

Subject Governor's Education Policy Bill

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Overview

This is the Governor's education policy bill. It makes changes relating to state assessments, student absences, language seals, special education teacher licenses, libraries, and early childhood, and makes other changes.

Article 1: General Education

This article modifies educational data provisions, physical education standards and credits requirements, a report deadline, and modifies state assessment requirements. It also modifies provisions in the postsecondary enrollment options act and the online instruction act, and makes other changes.

Section Description – Article 1: General Education

- 1 Directory information. [Educational data]**

Allows an educational agency or institution to share personal student contact information and directory information for students in special education with postsecondary transition planning and services, with the Department of Employment and Economic Development as required to coordinate services to students with disabilities.
- 2 Required academic standards.**

Strikes language that the department may modify SHAPE standards, which are used for physical education, and requirement that the department make available sample physical education assessments.
- 3 Graduation requirements. [Credits]**

Delays requirement that students complete a course in government and citizenship in grade 11 or 12 by one year. Modifies credit requirement necessary to satisfy the state standards in physical education.

Section Description – Article 1: General Education

- 4 **Rigorous course taking information; AP, IB, and PSEO. [Advanced Placement and International Baccalaureate programs]**
Modifies deadline for department report on rigorous course taking.
- 5 **Assessments. [General requirements; statewide assessments]**
Changes cross-reference based on recodification of assessment statutes.
- 6 **Test administration. [General requirements; statewide assessments]**
Strikes requirement for accommodations or alternative assessments. Section 120B.305, subdivision 3, clause (1) requires the commissioner to include accommodations and alternate assessments in the public reporting system.
- 7 **Retaliation prohibited. [General requirements; statewide assessments]**
Prohibits retaliation against an employee who discloses information to the commissioner or a parent or guardian about service disruptions or technical interruptions related to administer assessments. This language is currently in section 120B.31, subdivision 6.
- 8 **General requirements; test design.**
Strikes language added in other sections and obsolete language, adds language stricken in other sections.
- 9 **Assessment reporting requirements.**
Strikes language added in other sections, adds language stricken in other sections.

Strikes requirement that commissioner report data comparing performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations. Strikes requirement that commissioner determine testing process, and aggregate data at site and district level.
- 10 **Student performance data.**
Strikes requirement that commissioner aggregate and disaggregate student data to report student performance and growth levels, and student learning and outcome data.
- 11 **School performance reports and public reporting.**
Modifies deadline for department to post school performance reports on the department's website.
- 12 **Authorization; notification. [PSEO]**
Requires a postsecondary institution to notify a pupil's school as soon as practicable if the student withdraws from the enrolled course, or if the pupil has been absent

Section Description – Article 1: General Education

- from a course for 10 consecutive days and the pupil is not receiving instruction at home, in a hospital, or another facility. Strikes requirement that postsecondary institution notify the school if the pupil stops attending the course.
- 13 **Digital instruction. [Online instruction act]**
Adds reference to federal law relating to accessibility.
- 14 **Supplemental online courses. [Online instruction act]**
Allows a student to enroll in additional courses with an online learning provider under a separate agreement that involves paying tuition or course fees.
- 15 **Lease purchase; installment buys. [Capital levies]**
Substitutes references to desegregation plans with references to achievement and integration plans. Adds cross-reference to statutory definition of “acquisition” in chapter on municipal debt. Modifies review and comment requirements for school construction projects funded under this subdivision.
- 16 **Revisor instruction.**
Instructions the revisor of statutes to remove the term “state-approved” in sections 125A.15 (placement of a child with a disability in another district for care and treatment), 125A.51 (placement of a child without a disability who is placed in care and treatment for an illness or disability), and 125A.515 (placement of students in residential facilities) for education in care and treatment facilities.
- 17 **Repealer.**
Repeals section 120B.31, subdivisions 2 (requires districts to give a uniform statewide test to students) and 6 (prohibits retaliation against employee who discloses information to the commissioner or a parent about testing service disruptions or technical interruptions). Note: these provisions are duplicative of other provisions or recodified elsewhere in this article.

