

1.1 moves to amend H.F. No. 1591 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 EDUCATOR PREPARATION, LICENSURE, AND ACCOUNTABILITY

1.5 Section 1. Minnesota Statutes 2014, section 122A.09, subdivision 4, is amended to read:

1.6 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
1.7 teachers and interns subject to chapter 14.

1.8 (b) The board must adopt rules requiring a person to pass a college-level skills
1.9 examination in reading, writing, and mathematics or attain either ~~a composite score~~
1.10 ~~composed of the average of the essentially equivalent passing scores~~ in English and
writing, reading, and mathematics on the ACT Plus Writing recommended by the board,
1.11 or ~~an equivalent composite score composed of the average of the essentially equivalent~~
1.12 ~~passing scores~~ in critical reading, mathematics, and writing on the SAT recommended
1.13 by the board, as a requirement for initial teacher licensure, except that the board may
1.14 issue up to two temporary, one-year teaching licenses to an otherwise qualified candidate
1.15 who has not yet passed the college-level skills exam or attained ~~the requisite composite~~
1.16 ~~score essentially equivalent passing scores~~ on the ACT Plus Writing or SAT. Such rules
1.17 must require college and universities offering a board-approved teacher preparation
1.18 program to provide remedial assistance to persons who did not achieve a qualifying
1.19 score on the college-level skills examination or attain ~~the requisite composite score~~
1.20 ~~essentially equivalent passing scores~~ on the ACT Plus Writing or SAT, including those
1.21 for whom English is a second language. The requirement to pass a reading, writing,
1.22 and mathematics college-level skills examination or attain ~~the requisite composite score~~
1.23 ~~essentially equivalent passing scores~~ on the ACT Plus Writing or SAT does not apply to
1.24 nonnative English speakers, as verified by qualified Minnesota school district personnel
1.25 or Minnesota higher education faculty, who, after meeting the content and pedagogy
1.26

2.1 requirements under this subdivision, apply for a teaching license to provide direct
2.2 instruction in their native language or world language instruction under section 120B.022,
2.3 subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score
2.4 report to the board must not be more than ten years old at the time of licensure.

2.5 (c) The board must adopt rules to approve teacher preparation programs. The board,
2.6 upon the request of a postsecondary student preparing for teacher licensure or a licensed
2.7 graduate of a teacher preparation program, shall assist in resolving a dispute between the
2.8 person and a postsecondary institution providing a teacher preparation program when the
2.9 dispute involves an institution's recommendation for licensure affecting the person or the
2.10 person's credentials. At the board's discretion, assistance may include the application
2.11 of chapter 14.

2.12 (d) The board must provide the leadership and adopt rules for the redesign of teacher
2.13 education programs to implement a research based, results-oriented curriculum that
2.14 focuses on the skills teachers need in order to be effective. Among other components,
2.15 teacher preparation programs are encouraged to provide a school year-long student
2.16 teaching program that combines clinical opportunities with academic course work and
2.17 in-depth student teaching experiences to offer students ongoing mentorship, coaching
2.18 and assessment, help to prepare a professional development plan, and structured
2.19 learning experiences. The board shall implement new systems of teacher preparation
2.20 program evaluation to assure program effectiveness based on proficiency of graduates in
2.21 demonstrating attainment of program outcomes. Teacher preparation programs including
2.22 alternative teacher preparation programs under section 122A.245, among other programs,
2.23 must include a content-specific, board-approved, performance-based assessment that
2.24 measures teacher candidates in three areas: planning for instruction and assessment;
2.25 engaging students and supporting learning; and assessing student learning. The board's
2.26 redesign rules must include creating flexible, specialized teaching licenses, credentials,
2.27 and other endorsement forms to increase students' participation in language immersion
2.28 programs, world language instruction, career development opportunities, work-based
2.29 learning, early college courses and careers, career and technical programs, Montessori
2.30 schools, and project and place-based learning, among other career and college ready
2.31 learning offerings.

2.32 (e) The board must adopt rules requiring candidates for initial licenses to pass an
2.33 examination of general pedagogical knowledge and examinations of licensure-specific
2.34 teaching skills. The rules shall be effective by September 1, 2001. The rules under this
2.35 paragraph also must require candidates for initial licenses to teach prekindergarten or
2.36 elementary students to pass, as part of the examination of licensure-specific teaching

3.1 skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive,
3.2 scientifically based reading instruction under section 122A.06, subdivision 4, and their
3.3 knowledge and understanding of the foundations of reading development, the development
3.4 of reading comprehension, and reading assessment and instruction, and their ability to
3.5 integrate that knowledge and understanding.

3.6 (f) The board must adopt rules requiring teacher educators to work directly with
3.7 elementary or secondary school teachers in elementary or secondary schools to obtain
3.8 periodic exposure to the elementary or secondary teaching environment.

3.9 (g) The board must grant licenses to interns and to candidates for initial licenses
3.10 based on appropriate professional competencies that are aligned with the board's licensing
3.11 system and students' diverse learning needs. All teacher candidates must have preparation
3.12 in English language development and content instruction for English learners in order to be
3.13 able to effectively instruct the English learners in their classrooms. The board must include
3.14 these licenses in a statewide differentiated licensing system that creates new leadership
3.15 roles for successful experienced teachers premised on a collaborative professional culture
3.16 dedicated to meeting students' diverse learning needs in the 21st century, recognizes the
3.17 importance of cultural and linguistic competencies, including the ability to teach and
3.18 communicate in culturally competent and aware ways, and formalizes mentoring and
3.19 induction for newly licensed teachers provided through a teacher support framework.

3.20 (h) The board must design and implement an assessment system which requires a
3.21 candidate for an initial license and first continuing license to demonstrate the abilities
3.22 necessary to perform selected, representative teaching tasks at appropriate levels.

3.23 (i) The board must receive recommendations from local committees as established
3.24 by the board for the renewal of teaching licenses. The board must require licensed teachers
3.25 who are renewing a continuing license to include in the renewal requirements further
3.26 preparation in English language development and specially designed content instruction
3.27 in English for English learners.

3.28 (j) The board must grant life licenses to those who qualify according to requirements
3.29 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
3.30 214.10. The board must not establish any expiration date for application for life licenses.

3.31 (k) The board must adopt rules that require all licensed teachers who are renewing
3.32 their continuing license to include in their renewal requirements further preparation in
3.33 the areas of using positive behavior interventions and in accommodating, modifying, and
3.34 adapting curricula, materials, and strategies to appropriately meet the needs of individual
3.35 students and ensure adequate progress toward the state's graduation rule.

4.1 (l) In adopting rules to license public school teachers who provide health-related
4.2 services for disabled children, the board shall adopt rules consistent with license or
4.3 registration requirements of the commissioner of health and the health-related boards who
4.4 license personnel who perform similar services outside of the school.

4.5 (m) The board must adopt rules that require all licensed teachers who are renewing
4.6 their continuing license to include in their renewal requirements further reading
4.7 preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect
4.8 until they are approved by law. Teachers who do not provide direct instruction including, at
4.9 least, counselors, school psychologists, school nurses, school social workers, audiovisual
4.10 directors and coordinators, and recreation personnel are exempt from this section.

4.11 (n) The board must adopt rules that require all licensed teachers who are renewing
4.12 their continuing license to include in their renewal requirements further preparation,
4.13 first, in understanding the key warning signs of early-onset mental illness in children
4.14 and adolescents and then, during subsequent licensure renewal periods, preparation may
4.15 include providing a more in-depth understanding of students' mental illness trauma,
4.16 accommodations for students' mental illness, parents' role in addressing students' mental
4.17 illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942
4.18 governing restrictive procedures, and de-escalation methods, and suicide prevention
4.19 training that is approved as a best practice, among other similar topics.

4.20 (o) The board must adopt rules by January 1, 2016, to license applicants under
4.21 sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their
4.22 qualifications through the board's recognition of a teaching license from another state
4.23 in a similar content field, completion of a state-approved teacher preparation program,
4.24 teaching experience as the teacher of record in a similar licensure field, depth of content
4.25 knowledge, depth of content methods or general pedagogy, subject-specific professional
4.26 development and contribution to the field, or classroom performance as determined by
4.27 documented student growth on normed assessments or documented effectiveness on
4.28 evaluations. The rules must adopt criteria for determining a "similar content field" and
4.29 "similar licensure area."

4.30 **EFFECTIVE DATE.** This section is effective the day following final enactment
4.31 and applies to all candidates seeking initial teacher licensure, including those holding a
4.32 temporary, one-year teaching license.

