a child under 18
106.12 months of age;

106.13 (5) unreasonable interference with a child's breathing;

106.14 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

106.15 (7) striking a child under age one on the face or head;

106.16 (8) striking a child who is at least age one but under age four on the face or head, which
106.17 results in an injury;

106.18 (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
106.19 substances which were not prescribed for the child by a practitioner, in order to control or
106.20 punish the child; or other substances that substantially affect the child's behavior, motor
106.21 coordination, or judgment or that results in sickness or internal injury, or subjects the child
106.22 to medical procedures that would be unnecessary if the child were not exposed to the
106.23 substances;

106.24 (10) unreasonable physical confinement or restraint not permitted under section 609.379,
106.25 including but not limited to tying, caging, or chaining; or

106.26 (11) in a school facility or school zone, an act by a person responsible for the child's
106.27 care that is a violation under section 121A.58.

34.9 (l) "Practice of social services," for the purposes of subdivision 3, includes but is not
 34.10 limited to employee assistance counseling and the provision of guardian ad litem and
 34.11 parenting time expeditor services.

34.12 (m) "Report" means any communication received by the local welfare agency, police
 34.13 department, county sheriff, or agency responsible for child protection pursuant to this section
 34.14 that describes neglect or physical or sexual abuse of a child and contains sufficient content
 34.15 to identify the child and any person believed to be responsible for the neglect or abuse, if
 34.16 known.

34.17 (n) "Sexual abuse" means the subjection of a child by a person responsible for the child's
 34.18 care, by a person who has a significant relationship to the child, as defined in section 609.341,
 34.19 or by a person in a position of authority, as defined in section 609.341, subdivision 10, to
 34.20 any act which constitutes a violation of section 609.342 (criminal sexual conduct in the first
 34.21 degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual
 34.22 conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), ~~or~~
 34.23 609.3451 (criminal sexual conduct in the fifth degree), or 609.352 (solicitation of children
 34.24 to engage in sexual conduct; communication of sexually explicit materials to children).
 34.25 Sexual abuse also includes any act which involves a minor which constitutes a violation of
 34.26 prostitution offenses under sections 609.321 to 609.324 or 617.246. Effective May 29, 2017,
 34.27 sexual abuse includes all reports of known or suspected child sex trafficking involving a
 34.28 child who is identified as a victim of sex trafficking. Sexual abuse includes child sex
 34.29 trafficking as defined in section 609.321, subdivisions 7a and 7b. Sexual abuse includes
 34.30 threatened sexual abuse which includes the status of a parent or household member who
 34.31 has committed a violation which requires registration as an offender under section 243.166,
 34.32 subdivision 1b, paragraph (a) or (b), or required registration under section 243.166,
 34.33 subdivision 1b, paragraph (a) or (b).

35.1 (o) "Substantial child endangerment" means a person responsible for a child's care, by
 35.2 act or omission, commits or attempts to commit an act against a child under their care that
 35.3 constitutes any of the following:

35.4 (1) egregious harm as defined in section 260C.007, subdivision 14;

35.5 (2) abandonment under section 260C.301, subdivision 2;

35.6 (3) neglect as defined in paragraph (g), clause (2), that substantially endangers the child's
 35.7 physical or mental health, including a growth delay, which may be referred to as failure to
 35.8 thrive, that has been diagnosed by a physician and is due to parental neglect;

35.9 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

106.28 (l) "Practice of social services," for the purposes of subdivision 3, includes but is not
 106.29 limited to employee assistance counseling and the provision of guardian ad litem and
 106.30 parenting time expeditor services.

107.1 (m) "Report" means any communication received by the local welfare agency, police
 107.2 department, county sheriff, or agency responsible for child protection pursuant to this section
 107.3 that describes neglect or physical or sexual abuse of a child and contains sufficient content
 107.4 to identify the child and any person believed to be responsible for the neglect or abuse, if
 107.5 known.