Article 2: Education Excellence

This article modifies requirements related to student absences, bilingual and multilingual diploma seals, and instruction for English learners, and makes other changes.

Section Description – Article 2: Education Excellence

- 1 Legitimate exceptions. [Compulsory instruction]**
Strikes obsolete reference to resident district. Expands clause allowing a district to excuse a student’s absence to include absences when a student receives instruction from a Tribal spiritual or cultural advisor.
- 2 Absence from school for religious and cultural observances.**
Requires a district to make reasonable efforts to accommodate a student who wishes to be excused from a curricular activity for an American Indian cultural practice, observance, or ceremony.
- 3 World language and culture; proficiency certificates. [Elective standards]**
Modifies description of proficiency required to obtain the Minnesota World Language Proficiency Certificate.
- 4 State bilingual and multilingual seals. [Elective standards]**
Modifies description of how proficiency is measured to qualify for bilingual or multilingual seals. Allows a student to obtain a seal for showing proficiency in an Indigenous American Indian language. Strikes requirement that a student demonstrate mastery of English language proficiency to obtain a seal. Requires the commissioner to establish guidelines on interpreting scores or ratings from approved assessments.
- 5 Adopting plans and budgets. [World’s Best Workforce]**
Requires a district’s World’s Best Workforce plan to include a language access plan to provide effective language assistance to students and adults who communicate in a language other than English. Requires the plan to include how the district and schools use trained or certified spoken language interpreters, how families and communities will be notified of their rights under the plan, and a language access continuous improvement training plan for leadership and staff.

Effective date: This section is effective for the 2025-2026 school year and later.
- 6 Board shall not withhold grades or diplomas for nonpayment of student fees. [Prohibited fees]**
Applies provision barring withholding grades or diplomas for nonpayment of fees to Tribal contract schools.
- 7 Notice. [Rights of parents]**
Modifies deadline for providing notice to the parent of an English learner that the student has been enrolled in an instructional program for English learners.

Section Description – Article 2: Education Excellence

8 General requirements for programs.

Requires a district to provide English learners language development instruction designed to effectively increase the language proficiency of English learners and that addresses Minnesota’s English language development standards in administrative rules.

Article 3: Teachers

This article modifies requirements related to licenses for special education teachers and a report by the Professional Educator Licensing and Standards Board (PELSB) and makes other changes.

Section Description – Article 3: Teachers

1 Reporting. [Increasing percentage of teachers of color and American Indian teachers in Minnesota]

Moves PELSB report from odd-numbered years to even-numbered years.

2 Special education requirements. [Tier 1 license]

Requires PELSB to approve an application for a Tier 1 special education license if the applicant receives high-quality professional development that is sustained, intensive, and classroom focused; participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a mentoring program; assumes the functions as a teacher only for no more than three years; and demonstrates satisfactory progress toward professional licensure.

3 Professional requirements. [Tier 1 license]

Modifies reference to Tier 1 license, and section 122A.181 subdivisions 1 and 1a.

4 Exemptions from a bachelor’s degree. [Tier 1 license]

Modifies reference to Tier 1 license, and section 122A.181 subdivision 1.

5 Special education requirements. [Tier 2 license]

Requires PELSB to approve a license for a Tier 2 special education license if the applicant receives high-quality professional development that is sustained, intensive, and classroom focused; participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and demonstrates satisfactory progress toward professional licensure.

Section Description – Article 3: Teachers

- 6 **Coursework. [Tier 2 license]**
Modifies reference to Tier 2 license, and section 122A.182 subdivisions 1 and 1a.
- 7 **Exemptions from a bachelor’s degree. [Tier 2 license]**
Modifies reference to Tier 2 license, and section 122A.182 subdivision 1.

Article 4: The Read Act

This article modifies the Read Act, which was enacted in 2023. It modifies training requirements, modifies or adds definitions, and requires districts to administer screeners three times per school year. It also makes technical changes to the statute numbering and makes other changes.