4.33 Sec. 2. Minnesota Statutes 2014, section 122A.09, is amended by adding a subdivision
4.34 to read:

5.1 **Subd. 4a. Teacher and administrator preparation and performance data;**
5.2 report. (a) The Board of Teaching and the Board of School Administrators, in cooperation
5.3 with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges
5.4 and universities offering board-approved teacher or administrator preparation programs,
5.5 annually must collect and report summary data on teacher and administrator preparation
5.6 and performance outcomes, consistent with this subdivision. The Board of Teaching
5.7 and the Board of School Administrators annually by June 1 must update and post the
5.8 reported summary preparation and performance data on teachers and administrators from
5.9 the preceding school years on a Web site hosted jointly by the boards.

5.10 (b) Publicly reported summary data on teacher preparation programs must include:
5.11 student entrance requirements for each Board of Teaching-approved program, including
5.12 grade point average for enrolling students in the preceding year; the average college-level
5.13 skills examination or ACT or SAT scores of students entering the program in the preceding
5.14 year; summary data on faculty qualifications, including at least the content areas of faculty
5.15 undergraduate and graduate degrees and their years of experience either as kindergarten
5.16 through grade 12 classroom teachers or school administrators; the average time resident
5.17 and nonresident program graduates in the preceding year needed to complete the program;
5.18 the current number and percent of students by program who graduated, received a standard
5.19 Minnesota teaching license, and were hired to teach full-time in their licensure field in a
5.20 Minnesota district or school in the preceding year; the number of content area credits and
5.21 other credits by undergraduate program that students in the preceding school year needed
5.22 to complete to graduate; students' pass rates on skills and subject matter exams required for
5.23 graduation in each program and licensure area in the preceding school year; survey results
5.24 measuring student and graduate satisfaction with the program in the preceding school
5.25 year; a standard measure of the satisfaction of school principals or supervising teachers
5.26 with the student teachers assigned to a school or supervising teacher; and information
5.27 under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

5.28 (c) Publicly reported summary data on administrator preparation programs
5.29 approved by the Board of School Administrators must include: summary data on faculty
5.30 qualifications, including at least the content areas of faculty undergraduate and graduate
5.31 degrees and their years of experience either as kindergarten through grade 12 classroom
5.32 teachers or school administrators; the average time program graduates in the preceding
5.33 year needed to complete the program; the current number and percent of students who
5.34 graduated, received a standard Minnesota administrator license, and were employed as an
5.35 administrator in a Minnesota school district or school in the preceding year; the number of
5.36 credits by graduate program that students in the preceding school year needed to complete

6.1 to graduate; survey results measuring student, graduate, and employer satisfaction with
6.2 the program in the preceding school year; and information under paragraphs (f) and (g).

6.3 Program reporting must be consistent with section 122A.14, subdivision 10.

6.4 (d) School districts annually by October 1 must report to the Board of Teaching
6.5 the following information for all teachers who finished the probationary period and
6.6 accepted a continuing contract position with the district from September 1 of the previous
6.7 year through August 31 of the current year: the effectiveness category or rating of the
6.8 teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41,
6.9 subdivision 5; the licensure area in which the teacher primarily taught during the
6.10 three-year evaluation cycle; and the teacher preparation program preparing the teacher in
6.11 the teacher's primary areas of instruction and licensure.

6.12 (e) School districts annually by October 1 must report to the Board of Teaching the
6.13 following information for all probationary teachers in the district who were released or
6.14 whose contracts were not renewed from September 1 of the previous year through August
6.15 31 of the current year: the licensure areas in which the probationary teacher taught; and
6.16 the teacher preparation program preparing the teacher in the teacher's primary areas of
6.17 instruction and licensure.

6.18 (f) School districts annually by October 1 must report to the Board of School
6.19 Administrators the following information for all school principals and vice principals
6.20 who finished the probationary period and accepted a continuing contract position with
6.21 the district from September 1 of the previous year through August 31 of the current year:
6.22 the effectiveness category or rating of the principal or vice principal on the summative
6.23 evaluation under section 123B.147, subdivision 3; and the principal preparation program
6.24 providing instruction to the principal or vice principal.

6.25 (g) School districts annually by October 1 must report to the Board of School
6.26 Administrators all probationary school principals and vice principals in the district who
6.27 were released or whose contracts were not renewed from September 1 of the previous
6.28 year through August 31 of the current year.

6.29 **EFFECTIVE DATE.** This section is effective July 1, 2016.

6.30 Sec. 3. Minnesota Statutes 2014, section 122A.09, is amended by adding a subdivision
6.31 to read:

6.32 Subd. 11. **Teacher preparation program reporting.** By December 31, 2018, and
6.33 annually thereafter, the Board of Teaching shall report and publish on its Web site the
6.34 cumulative summary results of at least three consecutive years of data reported to the board
6.35 under subdivision 4a, paragraph (b). Where the data are sufficient to yield statistically

7.1 reliable information and the results would not reveal personally identifiable information
7.2 about an individual teacher, the board shall report the data by teacher preparation program.

7.3 Sec. 4. Minnesota Statutes 2014, section 122A.14, subdivision 3, is amended to read:

7.4 **Subd. 3. Rules for continuing education requirements.** The board shall
7.5 adopt rules establishing continuing education requirements that promote continuous
7.6 improvement and acquisition of new and relevant skills by school administrators.
7.7 Continuing education programs, among other things, must provide school administrators
7.8 with information and training about building coherent and effective English learner
7.9 strategies that include relevant professional development, accountability for student
7.10 progress, students' access to the general curriculum, and sufficient staff capacity to effect
7.11 these strategies. ~~A retired school principal who serves as a substitute principal or assistant~~
7.12 ~~principal for the same person on a day-to-day basis for no more than 15 consecutive~~
7.13 ~~school days is not subject to continuing education requirements as a condition of serving~~
7.14 ~~as a substitute principal or assistant principal.~~

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

7.16 Sec. 5. Minnesota Statutes 2014, section 122A.14, is amended by adding a subdivision
7.17 to read:

7.18 **Subd. 10. Principal preparation program reporting.** By December 31, 2018, and
7.19 annually thereafter, the Board of School Administrators shall report and publish on its
7.20 Web site the cumulative summary results of three years of data reported to the board under
7.21 section 122A.09, subdivision 4a, paragraph (c), for each principal preparation program.

7.22 Sec. 6. Minnesota Statutes 2014, section 122A.18, subdivision 2, is amended to read:

7.23 **Subd. 2. Teacher and support personnel qualifications.** (a) The Board of
7.24 Teaching must issue licenses under its jurisdiction to persons the board finds to be
7.25 qualified and competent for their respective positions, including those who meet the
7.26 standards adopted under section 122A.09, subdivision 4, paragraph (o).

7.27 (b) The board must require a person to pass an examination of college-level skills
7.28 in reading, writing, and mathematics or attain either ~~a composite score composed of the~~
7.29 ~~average of the passing~~ scores in English and writing, reading, and mathematics on the ACT
7.30 Plus Writing recommended by the board, or ~~an equivalent composite score composed of~~
7.31 ~~the average of the passing~~ scores in critical reading, mathematics, and writing on the SAT
7.32 recommended by the board, before being granted an initial teaching license to provide
7.33 direct instruction to pupils in prekindergarten, elementary, secondary, or special education

programs, except that the board may issue up to two temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed the college-level skills exam or attained ~~the requisite composite score~~ essentially equivalent passing scores on the ACT Plus Writing or SAT. The board must require colleges and universities offering a board approved teacher preparation program to make available upon request remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on the college-level skills examination or attain ~~the requisite composite~~ ACT Plus Writing or SAT ~~score~~ essentially equivalent passing scores, including those for whom English is a second language. The colleges and universities must make available assistance in the specific academic areas of candidates' deficiency. School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on the college-level skills examination, or attain ~~the requisite composite~~ ACT Plus Writing or SAT ~~score~~ essentially equivalent passing scores, and who received a temporary license to teach in Minnesota. The Board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking the college-level skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, the distribution of all candidates' scores, ~~the number of candidates who have taken the examination at least once before, and the number of candidates who have taken the examination at least once before and achieve a qualifying score~~, and the candidates who have not attained ~~the requisite composite~~ ACT Plus Writing or SAT ~~score~~ essentially equivalent passing scores or have not passed a content or pedagogy exam, disaggregated by categories of race, ethnicity, and eligibility for financial aid.

(c) The Board of Teaching must grant continuing licenses only to those persons who ~~have met~~ meet board criteria for granting a continuing license, which includes passing the college-level skills examination in reading, writing, and mathematics or attaining ~~the requisite composite~~ ACT Plus Writing or SAT ~~score~~ essentially equivalent passing scores consistent with paragraph (b), and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph. The requirement to pass a reading, writing, and mathematics college-level skills examination, or attain ~~the requisite composite score~~ essentially equivalent passing scores on the ACT Plus Writing or SAT does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to

provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. A teacher candidate's official ACT Plus Writing or SAT composite score passing scores report to the board must not be more than ten years old at the time of licensure.