107.6 (n) "Sexual abuse" means the subjection of a child by a person responsible for the child's
 107.7 care, by a person who has a significant relationship to the child, as defined in section 609.341,
 107.8 or by a person in a position of authority, as defined in section 609.341, subdivision 10, to
 107.9 any act which constitutes a violation of section 609.342 (criminal sexual conduct in the first
 107.10 degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual
 107.11 conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), ~~or~~
 107.12 609.3451 (criminal sexual conduct in the fifth degree), or 609.352 (solicitation of children
 107.13 to engage in sexual conduct; communication of sexually explicit materials to children).
 107.14 Sexual abuse also includes any act which involves a minor which constitutes a violation of
 107.15 prostitution offenses under sections 609.321 to 609.324 or 617.246. Effective May 29, 2017,
 107.16 sexual abuse includes all reports of known or suspected child sex trafficking involving a
 107.17 child who is identified as a victim of sex trafficking. Sexual abuse includes child sex
 107.18 trafficking as defined in section 609.321, subdivisions 7a and 7b. Sexual abuse includes
 107.19 threatened sexual abuse which includes the status of a parent or household member who
 107.20 has committed a violation which requires registration as an offender under section 243.166,
 107.21 subdivision 1b, paragraph (a) or (b), or required registration under section 243.166,
 107.22 subdivision 1b, paragraph (a) or (b).

107.23 (o) "Substantial child endangerment" means a person responsible for a child's care, by
 107.24 act or omission, commits or attempts to commit an act against a child under their care that
 107.25 constitutes any of the following:

107.26 (1) egregious harm as defined in section 260C.007, subdivision 14;

107.27 (2) abandonment under section 260C.301, subdivision 2;

107.28 (3) neglect as defined in paragraph (g), clause (2), that substantially endangers the child's
 107.29 physical or mental health, including a growth delay, which may be referred to as failure to
 107.30 thrive, that has been diagnosed by a physician and is due to parental neglect;

107.31 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

35.10 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

35.11 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

35.12 (7) solicitation, inducement, and promotion of prostitution under section 609.322;

35.13 (8) criminal sexual conduct under sections 609.342 to 609.3451;

35.14 (9) solicitation of children to engage in sexual conduct under section 609.352;

35.15 (10) malicious punishment or neglect or endangerment of a child under section 609.377
35.16 or 609.378;

35.17 (11) use of a minor in sexual performance under section 617.246; or

35.18 (12) parental behavior, status, or condition which mandates that the county attorney file
35.19 a termination of parental rights petition under section 260C.503, subdivision 2.

35.20 (p) "Threatened injury" means a statement, overt act, condition, or status that represents
35.21 a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes,
35.22 but is not limited to, exposing a child to a person responsible for the child's care, as defined
35.23 in paragraph (j), clause (1), who has:

35.24 (1) subjected a child to, or failed to protect a child from, an overt act or condition that
35.25 constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a similar law
35.26 of another jurisdiction;

35.27 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
35.28 (b), clause (4), or a similar law of another jurisdiction;

35.29 (3) committed an act that has resulted in an involuntary termination of parental rights
35.30 under section 260C.301, or a similar law of another jurisdiction; or

36.1 (4) committed an act that has resulted in the involuntary transfer of permanent legal and
36.2 physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201,
36.3 subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law
36.4 of another jurisdiction.

36.5 A child is the subject of a report of threatened injury when the responsible social services
36.6 agency receives birth match data under paragraph (q) from the Department of Human
36.7 Services.

107.32 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

107.33 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

108.1 (7) solicitation, inducement, and promotion of prostitution under section 609.322;

108.2 (8) criminal sexual conduct under sections 609.342 to 609.3451;

108.3 (9) solicitation of children to engage in sexual conduct under section 609.352;

108.4 (10) malicious punishment or neglect or endangerment of a child under section 609.377
108.5 or 609.378;

108.6 (11) use of a minor in sexual performance under section 617.246; or

108.7 (12) parental behavior, status, or condition which mandates that the county attorney file
108.8 a termination of parental rights petition under section 260C.503, subdivision 2.

108.9 (p) "Threatened injury" means a statement, overt act, condition, or status that represents
108.10 a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes,
108.11 but is not limited to, exposing a child to a person responsible for the child's care, as defined
108.12 in paragraph (j), clause (1), who has:

108.13 (1) subjected a child to, or failed to protect a child from, an overt act or condition that
108.14 constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a similar law
108.15 of another jurisdiction;

108.16 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
108.17 (b), clause (4), or a similar law of another jurisdiction;

108.18 (3) committed an act that has resulted in an involuntary termination of parental rights
108.19 under section 260C.301, or a similar law of another jurisdiction; or

108.20 (4) committed an act that has resulted in the involuntary transfer of permanent legal and
108.21 physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201,
108.22 subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law
108.23 of another jurisdiction.