Section Description – Article 4: The Read Act

- 1 **Title; The Read Act.**
Makes technical change to reflect renumbering of some provisions in the Read Act.
- 2 **Evidence-based. [Read Act definitions]**
Adds word-study to items included in evidence-based literacy instruction.
- 3 **Literacy specialist. [Read Act definitions]**
Strikes deadline for the department’s literacy specialist and districts’ literacy leads to complete approved training.
- 4 **Word study. [Read Act definitions]**
Defines “word study.”
- 5 **Literacy goal. [Read Act goal and interventions]**
Adds meeting grade-level proficiency to statement on the legislature’s goal. Makes technical change to reflect renumbering of some provisions in the Read Act. Narrows and lists the teachers and staff required to receive training by July 1, 2027.
- 6 **Identification; report. [Read Act goal and interventions]**
Requires a district to screen students within the first six weeks of the start of school, midyear, and again within the last six weeks of the school year. Current law requires two screenings.

Section Description – Article 4: The Read Act

- 7 **Parent notification and involvement. [Read Act goal and interventions.]**
Requires a district to screen students midyear in addition to two screenings currently required.
- 8 **Staff development. [Read Act goal and interventions]**
Modifies training requirements for teachers and staff. Specifies which early childhood program staff must receive approved training.
- 9 **Screeners. [Read Act implementation]**
Requires a district to screen students midyear in addition to two screenings currently required.
- 10 **Progress monitoring. [Read Act implementation]**
Clarifies that progress monitoring must use approved assessments. Makes technical change to reflect statute renumbering.
- 11 **Resources. [Read Act implementation partnership]**
Requires literacy curricula and supporting materials to be evidence-based and focused on structured literacy.
- 12 **Reading strategies. [Teacher preparation programs]**
Makes technical change to reflect statute renumbering.
- 13 **Minnesota reading corps program. [Reading and math corps]**
Makes technical change to reflect statute renumbering. Strikes requirement relating to interventions for children in kindergarten to grade 12.
- 14 **Literacy incentive aid uses. [Literacy incentive aid]**
Modifies uses of literacy incentive aid. Allows aid to be used for stipends for teachers enrolled in required training.
- 15 **Revisor instruction.**
Instructs the revisor of statutes to renumber two statutes under the Read Act.

Article 5: Charter Schools

This article modifies the definitions of charter management organizations and educational management organizations, modifies requirements relating to authorizers and adding grades or sites, modifies conflict of interest and transparency provisions, and makes other changes.

Section Description – Article 5: Charter Schools

- 1 Definitions.**
Modifies definition of “charter management organizations” (CMO) to mean only nonprofit entities or organizations, and “educational management organizations” (EMO) to mean for-profit entities or organizations. Modifies descriptions of what CMOs and EMOs do.
- 2 Certain federal, state, and local requirements. [Applicable law]**
Strikes reference to a charter school plan under the World’s Best Workforce.
- 3 Application process. [Authorizers]**
Clarifies that process applies to an organization applying to be approved as an authorizer.
- 4 Individuals eligible to organize. [Forming a school]**
Strikes requirement that a charter school application include a statement of assurances of legal compliance prescribed by the commissioner.
- 5 Authorizer’s affidavit; approval process. [Forming a school]**
Strikes requirement that authorizer’s affidavit state how the authorizer intends to oversee the fiscal and student performance of the charter school and compliance with the terms of the charter. Requires grades and number of primary enrollment sites in an approved affidavit to be modified under requirements in subdivision 5.
- 6 Adding grades or sites. [Forming a school]**
Modifies requirements for charter school to add grades or enrollment sites and reorganizes some existing requirements.
- 7 Membership criteria. [Board of directors]**
Requires the teacher on the charter school board to meet definition of teacher of record under Minnesota Rules, part 8710.0310. Prohibits a contractor of the authorizer who participates in certain authorizer activities from serving on the charter school board. Requires a charter school board to disclose to the commissioner if a board member is serving on multiple charter school boards or committees of other charter school boards. Requires a board member to disclose to the board of every school board where the board member is a director or ex officio member.
- 8 Meetings and information. [Board of directors]**
Requires charter school board minutes to be published on the board website within 30 days following the earlier of the date of board approval or the next regularly scheduled meeting.