(d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. Among other requirements, teacher candidates must demonstrate the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language, and achievement in content areas in a regular classroom setting. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to all candidates seeking initial teacher licensure, including those holding a temporary, one-year teaching license.

Sec. 7. Minnesota Statutes 2014, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. Grounds for revocation, suspension, or denial. (a) The Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

- (1) immoral character or conduct;
- (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) gross inefficiency or willful neglect of duty;
- (4) failure to meet licensure requirements; or
- (5) fraud or misrepresentation in obtaining a license.

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

(b) The Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon

10.1 receiving a certified copy of a conviction showing that the teacher has been convicted
10.2 of child abuse, as defined in section 609.185, sex trafficking in the first degree under
10.3 section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322,
10.4 subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution
10.5 under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343,
10.6 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of
10.7 children to engage in sexual conduct or communication of sexually explicit materials
10.8 to children under section 609.352, interference with privacy under section 609.746 or
10.9 stalking under section 609.749 and the victim was a minor, using minors in a sexual
10.10 performance under section 617.246, or possessing pornographic works involving a minor
10.11 under section 617.247, or any other offense not listed in this paragraph that requires the
10.12 person to register as a predatory offender under section 243.166, or a crime under a similar
10.13 law of another state or the United States. The board shall send notice of this licensing
10.14 action to the district in which the teacher is currently employed.

10.15 (c) A person whose license to teach has been revoked, not issued, or not renewed
10.16 under paragraph (b), may petition the board to reconsider the licensing action if the
10.17 person's conviction for child abuse or sexual abuse is reversed by a final decision of the
10.18 Court of Appeals or the Supreme Court or if the person has received a pardon for the
10.19 offense. The petitioner shall attach a certified copy of the appellate court's final decision or
10.20 the pardon to the petition. Upon receiving the petition and its attachment, the board shall
10.21 schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2,
10.22 unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding
10.23 the reversal of the petitioner's criminal conviction or the issuance of a pardon, the
10.24 petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall
10.25 affirm its previous licensing action. If the board finds that the petitioner is not disqualified
10.26 from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

10.27 (d) For purposes of this subdivision, the Board of Teaching is delegated the authority
10.28 to suspend or revoke coaching licenses.

10.29 Sec. 8. Minnesota Statutes 2014, section 122A.21, subdivision 2, is amended to read:

10.30 Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure
10.31 via portfolio to obtain an initial licensure or to add a licensure field, consistent with the
10.32 applicable Board of Teaching licensure rules.

10.33 (b) A candidate for initial licensure must submit to the Educator Licensing Division
10.34 at the department one portfolio demonstrating pedagogical competence and one portfolio
10.35 demonstrating content competence.

11.1 (c) A candidate seeking to add a licensure field must submit to the Educator
11.2 Licensing Division at the department one portfolio demonstrating content competence.

11.3 (d) The Board of Teaching must notify a candidate who submits a portfolio under
11.4 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
11.5 the portfolio was approved. If the portfolio was not approved, the board must immediately
11.6 inform the candidate how to revise the portfolio to successfully demonstrate the requisite
11.7 competence. The candidate may resubmit a revised portfolio at any time and the Educator
11.8 Licensing Division at the department must approve or disapprove the portfolio within
11.9 60 calendar days of receiving it.

11.10 (e) A candidate must pay to the executive secretary of the Board of Teaching a
11.11 \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio
11.12 submitted subsequently. The fees must be paid to the executive secretary of the Board of
11.13 Teaching. The revenue generated from the fee must be deposited in an education licensure
11.14 portfolio account in the special revenue fund. The fees set by the Board of Teaching are
11.15 nonrefundable for applicants not qualifying for a license. The Board of Teaching may
11.16 waive or reduce fees for candidates based on financial need.

11.17 **EFFECTIVE DATE.** This section is effective the day following final enactment and
11.18 applies to all portfolios submitted to the Educator Licensing Division at the department
11.19 after that date.

11.20 Sec. 9. Minnesota Statutes 2014, section 122A.23, is amended to read:

11.21 **122A.23 APPLICANTS TRAINED IN OTHER STATES.**

11.22 Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to
11.23 be issued to any holder of a diploma or a degree of a Minnesota state university, or of the
11.24 University of Minnesota, or of a liberal arts university, or a technical training institution,
11.25 such license may also, in the discretion of the Board of Teaching or the commissioner of
11.26 education, whichever has jurisdiction, be issued to any holder of a diploma or a degree
11.27 of a teacher training institution of equivalent rank and standing of any other state. The
11.28 diploma or degree must be granted by virtue of completing a course coursework in teacher
11.29 preparation ~~essentially equivalent in content to that required by such Minnesota state~~
11.30 ~~university or the University of Minnesota or a liberal arts university in Minnesota or a~~
11.31 ~~technical training institution~~ as preliminary to the granting of a diploma or a degree of the
11.32 same rank and class. For purposes of granting a Minnesota teaching license to a person
11.33 who receives a diploma or degree from a state-accredited, out-of-state teacher training
11.34 program leading to licensure, the Board of Teaching must establish criteria and streamlined

12.1 procedures by January 1, 2016, to recognize the experience and professional credentials of
12.2 the person holding the out-of-state diploma or degree and allow that person to demonstrate
12.3 to the board the person's qualifications for receiving a Minnesota teaching license based
12.4 on performance measures the board adopts by January 1, 2016, under this section.

12.5 **Subd. 2. Applicants licensed in other states.** (a) Subject to the requirements
12.6 of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a
12.7 teaching license or a temporary teaching license under paragraphs ~~(b)~~ ~~(c)~~ to ~~(e)~~ ~~(f)~~ to an
12.8 applicant who holds at least a baccalaureate degree from a regionally accredited college
12.9 or university and holds or held ~~a similar~~ an out-of-state teaching license that requires the
12.10 applicant to successfully complete a teacher preparation program approved by the issuing
12.11 state, which includes either ~~(1)~~ field-specific teaching methods ~~and~~, student teaching, or
12.12 essentially equivalent experience, or ~~(2)~~ at least two years of teaching experience as the
12.13 teacher of record in a similar licensure field.

12.14 (b) The Board of Teaching may issue a standard license on the basis of teaching
12.15 experience and examination requirements only.

12.16 (c) The Board of Teaching must issue a teaching license to an applicant who:
12.17 (1) successfully completed all exams and human relations preparation components
12.18 required by the Board of Teaching; and
12.19 (2) holds or held an out-of-state teaching license to teach the same ~~a similar~~ content
12.20 field and grade levels if the scope of the out-of-state license is no more than two grade
12.21 levels less than a similar Minnesota license, and either ~~(i)~~ has completed field-specific
12.22 teaching methods, student teaching, or equivalent experience, or ~~(ii)~~ has at least two years
12.23 of teaching experience as the teacher of record in a similar licensure field.

12.24 ~~(e)~~ (d) The Board of Teaching, consistent with board rules and paragraph ~~(h)~~ (i),
12.25 must issue up to three one-year temporary teaching licenses to an applicant who holds or
12.26 held an out-of-state teaching license to teach the same ~~a similar~~ content field and grade
12.27 levels, where the scope of the out-of-state license is no more than two grade levels less
12.28 than a similar Minnesota license, but has not successfully completed all exams and human
12.29 relations preparation components required by the Board of Teaching.

12.30 ~~(d)~~ (e) The Board of Teaching, consistent with board rules, must issue up to three
12.31 one-year temporary teaching licenses to an applicant who:

12.32 (1) successfully completed all exams and human relations preparation components
12.33 required by the Board of Teaching; and
12.34 (2) holds or held an out-of-state teaching license to teach the same ~~a similar~~ content
12.35 field and grade levels, where the scope of the out-of-state license is no more than two

13.1 grade levels less than a similar Minnesota license, but has not completed field-specific
13.2 teaching methods or student teaching or equivalent experience.

13.3 The applicant may complete field-specific teaching methods and student teaching
13.4 or equivalent experience by successfully participating in a one-year school district
13.5 mentorship program consistent with board-adopted standards of effective practice and
13.6 Minnesota graduation requirements.

13.7 (e) (f) The Board of Teaching must issue a temporary teaching license for a term
13.8 of up to three years only in the content field or grade levels specified in the out-of-state
13.9 license to an applicant who:

13.10 (1) successfully completed all exams and human relations preparation components
13.11 required by the Board of Teaching; and

13.12 (2) holds or held an out-of-state teaching license where the out-of-state license is
13.13 more limited in the content field or grade levels than a similar Minnesota license.

13.14 (f) (g) The Board of Teaching must not issue to an applicant more than three
13.15 one-year temporary teaching licenses under this subdivision.