108.24 A child is the subject of a report of threatened injury when the responsible social services
108.25 agency receives birth match data under paragraph (q) from the Department of Human
108.26 Services.

36.8 (q) Upon receiving data under section 144.225, subdivision 2b, contained in a birth
36.9 record or recognition of parentage identifying a child who is subject to threatened injury
36.10 under paragraph (p), the Department of Human Services shall send the data to the responsible
36.11 social services agency. The data is known as "birth match" data. Unless the responsible
36.12 social services agency has already begun an investigation or assessment of the report due
36.13 to the birth of the child or execution of the recognition of parentage and the parent's previous
36.14 history with child protection, the agency shall accept the birth match data as a report under
36.15 this section. The agency may use either a family assessment or investigation to determine
36.16 whether the child is safe. All of the provisions of this section apply. If the child is determined
36.17 to be safe, the agency shall consult with the county attorney to determine the appropriateness
36.18 of filing a petition alleging the child is in need of protection or services under section
36.19 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is
36.20 determined not to be safe, the agency and the county attorney shall take appropriate action
36.21 as required under section 260C.503, subdivision 2.

36.22 (r) Persons who conduct assessments or investigations under this section shall take into
36.23 account accepted child-rearing practices of the culture in which a child participates and
36.24 accepted teacher discipline practices, which are not injurious to the child's health, welfare,
36.25 and safety.

108.27 (q) Upon receiving data under section 144.225, subdivision 2b, contained in a birth
108.28 record or recognition of parentage identifying a child who is subject to threatened injury
108.29 under paragraph (p), the Department of Human Services shall send the data to the responsible
108.30 social services agency. The data is known as "birth match" data. Unless the responsible
108.31 social services agency has already begun an investigation or assessment of the report due
108.32 to the birth of the child or execution of the recognition of parentage and the parent's previous
109.1 history with child protection, the agency shall accept the birth match data as a report under
109.2 this section. The agency may use either a family assessment or investigation to determine
109.3 whether the child is safe. All of the provisions of this section apply. If the child is determined
109.4 to be safe, the agency shall consult with the county attorney to determine the appropriateness
109.5 of filing a petition alleging the child is in need of protection or services under section
109.6 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is
109.7 determined not to be safe, the agency and the county attorney shall take appropriate action
109.8 as required under section 260C.503, subdivision 2.

109.9 (r) Persons who conduct assessments or investigations under this section shall take into
109.10 account accepted child-rearing practices of the culture in which a child participates and
109.11 accepted teacher discipline practices, which are not injurious to the child's health, welfare,
109.12 and safety.

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

70.10 Sec. 32. Laws 2016, chapter 189, article 25, section 61, is amended to read:
70.11 Sec. 61. **CERTIFICATION INCENTIVE REVENUE.**

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

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

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

36.26 Sec. 34. Laws 2017, First Special Session chapter 5, article 2, section 52, subdivision 2,
36.27 is amended to read:

36.28 Subd. 2. **Exemptions from laws and rules.** (a) Notwithstanding any other law to the
36.29 contrary, an innovation zone partner with an approved plan is exempt from each of the
36.30 following state education laws and rules specifically identified in its plan:

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

70.29 (b) The statewide total certificate revenue must not exceed ~~\$1,000,000~~ \$400,000 for the
70.30 2016-2017, 2017-2018, and 2018-2019 school years. The commissioner must proportionately
70.31 reduce the initial aid provided under this subdivision so that the statewide aid cap is not
70.32 exceeded.

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

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

71.10 Sec. 33. Laws 2016, chapter 189, article 25, section 62, subdivision 15, is amended to
71.11 read:

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

71.13 ~~\$1,000,000~~
71.14 \$ 400,000 2017

71.15 (b) \$600,000 of the \$1,000,000 appropriation in Laws 2016, chapter 189, article 25,
71.16 section 62, subdivision 15, is canceled to the general fund. This is a onetime appropriation.
71.17 This appropriation is available until June 30, 2019.