Section Description – Article 5: Charter Schools

- 9 **Limits on charter school agreements. [Charter contract]**
Requires a school to disclose to the commissioner any potential contract, lease, or purchase of service from a board member, employee, contractor, volunteer, or agent of an authorizer.
- 10 **Mutual nonrenewal. [Charter contract]**
Limits mutual nonrenewal process to only charter schools already serving enrolled students.
- 11 **Teachers. [Employment]**
Prohibits a charter school from contracting with a CMO or EMO to provide necessary teachers.
- 12 **Audit report. [Reports]**
Strikes requirement that a charter school comply with statutes governing government property and financial investments and municipal contracting. New provisions regarding investments and contracting are added in section 124E.26.
- 13 **Use of state money.**
Requires a charter school to adopt a procurement policy before expending state funds. Requires purchases made using state funds to be consistent with the procurement policy. Requires procurement policy to include specific elements. Allows the commissioner to reduce a charter school’s state aid in an amount equal to a purchase not in conformity with the procurement policy, or if there is no procurement policy. Requires a charter school to comply with statutes governing government property and financial investments, and municipal contracting.

Article 6: Nutrition and Libraries

This article prohibits book bans in public libraries, modifies eligibility for the federal child and adult care food program and federal summer food service program, and makes other changes.

Section Description – Article 6: Nutrition and Libraries

- 1 **Federal child and adult care food program and federal summer food service program; criteria and notice. [School meals policies; lunch aid; food service accounting]**
Limits eligibility to become a sponsor for the federal child and adult care food program or the federal summer food service program.

Section Description – Article 6: Nutrition and Libraries

2 Book banning prohibited.

Subd. 1. Access to materials. Prohibits the governing bodies, including school boards, of the following libraries from banning, removing, or otherwise restricting access to a book or other material based on the viewpoint, content, message, idea, or opinion conveyed:

- a regional public library system;
- a multicounty, multitype library system;
- a library operated by a city and a school district;
- a school library or school library media center;
- a library in a school receiving school library aid; and
- any other public library, which means a library that provides free access to all residents of a city or county without discrimination, receives at least half of its financial support from public funds, and is organized under chapter 134. It does not include libraries such as law, medical, school and academic libraries organized to serve a special group of persons, or libraries organized as a combination of a public library and another type of library.

Subd. 2. Qualified librarian. Requires the book and material collection decisions of a library listed in subdivision 1 to be made or overseen by a licensed library media specialist, an individual with a master’s degree in library sciences or library and information sciences, or a professional librarian or person trained in library collection management. Requires collection management decisions to be made in accordance with the American Library Association’s Library Bill of Rights.

Subd. 3. Collection management. Prohibits the governing body of a library under subdivision 1, or any other public body with personnel authority for a library, from discriminating against or disciplining a librarian or other professional overseeing a library collection under subdivision 2 based solely on their collection management decisions.

Subd. 4. Library content. States that this section does not limit the authority of a librarian or other professional overseeing a library collection to decline to purchase, lend, shelve, remove, or restrict access to books or other materials as part of regular collection development practice.

Subd. 5. Other law. States that this section does not impair or limit the rights of a parent, guardian, or adult student to request a content challenge under section 120B.20.

Article 7: Health and Safety

This section modifies the required qualifications of the health services specialist at the Department of Education, requires Tribal contract schools to comply with the Pupil Fair Dismissal Act, requires charter schools to comply with certain discipline statutes, and makes other changes.

Section Description – Article 7: Health and Safety

- 1 **Definition. [Licensed school nurse]**
Strikes requirements that the health services specialist at the Department of Education have experience overseeing a budget and supervising personnel, and have a graduate degree in nursing, public health, or a related field.
- 2 **School. [Definitions; Pupil Fair Dismissal Act]**
Requires Tribal contract schools to comply with the Pupil Fair Dismissal Act.
- 3 **Certain federal, state, and local requirements. [Applicable law; charter schools]**
Requires charter schools to comply with discipline statutes governing removal of students from class, discipline policies, and discipline complaint procedures, and requiring review of a discipline policy.
- 4 **Facilities and schools. [Agency responsible for screening and assessment or investigation; maltreatment]**
Clarifies age range of students with regards to whom the department must investigate maltreatment allegations.