13.16 (g) (h) The Board of Teaching ~~must not~~ may issue a license under this subdivision if
13.17 the applicant has ~~not~~ attained the additional degrees, credentials, or licenses required in
13.18 a particular licensure field and the applicant can demonstrate competency by obtaining
13.19 qualifying scores on the college-level skills examination in reading, writing, and
13.20 mathematics or demonstrating attainment of essentially equivalent passing scores on the
13.21 ACT Plus Writing or SAT, and on applicable board-approved rigorous content area and
13.22 pedagogy examinations under section 122A.09, subdivision 4, paragraphs (a) and (e).

13.23 (h) (i) The Board of Teaching must require an applicant for a teaching license
13.24 or a temporary teaching license under this subdivision to pass a college-level skills
13.25 examination in reading, writing, and mathematics or demonstrate, consistent with section
13.26 122A.09, subdivision 4, the applicant's attainment of either ~~the requisite composite ACT~~
13.27 ~~Plus Writing or SAT score~~ essentially equivalent passing scores before the board issues
13.28 the license unless, notwithstanding other provisions of this subdivision, an applicable
13.29 board-approved National Association of State Directors of Teacher Education interstate
13.30 reciprocity agreement exists to allow fully certified teachers from other states to transfer
13.31 their certification to Minnesota.

13.32 Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding
13.33 other law to the contrary, the Board of Teaching must enter into interstate agreements for
13.34 teacher licensure to allow fully certified teachers from adjoining states to transfer their
13.35 certification to Minnesota and receive a full, five-year continuing teaching license without
13.36 having to complete any additional exams or other preparation requirements. The board

14.1 must enter into these interstate agreements only after determining that the rigor of the
14.2 teacher licensure or certification requirements in the adjoining state is commensurate with
14.3 the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate
14.4 agreement to particular content fields or grade levels based on established priorities or
14.5 identified shortages. This subdivision does not apply to out-of-state applicants holding
14.6 only a provisional teaching license.

14.7 (b) The Board of Teaching is strongly encouraged to work with designated
14.8 authorities in adjoining states to establish reciprocal interstate teacher licensure
14.9 agreements under this section.

14.10 **EFFECTIVE DATE.** This section is effective August 1, 2015.

14.11 Sec. 10. Minnesota Statutes 2014, section 122A.245, subdivision 1, is amended to read:

14.12 Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic
14.13 and cultural diversity in the classroom, and close the academic achievement gap, the
14.14 Board of Teaching must approve qualified teacher preparation programs under this section
14.15 that are a means to acquire a two-year limited-term license, which the board may renew
14.16 one time for an additional one-year term, and to prepare for acquiring a standard license.

14.17 The following entities are eligible to participate under this section:

14.18 (1) a school district ~~or, charter school, or nonprofit corporation organized under~~
14.19 chapter 317A for an education-related purpose that forms a partnership with a college or
14.20 university that has a board-approved alternative teacher preparation program; or

14.21 (2) a school district ~~or, charter school, or nonprofit corporation organized under~~
14.22 chapter 317A for an education-related purpose after consulting with a college or university
14.23 with a board-approved teacher preparation program, ~~that forms a partnership with a~~
14.24 ~~nonprofit corporation organized under chapter 317A for an education-related purpose that~~
14.25 ~~has a board-approved teacher preparation program.~~

14.26 (b) Before participating in this program becoming a teacher of record, a candidate
14.27 must:

14.28 (1) have a bachelor's degree with a 3.0 or higher grade point average unless the
14.29 board waives the grade point average requirement based on board-adopted criteria adopted
14.30 by January 1, 2016;

14.31 (2) pass the reading, writing, and mathematics college-level skills examination under
14.32 section 122A.09, subdivision 4, paragraph (b), or demonstrate attainment of either ACT
14.33 Plus Writing or SAT essentially equivalent passing scores; and

14.34 (3) obtain qualifying scores on applicable board-approved rigorous content area and
14.35 pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

15.1 (c) The Board of Teaching must issue a two-year limited-term license to a person
15.2 who enrolls in an alternative teacher preparation program. This limited term license is not
15.3 a provisional license under section 122A.40 or 122A.41.

15.4 Sec. 11. Minnesota Statutes 2014, section 122A.245, subdivision 3, is amended to read:

15.5 Subd. 3. **Program approval; disapproval.** (a) The Board of Teaching must approve
15.6 alternative teacher preparation programs under this section based on board-adopted
15.7 criteria that reflect best practices for alternative teacher preparation programs, consistent
15.8 with this section.

15.9 (b) The board must permit teacher candidates to demonstrate mastery of pedagogy
15.10 and content standards in school-based settings and through other nontraditional means.
15.11 "Nontraditional means" must include a portfolio of previous experiences, teaching
15.12 experience, educator evaluations, certifications marking the completion of education
15.13 training programs, and essentially equivalent demonstrations.

15.14 (c) The board must use nontraditional criteria to determine the qualifications of
15.15 program instructors.

15.16 (d) The board may permit instructors to hold a baccalaureate degree only.

15.17 (e) If the Board of Teaching determines that a teacher preparation program under
15.18 this section does not meet the requirements of this section, it may revoke its approval
15.19 of the program after it notifies the program provider of any deficiencies and gives the
15.20 program provider an opportunity to remedy the deficiencies.

15.21 Sec. 12. Minnesota Statutes 2014, section 122A.245, subdivision 7, is amended to read:

15.22 Subd. 7. **Standard license.** The Board of Teaching must issue a standard license
15.23 to an otherwise qualified teacher candidate under this section who successfully performs
15.24 throughout a program under this section, ~~sueeessfully completes all required obtains~~
15.25 qualifying scores on applicable board-approved rigorous college-level skills, pedagogy,
15.26 and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and
15.27 (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to
15.28 the board qualifications for licensure under subdivision 6.

15.29 Sec. 13. Minnesota Statutes 2014, section 122A.25, is amended to read:

15.30 **122A.25 NONLICENSED COMMUNITY EXPERTS; VARIANCE.**

15.31 Subdivision 1. **Authorization.** Notwithstanding any law, Board of Teaching rule, or
15.32 commissioner of education rule to the contrary, the Board of Teaching may allow school
15.33 districts or charter schools ~~to~~ may hire nonlicensed community experts to teach in the

16.1 public schools or charter schools on a limited basis according to this section after making
16.2 efforts to obtain acceptable licensed teachers for the particular course or subject area,
16.3 consistent with subdivision 2a, clause (3). A school district or charter school must notify a
16.4 student's parent or guardian before placing the student in the classroom of a nonlicensed
16.5 community expert hired by the district or school to provide instruction under this section.

16.6 Subd. 2. **Applications Reports; criteria.** The school district or charter school
16.7 shall apply report to the Board of Teaching for approval when it uses a variance to hire
16.8 nonlicensed teaching personnel from the community. In approving or disapproving the
16.9 application for each community expert, The board report shall consider include:

16.10 (1) the qualifications of the community person whom the district or charter school
16.11 proposes to employ employs;

16.12 (2) the unique and compelling reasons for the need for a variance from the teacher
16.13 licensure requirements;

16.14 (3) the district's efforts to obtain licensed teachers, who are acceptable to the school
16.15 board, for the particular course or subject area or the charter school's efforts to obtain
16.16 licensed teachers for the particular course or subject area;

16.17 (4) the amount of teaching time for which the community expert would be is hired;

16.18 (5) the extent to which the district or charter school is utilizing uses other
16.19 nonlicensed community experts under this section;

16.20 (6) the nature of the community expert's proposed teaching responsibility; and

16.21 (7) the proposed level of compensation to be paid to the community expert.

16.22 Subd. 3. **Approval of plan Comment on variance.** The Board of Teaching shall
16.23 approve or disapprove an application may comment on a district or charter school report
16.24 under subdivision 2 within 60 days of receiving it from a school and the district or charter
16.25 school must post the comment on its official Web site.

16.26 Subd. 4. **Background check.** A school district or charter school shall provide
16.27 confirm to the Board of Teaching with confirmation that criminal background checks have
16.28 been were completed for all nonlicensed community experts employed by the district or
16.29 charter school and approved by the Board of Teaching under this section.

16.30 **EFFECTIVE DATE.** This section is effective the day following final enactment
16.31 and applies to all nonlicensed community experts hired or sponsored after that date.

16.32 Sec. 14. Minnesota Statutes 2014, section 122A.30, is amended to read:

16.33 **122A.30 EXEMPTION FOR TECHNICAL COLLEGE EDUCATION**
16.34 **INSTRUCTORS.**

17.1 Notwithstanding section 122A.15, subdivision 1, and upon approval of the local
17.2 employer school board, a person who teaches in a part-time vocational or career and
17.3 technical education program not more than 61 hours per fiscal year is exempt from a
17.4 license requirement.

17.5 **EFFECTIVE DATE.** This section is effective the day following final enactment
17.6 and applies to all technical education instructors hired after that date.