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

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

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

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

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

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

37.13 (b) The exemptions under this subdivision must not be construed as exempting an
37.14 innovation zone partner from the Minnesota Comprehensive Assessments, except that the
37.15 commissioner may authorize an innovation zone partner to substitute the high school
37.16 Minnesota Comprehensive Assessments required for graduation with a nationally normed
37.17 college entrance exam that is (1) aligned with the state academic standards and (2) includes
37.18 career and college readiness benchmarks.

37.19 Sec. 35. Laws 2017, First Special Session chapter 5, article 2, section 56, is amended to
37.20 read:
37.21 Sec. 56. **INTERMEDIATE SCHOOL DISTRICT MENTAL HEALTH**
37.22 **INNOVATION GRANT PROGRAM; APPROPRIATION.**

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

37.27 (b) A "qualifying school unit" means an intermediate district organized under Minnesota
37.28 Statutes, section 136D.01, or a service cooperative organized under Minnesota Statutes,
37.29 section 123A.21, subdivision 1, paragraph (a), clause (2), that provides instruction to students
37.30 in a setting of federal instructional level 4 or higher. Grants under paragraph (a) must be

NOTE: FROM SCHOOL SAFETY ARTICLE 2, SECTION 16

28.12 Sec. 16. Laws 2017, First Special Session chapter 5, article 2, section 56, is amended to
28.13 read:
28.14 Sec. 56. **INTERMEDIATE SCHOOL DISTRICT MENTAL HEALTH**
28.15 **INNOVATION GRANT PROGRAM; APPROPRIATION.**

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

28.20 (b) A "qualifying school unit" means an intermediate district organized under Minnesota
28.21 Statutes, section 136D.01, or a service cooperative organized under Minnesota Statutes,
28.22 section 123A.21, subdivision 1, paragraph (a), clause (2), that provides instruction to students
28.23 in a setting of federal instructional level 4 or higher. Grants under paragraph (a) must be

37.31 awarded to eligible applicants such that the services are proportionately provided among
37.32 qualifying school units. The commissioner shall calculate the share of the appropriation to
37.33 be used in each qualifying school unit by dividing the qualifying school unit's average daily
38.1 membership in a setting of federal instructional level 4 or higher for fiscal year 2016 by the
38.2 total average daily membership in a setting of federal instructional level 4 or higher for the
38.3 same year for all qualifying school units.

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

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

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

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

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

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

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

38.21 (e) A qualifying school unit must submit an application to the commissioner in the form
38.22 and manner specified by the commissioner. The commissioner may approve an application
38.23 that describes models for innovative projects to serve the needs of the schools and students.
38.24 The commissioner may provide technical assistance to the qualifying school unit. The
38.25 commissioner shall then solicit grant project proposals and award grant funding to the
38.26 eligible applicants whose project proposals best meet the requirements of this section and
38.27 most closely adhere to the models created by the intermediate districts and service
38.28 cooperatives.

28.24 awarded to eligible applicants such that the services are proportionately provided among
28.25 qualifying school units. The commissioner shall calculate the share of the appropriation to
28.26 be used in each qualifying school unit by dividing the qualifying school unit's average daily
28.27 membership in a setting of federal instructional level 4 or higher for fiscal year 2016 by the
28.28 total average daily membership in a setting of federal instructional level 4 or higher for the
28.29 same year for all qualifying school units.

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

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

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

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

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

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

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

29.15 (e) A qualifying school unit must submit an application to the commissioner in the form
29.16 and manner specified by the commissioner. The commissioner may approve an application
29.17 that describes models for innovative projects to serve the needs of the schools and students.
29.18 The commissioner may provide technical assistance to the qualifying school unit. The
29.19 commissioner shall then solicit grant project proposals and award grant funding to the
29.20 eligible applicants whose project proposals best meet the requirements of this section and
29.21 most closely adhere to the models created by the intermediate districts and service
29.22 cooperatives.

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

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

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

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

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

39.8 (h) The base budget for this program is \$0. This appropriation is available until June 30,
39.9 2020.

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

S3656-2

558.19 Sec. 10. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 12,
558.20 is amended to read:

558.21 Subd. 12. **Museums and education centers.** For grants to museums and education
558.22 centers:

558.23	\$	460,000	.....	2018
558.24		460,000		
558.25	\$	<u>507,000</u>	.....	2019

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

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

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

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

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

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

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

30.1 (h) The base budget for this program is \$0. This appropriation is available until June 30,
30.2 2020.