Article 8: Early Learning

This article makes changes to early learning programs. The article merges the voluntary prekindergarten (VPK) and school readiness plus programs into one program and makes changes to the merged program, changes the eligibility requirements and adds to the priority groups for early learning scholarships, and separates the definitions of “kindergarten” and “prekindergarten.” Additionally, the article clarifies requirements for early childhood special education (ECSE) or “Part C” services.

Section Description – Article 8: Early Learning

- 1 **Kindergarten.**
Removes the definition of “prekindergarten” that is included in the definition of “kindergarten.”

Section Description – Article 8: Early Learning

- 2 Prekindergarten.**
Defines “prekindergarten” in the same way it is defined as part of the “kindergarten” definition in Minnesota Statutes, section 120A.05, subdivision 10a.
- 3 Voluntary prekindergarten program for eligible four-year-old children.**
Merges the school readiness plus program into the voluntary prekindergarten program (VPK). Modifies the program requirements, including requiring that VPK teachers are licensed. Changes program eligibility to provide that a child must meet at least one specified criterion to be eligible to participate in the program free of charge. Requires that school districts and charter schools use state funding for eligible children and provides that children may participate in the program on a fee-for-service basis if they are not eligible or state funding is not available. Directs school districts and charter schools to adopt a sliding-fee schedule based on family income and waive the fee for a participant who cannot pay. Provides that, beginning in fiscal year 2026, the department must accept and approve applications for program seats every four years rather than every year. Makes the section effective July 1, 2025.
- 4 Family eligibility. [Early learning scholarships]**
For purposes of determining a family’s eligibility for an early learning scholarship, provides that an individual who needs child protection services or is placed in foster care is eligible for a scholarship for the individual’s eligible child.
- 5 Applications; priorities. [Early learning scholarships]**
Adds children who are in substance use or mental health treatment programs and children who have an IEP or an IFSP to the list of priority groups for scholarships.
- 6 Children birth through age six experiencing developmental delays.**
Modifies terminology and corrects age references for purposes of determining whether a child under seven years of age has a disability.
- 7 Eligibility for Part C.**
Adds a reference to the Minnesota Rules governing Part C services.
- 8 Requirement. [Special education]**
Clarifies that the requirement for a school district to conduct and document alternate instruction in a regular classroom prior to referring a child for a special education evaluation applies only to pupils in kindergarten through grade 12.

Section Description – Article 8: Early Learning

- 9 **Revisor instruction. [School readiness plus program]**
Directs the revisor of statutes to remove references to the school readiness plus program in statute. Makes the section effective July 1, 2025.
- 10 **Repealer. [School readiness plus program]**
Repeals the school readiness plus program. Makes the section effective July 1, 2025.

Article 9: Education Partnerships and Compacts

This article moves responsibility for serving as the state council for the Interstate Compact on Educational Opportunity for Military Children from the P-20 partnership to a standalone council.

Section Description - Article 9: Education Partnerships and Compacts

- 1 **Establishment; membership. [Minnesota P-20 education partnership]**
Strikes requirement that P-20 partnership be the state council for the Interstate Compact on Educational Opportunity for Military Children.
- 2 **Military interstate children’s compact state council.**
Subd. 1. Establishment; membership. Establishes a Military Interstate Children’s Compact State Council to coordinate the state’s participation in and compliance with the Interstate Compact on Educational Opportunity for Military Children and Interstate Commission activities. Lists required members of the council.
Subd. 2. Powers and duties; report. Authorizes council to develop recommendations to the governor and legislature to facilitate successful educational transitions for children of military families. Requires the commissioner to hold meetings. Requires the council to produce publicly available agendas and minutes. Requires the council to report to the legislature every other year.
- 3 **Intrastate student transfers for children of military service members.**
States that the provisions of the Interstate Compact on Educational Opportunity for Military Children in section 127A.85 apply to minor dependent children of members of the active and activated reserve components of the uniformed services.



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