17.7 Sec. 15. Minnesota Statutes 2014, section 122A.40, subdivision 5, is amended to read:

17.8 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's
17.9 first teaching experience in Minnesota in a single district is deemed to be a probationary
17.10 period of employment, and, the probationary period in each district in which the teacher is
17.11 thereafter employed shall be one year. The school board must adopt a plan for written
17.12 evaluation of teachers during the probationary period that is consistent with subdivision
17.13 8. Evaluation must occur at least three times periodically throughout each school year
17.14 for a teacher performing services during that school year; the first evaluation must occur
17.15 within the first 90 days of teaching service. Days devoted to parent-teacher conferences,
17.16 teachers' workshops, and other staff development opportunities and days on which a
17.17 teacher is absent from school must not be included in determining the number of school
17.18 days on which a teacher performs services. Except as otherwise provided in paragraph
17.19 (b), during the probationary period any annual contract with any teacher may or may not
17.20 be renewed (1) as the school board shall see fit, or (2) consistent with the negotiated
17.21 unrequested leave of absence plan in effect under subdivision 10. However, the board
17.22 must give any such teacher whose contract it declines to renew for the following school
17.23 year written notice to that effect before July 1. If the teacher requests reasons for any
17.24 nonrenewal of a teaching contract, the board must give the teacher its reason in writing,
17.25 including a statement that appropriate supervision was furnished describing the nature and
17.26 the extent of such supervision furnished the teacher during the employment by the board,
17.27 within ten days after receiving such request. The school board may, after a hearing held
17.28 upon due notice, discharge a teacher during the probationary period for cause, effective
17.29 immediately, under section 122A.44.

17.30 (b) A board must discharge a probationary teacher, effective immediately, upon
17.31 receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
17.32 license has been revoked due to a conviction for child abuse or sexual abuse.

17.33 (c) A probationary teacher whose first three years of consecutive employment are
17.34 interrupted for active military service and who promptly resumes teaching consistent with
17.35 federal reemployment timelines for uniformed service personnel under United States

18.1 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
18.2 for purposes of paragraph (a).

18.3 (d) A probationary teacher whose first three years of consecutive employment are
18.4 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
18.5 months of when the leave began is considered to have a consecutive teaching experience
18.6 for purposes of paragraph (a) if the probationary teacher completes a combined total of
18.7 three years of teaching service immediately before and after the leave.

18.8 (e) A probationary teacher must complete at least 120 days of teaching service each
18.9 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
18.10 workshops, and other staff development opportunities and days on which a teacher is
18.11 absent from school do not count as days of teaching service under this paragraph.

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

18.13 Sec. 16. Minnesota Statutes 2014, section 122A.40, subdivision 8, is amended to read:

18.14 **Subd. 8. Development, evaluation, and peer coaching for continuing contract
18.15 teachers.** (a) To improve student learning and success, a school board and an exclusive
18.16 representative of the teachers in the district, consistent with paragraph (b), may develop
18.17 a teacher evaluation and peer review process for probationary and continuing contract
18.18 teachers through joint agreement. If a school board and the exclusive representative of the
18.19 teachers do not agree to an annual teacher evaluation and peer review process, then the
18.20 school board and the exclusive representative of the teachers must implement the state
18.21 teacher evaluation plan under paragraph (c). The process must include having trained
18.22 observers serve as peer coaches or having teachers participate in professional learning
18.23 communities, consistent with paragraph (b).

18.24 (b) To develop, improve, and support qualified teachers and effective teaching
18.25 practices and improve student learning and success, the annual evaluation process for
18.26 teachers:

18.27 (1) must, for probationary teachers, provide for all evaluations required under
18.28 subdivision 5;

18.29 (2) must establish a three-year professional review cycle for each teacher that
18.30 includes an individual growth and development plan, a peer review process, and at least
18.31 one summative evaluation performed by a qualified and trained evaluator such as a school
18.32 administrator. For the years when a tenured teacher is not evaluated by a qualified and
18.33 trained evaluator, the teacher must be evaluated by a peer review;

18.34 (3) must be based on professional teaching standards established in rule;

19.1 (4) must coordinate staff development activities under sections 122A.60 and
19.2 122A.61 with this evaluation process and teachers' evaluation outcomes;

19.3 (5) may provide time during the school day and school year for peer coaching and
19.4 teacher collaboration;

19.5 (6) may include job-embedded learning opportunities such as professional learning
19.6 communities;

19.7 (7) may include mentoring under section 122A.70 and induction programs;

19.8 (8) must include an option for teachers to develop and present a portfolio
19.9 demonstrating evidence of reflection and professional growth, consistent with section
19.10 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
19.11 based on student work samples and examples of teachers' work, which may include video
19.12 among other activities for the summative evaluation;

19.13 (9) must use data from valid and reliable assessments aligned to state and local
19.14 academic standards and must use state and local measures of student growth and literacy
19.15 that may include value-added models or student learning goals to determine 35 percent of
19.16 teacher evaluation results;

19.17 (10) must use longitudinal data on student engagement and connection, and other
19.18 student outcome measures explicitly aligned with the elements of curriculum for which
19.19 teachers are responsible, including academic literacy, oral academic language, and
19.20 achievement of content areas of English learners;

19.21 (11) must require qualified and trained evaluators such as school administrators to
19.22 perform summative evaluations and ensure school districts and charter schools provide for
19.23 effective evaluator training specific to teacher development and evaluation;

19.24 (12) must give teachers not meeting professional teaching standards under clauses
19.25 (3) through (11) support to improve through a teacher improvement process that includes
19.26 established goals and timelines; and

19.27 (13) must discipline a teacher for not making adequate progress in the teacher
19.28 improvement process under clause (12) that may include a last chance warning,
19.29 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
19.30 other discipline a school administrator determines is appropriate.

19.31 Data on individual teachers generated under this subdivision are personnel data
19.32 under section 13.43. The observation and interview notes of peer coaches may only be
19.33 disclosed to other school officials with the consent of the teacher being coached.

19.34 (c) The department, in consultation with parents who may represent parent
19.35 organizations and teacher and administrator representatives appointed by their respective
19.36 organizations, representing the Board of Teaching, the Minnesota Association of School

20.1 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
20.2 and Secondary Principals Associations, Education Minnesota, and representatives of
20.3 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
20.4 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
20.5 in teacher evaluation, must create and publish a teacher evaluation process that complies
20.6 with the requirements in paragraph (b) and applies to all teachers under this section and
20.7 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
20.8 evaluation and peer review process. The teacher evaluation process created under this
20.9 subdivision does not create additional due process rights for probationary teachers under
20.10 subdivision 5.

- 20.11 (d) Consistent with the measures of teacher effectiveness under this subdivision:
20.12 (1) for students in kindergarten through grade 4, a school administrator must not
20.13 place a student in consecutive school years in the classroom of a teacher with the lowest
20.14 evaluation rating in the previous school year unless no other teacher at the school teaches
20.15 that grade; and
20.16 (2) for students in grades 5 through 12, a school administrator must not place
20.17 students in consecutive school years in the classroom of a teacher with the lowest
20.18 evaluation rating in the previous school year unless no other teacher at the school teaches
20.19 that subject area and grade.

20.20 **EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and
20.21 later, except paragraph (b), clause (7), is effective for the 2015-2016 school year and later.

20.22 Sec. 17. Minnesota Statutes 2014, section 122A.40, subdivision 10, is amended to read:
20.23 **Subd. 10. Negotiated unrequested leave of absence.** (a) The school board
20.24 and the exclusive bargaining representative of the teachers may must negotiate a plan,
20.25 consistent with subdivision 8, providing for unrequested leave of absence without pay or
20.26 fringe benefits for as many teachers as may be necessary because of discontinuance of
20.27 position, lack of pupils, financial limitations, or merger of classes caused by consolidation
20.28 of districts. Failing to successfully negotiate such a plan, the provisions of subdivision
20.29 ~~11 shall apply.~~ The negotiated plan must not include provisions which would result in
20.30 the exercise of seniority by a teacher holding only a provisional license, other than a
20.31 vocational education license, ~~contrary to the provisions of subdivision 11, paragraph (e)~~
20.32 if required for the position, or the reinstatement of a teacher holding only a provisional
20.33 license, other than a vocational education license, ~~contrary to the provisions of subdivision~~
20.34 ~~11, paragraph (e) required for the position.~~ The provisions of section 179A.16 do not
20.35 apply for the purposes of this subdivision.

21.1 (b) Beginning in the 2017-2018 school year and later, and notwithstanding any law
21.2 to the contrary, a school board must place teachers on unrequested leave of absence based
21.3 on their subject matter licensure fields, most recent evaluation outcomes and effectiveness
21.4 category or rating under subdivision 8, and other, locally determined criteria such as
21.5 teacher seniority, and may include both probationary teachers and continuing contract
21.6 teachers within an effectiveness category or rating. For purposes of placing a teacher on
21.7 unrequested leave of absence or recalling a teacher from unrequested leave of absence, a
21.8 school board is not required to reassign a teacher with more seniority to accommodate the
21.9 seniority claims of a teacher who is similarly licensed and effective but with less seniority.
21.10 Nothing in this paragraph permits a school board to use a teacher's remuneration as a basis
21.11 for making unrequested leave of absence decisions. Any executed employment contract
21.12 between the school board and the exclusive representative of the teachers must contain the
21.13 negotiated unrequested leave of absence plan. The school board must publish in a readily
21.14 accessible format the unrequested leave of absence plan it negotiates under this paragraph.