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

71.19 Sec. 34. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 12,
71.20 is amended to read:

71.21 Subd. 12. **Museums and education centers.** For grants to museums and education
71.22 centers:

71.23	\$	460,000	.....	2018
71.24		460,000		
71.25	\$	<u>510,000</u>	.....	2019

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

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

Senate Language S3656-2		Education Excellence	May 04, 2018 11:09 AM	House Language H4328-3	
558.29	(c) \$41,000 each year is for the Minnesota Academy of Science.			71.29	(c) \$41,000 each year is for the Minnesota Academy of Science.
558.30	(d) \$50,000 each year is for the Headwaters Science Center.			71.30	(d) \$50,000 each year is for the Headwaters Science Center.
559.1	(e) \$47,000 in fiscal year 2019 only is for the Judy Garland Museum for the Children's			71.31	(e) \$50,000 in fiscal year 2019 is for the Grand Rapids Children's Museum.
559.2	Discovery Museum of Grand Rapids.				
559.3	Any balance in the first year does not cancel but is available in the second year.			72.1	(f) Any balance in the first year does not cancel but is available in the second year.
559.4	The base in fiscal year 2020 is \$460,000.			72.2	(g) The base for fiscal year 2020 and later is \$460,000.
559.5	EFFECTIVE DATE. This section is effective July 1, 2018.				
				72.3	Sec. 35. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 14,
				72.4	is amended to read:
				72.5	Subd. 14. Singing-based pilot program to improve student reading. (a) For a grant
				72.6	to pilot a research-supported, computer-based educational program that uses singing to
				72.7	improve the reading ability of students in grades 2 through 5:
				72.8	\$ 500,000 2018
				72.9	\$ 0 2019
				72.10	(b) The commissioner of education shall award a grant to the Rock 'n' Read Project to
				72.11	implement a research-supported, computer-based educational program that uses singing to
				72.12	improve the reading ability of students in grades 2 through 5. The grantee shall be responsible
				72.13	for selecting participating school sites; providing any required hardware and software,
				72.14	including software licenses, for the duration of the grant period; providing technical support,
				72.15	training, and staff to install required project hardware and software; providing on-site
				72.16	professional development and instructional monitoring and support for school staff and
				72.17	students; administering preintervention and postintervention reading assessments; evaluating
				72.18	the impact of the intervention; and other project management services as required. To the
				72.19	extent practicable, the grantee must select participating schools in urban, suburban, and
				72.20	greater Minnesota, and give priority to schools in which a high proportion of students do
				72.21	not read proficiently at grade level and are eligible for free or reduced-price lunch.
				72.22	(c) By February 15, 2019, the grantee must submit a report detailing expenditures and
				72.23	outcomes of the grant to the commissioner of education and the chairs and ranking minority

39.15 \$ 1,500,000 2018
39.16 \$ 1,500,000 2019

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

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

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

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

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

S3656-2

559.20 Sec. 12. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 23,
559.21 is amended to read:

559.22 Subd. 23. Paraprofessional pathway Grow Your Own Pathways to teacher licensure.
559.23 (a) For grants to school districts for Grow Your Own new teacher programs:

73.1 \$ 1,500,000 2018
73.2 \$ 1,500,000 2019

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

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

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

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

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

559.24 \$ 1,500,000 2018

559.25 \$ 1,500,000 2019

559.26 (b) The grants in paragraph (a) are for school districts ~~with more than 30 percent minority~~
559.27 ~~and charter schools where at least 30 percent of the school district's or charter school's~~
559.28 ~~students served are students of color or American Indian students.~~

559.29 (c) \$900,000 of the fiscal year 2019 appropriation is for a ~~Board of Teaching approved~~
559.30 ~~established and effective Professional Educator Licensing and Standards Board-approved~~
559.31 ~~nonconventional teacher residency pilot program programs.~~ The program must provide
560.1 tuition scholarships or stipends to enable school district and charter school employees or
560.2 community members affiliated with a school district or charter school who seek an education
560.3 license to participate in a nonconventional teacher preparation program. School districts
560.4 and charter schools that receive funds under this subdivision are strongly encouraged to
560.5 recruit candidates of color and American Indian candidates to participate in the Grow Your
560.6 Own new teacher programs. Districts or schools providing financial support may require a
560.7 commitment as determined by the district to teach in the district or school for a reasonable
560.8 amount of time that does not exceed five years.