21.15 (c) A teacher who receives notice of being placed on unrequested leave of absence
21.16 under paragraph (b) may submit to the board, within 14 days of receiving the notice, a
21.17 written request for a hearing before a neutral hearing officer to establish whether the
21.18 district met the following teacher evaluation requirements under subdivision 8: if the
21.19 teacher is a probationary teacher, all evaluations required under subdivision 5 were
21.20 provided; a three-year professional review cycle was established for the teacher; any
21.21 summative evaluation of the teacher was performed by a qualified and trained evaluator;
21.22 a peer review evaluation occurred in any year when the teacher was not evaluated by a
21.23 qualified and trained evaluator; and if the teacher did not meet professional teaching
21.24 standards, a teacher improvement process with goals and timelines was established. The
21.25 school board and the exclusive representative of the teachers must agree on a panel of
21.26 people and a process to select the person to hear the matter. The hearing officer must issue
21.27 a decision within 14 days of the request for the hearing. Nothing in this subdivision
21.28 prevents a school board and the exclusive representative of the teachers from negotiating a
21.29 different process for determining whether the teacher evaluation requirements listed in
21.30 this subdivision were met.

21.31 (d) Evaluation outcomes and effectiveness categories under paragraph (b) must not
21.32 be used to place a teacher on unrequested leave of absence if the principal evaluating the
21.33 teacher is on an improvement plan under section 123B.147, subdivision 3, paragraph
21.34 (b), clause (8).

21.35 (e) For purposes of this subdivision, a provisional license is a license to teach issued
21.36 by the Board of Teaching under a waiver or variance.

22.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
22.2 applies to negotiated plans for unrequested leave of absence agreed to on or after that date.

22.3 Sec. 18. Minnesota Statutes 2014, section 122A.40, subdivision 11, is amended to read:

22.4 Subd. 11. **Unrequested leave of absence.** (a) The board may place on unrequested
22.5 leave of absence, without pay or fringe benefits, as many teachers as may be necessary
22.6 because of discontinuance of position, lack of pupils, financial limitations, or merger of
22.7 classes caused by consolidation or reorganization of districts under chapter 123A. The
22.8 unrequested leave is effective at the close of the school year.

22.9 (b) In placing teachers on unrequested leave in the 2014-2015 through 2016-2017
22.10 school years only, the board is governed by the following provisions: in this subdivision.

22.11 (a) (c) The board may place probationary teachers on unrequested leave first in the
22.12 inverse order of their employment. A teacher who has acquired continuing contract rights
22.13 must not be placed on unrequested leave of absence while probationary teachers are retained
22.14 in positions for which the teacher who has acquired continuing contract rights is licensed;.

22.15 (b) (d) Teachers who have acquired continuing contract rights shall be placed on
22.16 unrequested leave of absence in fields in which they are licensed in the inverse order
22.17 in which they were employed by the school district. In the case of equal seniority, the
22.18 order in which teachers who have acquired continuing contract rights shall be placed on
22.19 unrequested leave of absence in fields in which they are licensed is negotiable;.

22.20 (e) (e) Notwithstanding the provisions of paragraph (b) (d), a teacher is not entitled
22.21 to exercise any seniority when that exercise results in that teacher being retained by the
22.22 district in a field for which the teacher holds only a provisional license, as defined by the
22.23 board of teaching, unless that exercise of seniority results in the placement on unrequested
22.24 leave of absence of another teacher who also holds a provisional license in the same field.
22.25 The provisions of this paragraph do not apply to vocational education licenses; required
22.26 for the available positions.

22.27 (f) (f) Notwithstanding paragraphs (a), (b), and (c), (d), and (e), if the placing of a
22.28 probationary teacher on unrequested leave before a teacher who has acquired continuing
22.29 rights, the placing of a teacher who has acquired continuing contract rights on unrequested
22.30 leave before another teacher who has acquired continuing contract rights but who has
22.31 greater seniority, or the restriction imposed by the provisions of paragraph (e) (e) would
22.32 place the district in violation of its affirmative action program, the district may retain the
22.33 probationary teacher, the teacher with less seniority, or the provisionally licensed teacher;.

22.34 (g) (g) For purposes of placing a teacher on unrequested leave of absence or
22.35 recalling a teacher from unrequested leave of absence, nothing in this subdivision requires

23.1 a school board to reassign a teacher to accommodate the seniority claims of a teacher who
23.2 is similarly licensed and effective but with less seniority.

23.3 (h) Teachers placed on unrequested leave of absence must be reinstated to the
23.4 positions from which they have been given leaves of absence or, if not available, to
23.5 other available positions in the school district in fields in which they are licensed.
23.6 Reinstatement must be in the inverse order of placement on leave of absence. A teacher
23.7 must not be reinstated to a position in a field in which the teacher holds only a provisional
23.8 license, other than a vocational education license, while another teacher who holds a
23.9 nonprovisional license in the same field remains on unrequested leave. The order of
23.10 reinstatement of teachers who have equal seniority and who are placed on unrequested
23.11 leave in the same school year is negotiable;.

23.12 (f) (i) Appointment of a new teacher must not be made while there is available, on
23.13 unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the
23.14 teacher fails to advise the school board within 30 days of the date of notification that a
23.15 position is available to that teacher who may return to employment and assume the duties
23.16 of the position to which appointed on a future date determined by the board;.

23.17 (g) (j) A teacher placed on unrequested leave of absence may engage in teaching
23.18 or any other occupation during the period of this leave;.

23.19 (h) (k) The unrequested leave of absence must not impair the continuing contract
23.20 rights of a teacher or result in a loss of credit for previous years of service;.

23.21 (i) (l) Consistent with subdivision 10, the unrequested leave of absence of a teacher
23.22 who is categorized as effective or better under subdivision 8, who is placed on unrequested
23.23 leave of absence, and who is not reinstated shall continue for a period of five years,
23.24 after which the right to reinstatement shall terminate terminates. The teacher's right to
23.25 reinstatement shall also terminate terminates if the teacher fails to file with the board by
23.26 April 1 of any each year a written statement requesting reinstatement.

23.27 (m) Consistent with subdivision 10, the unrequested leave of absence of a teacher
23.28 who is categorized as ineffective or less under subdivision 8, who is placed on unrequested
23.29 leave of absence, and who is not reinstated continues for the following school year
23.30 only, after which the teacher's right to reinstatement terminates. The teacher's right to
23.31 reinstatement also terminates if the teacher fails to file with the board by April 1 in that
23.32 following school year a written statement requesting reinstatement.

23.33 (j) (n) The same provisions applicable to terminations of probationary or continuing
23.34 contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of absence;.

24.1 (k) (o) Nothing in this subdivision shall be construed to impair the rights of teachers
24.2 placed on unrequested leave of absence to receive unemployment benefits if otherwise
24.3 eligible.

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

24.5 Sec. 19. Minnesota Statutes 2014, section 122A.41, subdivision 2, is amended to read:

24.6 Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in
24.7 the public schools in cities of the first class during the first three years of consecutive
24.8 employment shall be deemed to be in a probationary period of employment during which
24.9 period any annual contract with any teacher may, or may not, be renewed (1) as the school
24.10 board, after consulting with the peer review committee charged with evaluating the
24.11 probationary teachers under subdivision 3, shall see fit, or (2) consistent with the negotiated
24.12 plan for discontinuing or terminating teachers in effect under subdivision 14. The school
24.13 site management team or the school board if there is no school site management team, shall
24.14 adopt a plan for a written evaluation of teachers during the probationary period according
24.15 to subdivisions 3 and 5. Evaluation by the peer review committee charged with evaluating
24.16 probationary teachers under subdivision 3 shall occur at least three times periodically
24.17 throughout each school year for a teacher performing services during that school year; the
24.18 first evaluation must occur within the first 90 days of teaching service. Days devoted to
24.19 parent-teacher conferences, teachers' workshops, and other staff development opportunities
24.20 and days on which a teacher is absent from school shall not be included in determining the
24.21 number of school days on which a teacher performs services. The school board may, during
24.22 such probationary period, discharge or demote a teacher for any of the causes as specified
24.23 in this code. A written statement of the cause of such discharge or demotion shall be given
24.24 to the teacher by the school board at least 30 days before such removal or demotion shall
24.25 become effective, and the teacher so notified shall have no right of appeal therefrom.

24.26 (b) A probationary teacher whose first three years of consecutive employment are
24.27 interrupted for active military service and who promptly resumes teaching consistent with
24.28 federal reemployment timelines for uniformed service personnel under United States
24.29 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
24.30 for purposes of paragraph (a).

24.31 (c) A probationary teacher whose first three years of consecutive employment are
24.32 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
24.33 months of when the leave began is considered to have a consecutive teaching experience
24.34 for purposes of paragraph (a) if the probationary teacher completes a combined total of
24.35 three years of teaching service immediately before and after the leave.

25.1 (d) A probationary teacher must complete at least 120 days of teaching service each
25.2 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
25.3 workshops, and other staff development opportunities and days on which a teacher is
25.4 absent from school do not count as days of teaching service under this paragraph.

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

25.6 Sec. 20. Minnesota Statutes 2014, section 122A.41, subdivision 5, is amended to read:

25.7 **Subd. 5. Development, evaluation, and peer coaching for continuing contract**
25.8 **teachers.** (a) To improve student learning and success, a school board and an exclusive
25.9 representative of the teachers in the district, consistent with paragraph (b), may develop an
25.10 annual teacher evaluation and peer review process for probationary and nonprobationary
25.11 teachers through joint agreement. If a school board and the exclusive representative of
25.12 the teachers in the district do not agree to an annual teacher evaluation and peer review
25.13 process, then the school board and the exclusive representative of the teachers must
25.14 implement the state teacher evaluation plan developed under paragraph (c). The process
25.15 must include having trained observers serve as peer coaches or having teachers participate
25.16 in professional learning communities, consistent with paragraph (b).

25.17 (b) To develop, improve, and support qualified teachers and effective teaching
25.18 practices and improve student learning and success, the annual evaluation process for
25.19 teachers:

25.20 (1) must, for probationary teachers, provide for all evaluations required under
25.21 subdivision 2;

25.22 (2) must establish a three-year professional review cycle for each teacher that
25.23 includes an individual growth and development plan, a peer review process, and at least
25.24 one summative evaluation performed by a qualified and trained evaluator such as a school
25.25 administrator;

25.26 (3) must be based on professional teaching standards established in rule;

25.27 (4) must coordinate staff development activities under sections 122A.60 and
25.28 122A.61 with this evaluation process and teachers' evaluation outcomes;

25.29 (5) may provide time during the school day and school year for peer coaching and
25.30 teacher collaboration;

25.31 (6) may include job-embedded learning opportunities such as professional learning
25.32 communities;

25.33 (7) may include mentoring under section 122A.70 and induction programs;

25.34 (8) must include an option for teachers to develop and present a portfolio
25.35 demonstrating evidence of reflection and professional growth, consistent with section

26.1 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
26.2 based on student work samples and examples of teachers' work, which may include video
26.3 among other activities for the summative evaluation;

26.4 (9) must use data from valid and reliable assessments aligned to state and local
26.5 academic standards and must use state and local measures of student growth and literacy
26.6 that may include value-added models or student learning goals to determine 35 percent of
26.7 teacher evaluation results;

26.8 (10) must use longitudinal data on student engagement and connection and other
26.9 student outcome measures explicitly aligned with the elements of curriculum for which
26.10 teachers are responsible, including academic literacy, oral academic language, and
26.11 achievement of English learners;

26.12 (11) must require qualified and trained evaluators such as school administrators to
26.13 perform summative evaluations and ensure school districts and charter schools provide for
26.14 effective evaluator training specific to teacher development and evaluation;

26.15 (12) must give teachers not meeting professional teaching standards under clauses
26.16 (3) through (11) support to improve through a teacher improvement process that includes
26.17 established goals and timelines; and

26.18 (13) must discipline a teacher for not making adequate progress in the teacher
26.19 improvement process under clause (12) that may include a last chance warning,
26.20 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
26.21 other discipline a school administrator determines is appropriate.

26.22 Data on individual teachers generated under this subdivision are personnel data
26.23 under section 13.43. The observation and interview notes of peer coaches may only be
26.24 disclosed to other school officials with the consent of the teacher being coached.

26.25 (c) The department, in consultation with parents who may represent parent
26.26 organizations and teacher and administrator representatives appointed by their respective
26.27 organizations, representing the Board of Teaching, the Minnesota Association of School
26.28 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
26.29 and Secondary Principals Associations, Education Minnesota, and representatives of
26.30 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
26.31 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
26.32 in teacher evaluation, must create and publish a teacher evaluation process that complies
26.33 with the requirements in paragraph (b) and applies to all teachers under this section and
26.34 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher
26.35 evaluation and peer review process. The teacher evaluation process created under this

27.1 subdivision does not create additional due process rights for probationary teachers under
27.2 subdivision 2.

27.3 (d) Consistent with the measures of teacher effectiveness under this subdivision:

27.4 (1) for students in kindergarten through grade 4, a school administrator must not
27.5 place a student in consecutive school years in the classroom of a teacher with the lowest
27.6 evaluation rating in the previous school year unless no other teacher at the school teaches
27.7 that grade; and

27.8 (2) for students in grades 5 through 12, a school administrator must not place
27.9 students in consecutive school years in the classroom of a teacher with the lowest
27.10 evaluation rating in the previous school year unless no other teacher at the school teaches
27.11 that subject area and grade.

27.12 **EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and
27.13 later, except paragraph (b), clause (7), is effective for the 2015-2016 school year and later.

27.14 Sec. 21. Minnesota Statutes 2014, section 122A.41, subdivision 14, is amended to read:

27.15 **Subd. 14. Services terminated by discontinuance or lack of pupils; preference**
27.16 **given.** (a) A teacher whose services are terminated on account of discontinuance of
27.17 position or lack of pupils must receive first consideration for other positions in the district
27.18 for which that teacher is qualified. In the event it becomes necessary to discontinue one
27.19 or more positions in the 2014-2015 through the 2016-2017 school years, in making such
27.20 discontinuance, teachers must receive first consideration for other positions in the district
27.21 for which that teacher is qualified and must be discontinued in any department in the
27.22 inverse order in which they were employed, unless.

27.23 (b) Beginning in the 2017-2018 school year and later, a board and the exclusive
27.24 representative of teachers in the district must negotiate a plan providing otherwise,
27.25 consistent with subdivision 5, for discontinuing and terminating teachers under this
27.26 subdivision based on their subject matter licensure fields, most recent evaluation outcomes
27.27 and effectiveness category or rating under subdivision 5, and other, locally determined
27.28 criteria such as teacher seniority, and may include both probationary teachers and
27.29 continuing contract teachers within an effectiveness category or rating. For purposes
27.30 of discharging, demoting, or recalling a teacher whose services are discontinued or
27.31 terminated under this subdivision, a school board is not required to reassign a teacher with
27.32 more seniority to accommodate the seniority claims of a teacher who is similarly licensed
27.33 and effective but with less seniority. Nothing in this paragraph permits a school board to
27.34 use a teacher's remuneration as a basis for discontinuing or terminating a teacher. Any
27.35 executed employment contract between the school board and the exclusive representative

28.1 of the teachers must contain the negotiated plan for discontinuing or terminating teachers.
28.2 The school board must publish in a readily accessible format any plan it negotiates for
28.3 discontinuing or terminating teachers under this paragraph.

28.4 (c) A teacher who receives notice of discontinuance or termination under paragraph

28.5 (b) may submit to the board, within 14 days of receiving the notice, a written request
28.6 for a hearing before a neutral hearing officer to establish whether the district met the
28.7 following teacher evaluation requirements under subdivision 5: if the teacher is a
28.8 probationary teacher, all evaluations required under subdivision 2 were provided; a
28.9 three-year professional review cycle was established for the teacher; any summative
28.10 evaluation of the teacher was performed by a qualified and trained evaluator; a peer review
28.11 evaluation occurred in any year when the teacher was not evaluated by a qualified and
28.12 trained evaluator; and if the teacher did not meet professional teaching standards, a teacher
28.13 improvement process with goals and timelines was established. The school board and the
28.14 exclusive representative of the teachers must agree on a panel of people and a process to
28.15 select the person to hear the matter. The hearing officer must issue a decision within 14 days
28.16 of the request for the hearing. Nothing in this subdivision prevents a school board and the
28.17 exclusive representative of the teachers from negotiating a different process for determining
28.18 whether the teacher evaluation requirements listed in this subdivision were met.

28.19 (b) (d) Notwithstanding the provisions of clause paragraph (a), for the 2014-2015

28.20 through 2016-2017 school years, a teacher is not entitled to exercise any seniority when
28.21 that exercise results in that teacher being retained by the district in a field for which the
28.22 teacher holds only a provisional license, as defined by the Board of Teaching, unless that
28.23 exercise of seniority results in the termination of terminating the services, on account
28.24 of discontinuance of position or lack of pupils, of another teacher who also holds a
28.25 provisional license in the same field. The provisions of this clause paragraph do not apply
28.26 to vocational education licenses.