560.9 ~~(e) School districts and charter schools may also apply for grants to develop (d) \$600,000~~
560.10 ~~of the fiscal year 2019 appropriation is for grants to provide financial assistance, mentoring,~~
560.11 ~~and experiences to enable persons who are of color or who are American Indian, and who~~
560.12 ~~work or live in the local community, to become teachers. Districts or schools providing~~
560.13 ~~financial support may require a commitment as determined by the district or school to teach~~
560.14 ~~in the district or school for a reasonable amount of time that does not exceed five years.~~
560.15 Grants may be used for:

560.16 (1) tuition scholarships or stipends to eligible teaching assistants, cultural liaisons, or
560.17 other nonlicensed employees who are of color or who are American Indian and who are
560.18 enrolled in any teacher preparation program approved by the Professional Educator Licensing
560.19 and Standards Board;

560.20 (2) supporting the development of innovative residency programs for persons of color
560.21 and American Indians seeking an education license through a school-based, board-approved
560.22 program; and

560.23 (3) developing innovative expanded Grow Your Own programs that;

560.24 (i) encourage secondary school students to pursue teaching, including developing and
560.25 offering dual-credit postsecondary course options in schools for "Introduction to Teaching"

560.26 or "Introduction to Education" courses consistent with Minnesota Statutes, section 124D.09,
560.27 subdivision 10; and

560.28 (ii) support future teacher clubs involving middle and high school students who are of
560.29 color or who are American Indian to provide experiential learning, support the success of
560.30 younger students, and pursue teaching careers.

560.31 (e) A school district must apply for grants under this subdivision in the form and manner
560.32 specified by the commissioner. Each year, the commissioner must review all grant
560.33 applications by September 15 and notify grant recipients of the amount of their grant by
560.34 September 30.

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

561.7 ~~(e)~~ (g) The department may retain up to three percent of the appropriation amount to
561.8 monitor and administer the grant program.

561.9 ~~(f)~~ (h) Any balance in the first fiscal year 2018 does not cancel but is available in the
561.10 second fiscal year 2019.

561.11 **EFFECTIVE DATE.** This section is effective June 30, 2018.

73.28 Sec. 37. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 24,
73.29 is amended to read:

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

73.32	\$	10,892,000	.....	2018
73.33	\$	10,892,000	.....	2019

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

561.12 Sec. 13. APPROPRIATIONS.

561.13 Subdivision 1. Department of Education. The sum indicated in this section is
561.14 appropriated from the general fund to the Department of Education for the fiscal year
561.15 designated.

561.16 Subd. 2. Online access to music education. (a) For a grant to the MacPhail Center for
561.17 Music to broaden access to music education in rural Minnesota:

561.18 \$ 125,000 2019

561.19 (b) The MacPhail Center must use the grant under paragraph (a) to broaden access to
561.20 music education in rural Minnesota. The program must supplement and enhance an existing
561.21 program and may provide individual instruction, sectional ensembles, and other group
561.22 activities, workshops, and early childhood music activities. The MacPhail Center must
561.23 design its program in consultation with music educators who teach in rural Minnesota. The
561.24 grants may be used by the MacPhail Center for employee costs and for any related travel
561.25 costs.

561.26 (c) Upon request from a school's music educator, the MacPhail Center may enter into
561.27 an agreement with the school to provide a program according to paragraph (b). In an early
561.28 childhood setting, the MacPhail Center may provide a program upon a request initiated by
561.29 an early childhood educator.

561.30 (d) By January 15, 2020, the MacPhail Center shall prepare and submit a report to the
561.31 legislature describing the online programs offered, program outcomes, the students served,
562.1 an estimate of the unmet need for music education, and a detailed list of expenditures for
562.2 the previous fiscal year.

562.3 (e) This is a onetime appropriation.

562.4 Subd. 3. Academic balance policy review. (a) For the commissioner of education to
562.5 conduct a review of academic balance policies under Minnesota Statutes, section 120B.25.

74.2 (c) For fiscal years 2020 and 2021, the base budget for this program must be adjusted
74.3 by multiplying the fiscal year 2019 appropriation by the ratio of the estimated total number
74.4 of Minnesota Comprehensive Assessments taken by students in the current fiscal year to
74.5 the total number of Minnesota Comprehensive Assessments taken by students in fiscal year
74.6 2017. This is estimated to reduce the base appropriation by \$245,000 in fiscal year 2020
74.7 and fiscal year 2021.

74.8 Sec. 38. APPROPRIATIONS.

74.9 Subdivision 1. Commissioner of education. The sums indicated in this section are
74.10 appropriated from the general fund to the commissioner of education in the fiscal year
74.11 designated.

562.6 \$ 25,000 2019

562.7 (b) The commissioner must review a sample of policies adopted by school districts and
562.8 charter schools for compliance with the requirements of Minnesota Statutes, section 120B.25,
562.9 and may make recommendations to the legislative committees having jurisdiction over early
562.10 childhood through grade 12 education by January 18, 2019, regarding any necessary statutory
562.11 changes.

562.12 (c) This is a onetime appropriation.

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

74.14 \$ 250,000 2019

74.15 (b) The amount awarded under this subdivision must be used to provide scholarships
74.16 for teachers who teach secondary school courses for postsecondary credit through the
74.17 district's early college program to enroll in up to 18 graduate credits in an applicable subject
74.18 area. The district and the State Partnership are encouraged to collaborate to avoid duplication
74.19 of service and, to the extent practicable, provide district teachers access to the State
74.20 Partnership's continuing education program established in accordance with Laws 2017, First
74.21 Special Session chapter 5, article 2, section 48.

74.22 (c) This is a onetime appropriation.

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

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

74.29 \$ 250,000 2019

- 74.30 (b) A school district must apply for a grant in the form and manner specified by the
74.31 commissioner. The maximum amount of a vocational enrichment grant equals the product
74.32 of:
- 75.1 (1) \$5,117;
- 75.2 (2) 1.2;
- 75.3 (3) the number of students participating in the program; and
- 75.4 (4) the ratio of the actual hours of service provided to each student to 1,020.
- 75.5 (c) If applications for funding exceed the amount appropriated for the program, the
75.6 commissioner must prioritize grants to programs in the following pathways: welding;
75.7 construction trades; automotive technology; household electrical skills; heating, ventilation,
75.8 and air conditioning; plumbing; culinary arts; and agriculture.
- 75.9 (d) This is a onetime appropriation.
- 75.10 (e) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019
75.11 appropriation is available until June 30, 2021.
- 75.12 Subd. 4. **Vocational postsecondary enrollment options.** (a) For a grant to Independent
75.13 School District No. 110, Waconia, to establish a career and technical education dual credit
75.14 pilot program in partnership with Hennepin County Technical College and Ridgewater
75.15 College offering courses in manufacturing and construction:
- 75.16 \$ 150,000 2019
- 75.17 (b) A dual credit course offered under the pilot program must be taught by a qualified
75.18 school district teacher or college faculty member. A student that completes a course offered
75.19 by the career and technical education dual credit pilot program must receive both a secondary
75.20 credit and postsecondary credit. A student may also receive an industry-recognized certificate,
75.21 if appropriate.
- 75.22 (c) A dual credit course offered under the pilot program is not subject to the requirements
75.23 of Minnesota Statutes, section 124D.09. A student enrolled in a dual credit course is included
75.24 in the school district's average daily membership in accordance with Minnesota Statutes,
75.25 section 126C.05, during the hours of participation in the course.

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75.26		(d) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019			
75.27		appropriation is available until June 30, 2021.			
75.28		(e) This is a onetime appropriation.			
75.29		Subd. 5. Mind Foundry Learning Foundation. (a) For a grant to the Mind Foundry			
75.30		Learning Foundation to run after-school STEM programming to inspire and educate			
75.31		underserved youth in St. Paul about the value of STEM fields in 21st century work and			
75.32		learning.			
76.1		\$ 200,000 2019			
76.2		(b) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2019			
76.3		appropriation is available until June 30, 2021.			
76.4		(c) This is a onetime appropriation.			
76.5		Subd. 6. Full-service community schools. For fiscal year 2020 and later, the annual			
76.6		base budget for full-service community schools is \$2,000,000. This amount must be			
76.7		designated and used for school support staff providing services to students attending			
76.8		full-service community schools under Minnesota Statutes, section 124D.231. For purposes			
76.9		of this subdivision, school support staff include mental health professionals, licensed school			
76.10		counselors, licensed school psychologists, licensed school nurses, and licensed alcohol and			
76.11		chemical dependency counselors.			
76.12		EFFECTIVE DATE. This section is effective July 1, 2018.			
562.13	Sec. 14.	REVISOR'S INSTRUCTION.	562.13	Sec. 39.	REVISOR'S INSTRUCTION.
562.14	The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article				
562.15	2, section 57, subdivision 23, as amended, in the next publication of Minnesota Statutes.				
76.14		(a) The revisor of statutes shall renumber the provisions of Minnesota Statutes listed in			
76.15		column A to the references listed in column B.			
76.16		<u>Column A</u>			<u>Column B</u>

76.17	<u>136D.01</u>	<u>123C.01</u>
76.18	<u>136D.21</u>	<u>123C.21</u>
76.19	<u>136D.22</u>	<u>123C.22</u>
76.20	<u>136D.23</u>	<u>123C.23</u>
76.21	<u>136D.24</u>	<u>123C.24</u>
76.22	<u>136D.25</u>	<u>123C.25</u>
76.23	<u>136D.26</u>	<u>123C.26</u>
76.24	<u>136D.281</u>	<u>123C.27</u>
76.25	<u>136D.29</u>	<u>123C.28</u>
76.26	<u>136D.31</u>	<u>123C.29</u>
76.27	<u>136D.41</u>	<u>123C.41</u>
76.28	<u>136D.42</u>	<u>123C.42</u>
76.29	<u>136D.43</u>	<u>123C.43</u>
76.30	<u>136D.44</u>	<u>123C.44</u>
76.31	<u>136D.45</u>	<u>123C.45</u>
76.32	<u>136D.46</u>	<u>123C.46</u>
76.33	<u>136D.47</u>	<u>123C.47</u>
76.34	<u>136D.48</u>	<u>123C.48</u>
77.1	<u>136D.49</u>	<u>123C.49</u>
77.2	<u>136D.71</u>	<u>123C.71</u>
77.3	<u>136D.72</u>	<u>123C.72</u>
77.4	<u>136D.73</u>	<u>123C.73</u>
77.5	<u>136D.74</u>	<u>123C.74</u>
77.6	<u>136D.741</u>	<u>123C.75</u>

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77.7	<u>136D.76</u>			<u>123C.76</u>	
77.8	<u>136D.81</u>			<u>123C.81</u>	
77.9	<u>136D.82</u>			<u>123C.82</u>	
77.10	<u>136D.83</u>			<u>123C.83</u>	
77.11	<u>136D.84</u>			<u>123C.84</u>	
77.12	<u>136D.85</u>			<u>123C.85</u>	
77.13	<u>136D.86</u>			<u>123C.86</u>	
77.14	<u>136D.88</u>			<u>123C.87</u>	
77.15	<u>136D.90</u>			<u>123C.88</u>	
77.16	<u>136D.92</u>			<u>123C.89</u>	
77.17	<u>136D.93</u>			<u>123C.90</u>	
77.18	<u>136D.94</u>			<u>123C.91</u>	
77.19	(b) The revisor of statutes shall make necessary cross-reference changes in Minnesota				
77.20	Statutes and Minnesota Rules consistent with renumbering of Minnesota Statutes, chapter				
77.21	136D in this act, and if Minnesota Statutes, chapter 136D, is further amended in the 2018				
77.22	legislative session, shall codify the amendments in a manner consistent with this act. The				
77.23	revisor may make necessary changes to sentence structure to preserve the meaning of the				
77.24	<u>text.</u>				
77.25	<u>EFFECTIVE DATE. This section is effective the day following final enactment.</u>				
77.26	Sec. 40. <u>REPEALER.</u>				
<u>122A.63, subdivisions 7 and 8, are repealed.</u>					
<u>Section 62, subdivision 16, is repealed.</u>					
<u>Effective July 1, 2018. Paragraph (b) is effective</u>					

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

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40.10 Sec. 37. **REPEALER.**

40.11 Minnesota Statutes 2016, section 120B.35, subdivisions 4 and 5, are repealed.