28.27 (e) (e) Notwithstanding the provisions of clause paragraph (a), for the 2014-2015

28.28 through 2016-2017 school years, a teacher must not be reinstated to a position in a field
28.29 in which the teacher holds only a provisional license, other than a vocational education
28.30 license, while another teacher who holds a nonprovisional license in the same field is
28.31 available for reinstatement.

28.32 (f) Evaluation outcomes and effectiveness categories under paragraph (b) must not

28.33 be used to place a teacher on unrequested leave of absence if the principal evaluating the
28.34 teacher is on an improvement plan under section 123B.147, subdivision 3, paragraph
28.35 (b), clause (8).

29.1 **EFFECTIVE DATE.** This section is effective the day following final enactment
29.2 and applies to negotiated plans for discontinuing or terminating teachers agreed to on or
29.3 after that date.

29.4 Sec. 22. Minnesota Statutes 2014, section 122A.60, subdivision 1a, is amended to read:

29.5 Subd. 1a. **Effective staff development activities.** (a) Staff development activities
29.6 must:

29.7 (1) focus on the school classroom and research-based strategies that improve student
29.8 learning;

29.9 (2) provide opportunities for teachers to practice and improve their instructional
29.10 skills over time;

29.11 (3) provide opportunities for teachers to use student data as part of their daily work
29.12 to increase student achievement;

29.13 (4) enhance teacher content knowledge and instructional skills, including to
29.14 accommodate the delivery of digital and blended learning and curriculum and engage
29.15 students with technology;

29.16 (5) align with state and local academic standards;

29.17 (6) provide opportunities to build professional relationships, foster collaboration
29.18 among principals and staff who provide instruction, and provide opportunities for
29.19 teacher-to-teacher mentoring under section 122A.70 that may include a teacher mentor
29.20 stipend;

29.21 (7) align with the plan of the district or site for an alternative teacher professional
29.22 pay system;

29.23 (8) provide teachers of English learners, including English as a second language and
29.24 content teachers, with differentiated instructional strategies critical for ensuring students'
29.25 long-term academic success; the means to effectively use assessment data on the academic
29.26 literacy, oral academic language, and English language development of English learners;
29.27 and skills to support native and English language development across the curriculum; and

29.28 (9) provide opportunities for staff to learn about current workforce trends, the
29.29 connections between workforce trends and postsecondary education, and training options,
29.30 including career and technical education options.

29.31 Staff development activities may include curriculum development and curriculum training
29.32 programs, and activities that provide teachers and other members of site-based teams
29.33 training to enhance team performance. The school district also may implement other
29.34 staff development activities required by law and activities associated with professional
29.35 teacher compensation models.

30.1 (b) Release time provided for teachers to supervise students on field trips and school
30.2 activities, or independent tasks not associated with enhancing the teacher's knowledge
30.3 and instructional skills, such as preparing report cards, calculating grades, or organizing
30.4 classroom materials, may not be counted as staff development time that is financed with
30.5 staff development reserved revenue under section 122A.61.

30.6 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
30.7 later.

30.8 Sec. 23. Minnesota Statutes 2014, section 122A.61, subdivision 1, is amended to read:

30.9 Subdivision 1. **Staff development revenue.** A district is required to reserve
30.10 an amount equal to at least two percent of the basic revenue under section 126C.10,
30.11 subdivision 2, for in-service education for programs under section 120B.22, subdivision 2,
30.12 for staff development plans, including plans for challenging instructional activities and
30.13 experiences under section 122A.60, and for curriculum development and programs, other
30.14 in-service education, teachers' mentoring under section 122A.70 and evaluation, teachers'
30.15 workshops, teacher conferences, the cost of substitute teachers for staff development
30.16 purposes, preservice and in-service education for special education professionals and
30.17 paraprofessionals, and other related costs for staff development efforts. A district may
30.18 annually waive the requirement to reserve their basic revenue under this section if a
30.19 majority vote of the licensed teachers in the district and a majority vote of the school board
30.20 agree to a resolution to waive the requirement. A district in statutory operating debt is
30.21 exempt from reserving basic revenue according to this section. Districts may expend an
30.22 additional amount of unreserved revenue for staff development based on their needs.

30.23 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
30.24 later.

30.25 Sec. 24. Minnesota Statutes 2014, section 122A.70, subdivision 1, is amended to read:

30.26 Subdivision 1. **Teacher mentoring programs.** (a) School districts are encouraged
30.27 to may develop teacher mentoring and implement programs for mentoring teachers new
30.28 to the profession or district, including and may, at a minimum, include in the mentoring
30.29 program teaching residents, teachers of color, teachers with special needs, or and
30.30 experienced teachers under section 122A.40, subdivision 8, paragraph (b), clause (12), or
30.31 section 122A.41, subdivision 5, paragraph (b), clause (12), in need of peer coaching.

30.32 (b) Teacher mentoring programs must support districts' teacher evaluation and peer
30.33 review processes under section 122A.40, subdivision 8, or 122A.41, subdivision 5.

31.1 A district may use staff development revenue under sections 122A.60 and 122A.61 or
31.2 another funding source to pay a stipend to a mentor who may be a district employee or
31.3 a third-party contractor.

31.4 Sec. 25. Minnesota Statutes 2014, section 123A.75, subdivision 1, is amended to read:

31.5 Subdivision 1. **Teacher assignment.** (a) As of the effective date of a consolidation
31.6 in which a district is divided or the dissolution of a district and its attachment to two or
31.7 more existing districts, each teacher employed by an affected district shall be assigned to
31.8 the newly created or enlarged district on the basis of a ratio of the pupils assigned to each
31.9 district according to the new district boundaries. The district receiving the greatest number
31.10 of pupils must be assigned the most effective teacher under section 122A.40, subdivision 8,
31.11 with the greatest seniority, and the remaining teachers must be alternately assigned to each
31.12 district from most to least effective and with most to least seniority within each category or
31.13 rating of effectiveness until the district receiving the fewest pupils has received its ratio of
31.14 teachers who will not be retiring before the effective date of the consolidation or dissolution.

31.15 (b) Notwithstanding paragraph (a), the board and the exclusive representative of
31.16 teachers in each district involved in the consolidation or dissolution and attachment may
31.17 negotiate a plan for assigning teachers to each newly created or enlarged district.

31.18 (c) Notwithstanding any other law to the contrary, the provisions of this section apply
31.19 only to the extent they are consistent with section 122A.40, subdivisions 8, 10, and 11.

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

31.21 Sec. 26. Minnesota Statutes 2014, section 179A.20, is amended by adding a
31.22 subdivision to read:

31.23 Subd. 4a. Unrequested leave of absence for teachers. A school board and the
31.24 exclusive representative of the teachers may not execute a contract effective for the
31.25 2017-2018 school year or later unless the contract contains a plan for unrequested leave of
31.26 absence under section 122A.40, subdivision 10, or a plan for discontinuing or terminating
31.27 teachers under section 122A.41, subdivision 14.

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

31.29 Sec. 27. **TEACHER LICENSURE AGREEMENTS WITH ADJOINING STATES.**

31.30 The Board of Teaching must prepare and submit a report to the K-12 education
31.31 committees of the legislature by February 15, 2016, indicating the number, contracting
31.32 states, and extent of the interstate agreements for teacher licensure under Minnesota

32.1 Statutes, section 122A.23, subdivision 3, reached between August 1 and December 31,
32.2 2015.

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

32.4 **Sec. 28. TEACHER PREPARATION PROGRAMS FOCUSED ON**
32.5 **PROJECT-BASED LEARNING.**

32.6 (a) The Board of Teaching, in collaboration with education faculty at the
32.7 Minnesota State University, Mankato; licensed career and technical education teachers;
32.8 employers participating in cooperative career and technical education programs; other
32.9 providers of project-based learning opportunities; and other interested education, teacher
32.10 preparation, and work-related stakeholders, are encouraged to develop and submit to the
32.11 education committees of the legislature by February 1, 2017, a proposal to implement a
32.12 research-based, results-oriented teacher preparation curriculum focused on the knowledge
32.13 and skills teachers need to effectively provide and facilitate project-based learning.

32.14 (b) The proposal under paragraph (a) must include, at least, the following program
32.15 components:

32.16 (1) recruitment of fully engaged and qualified individuals;
32.17 (2) culturally responsive preparation, project-based learning assessments, engaged
32.18 students, qualified postsecondary faculty and mentors, and a project-based learning focus;
32.19 (3) support for P-20 wrap-around services, scholarships, mentorships, access to
32.20 technology, and professional learning opportunities; and
32.21 (4) multiple instruments that focus on and measure student learning and engagement,
32.22 teacher performance, and program efficacy.

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

32.24 **Sec. 29. REPEALER.**

32.25 Minnesota Statutes 2014, section 122A.40, subdivision 11, is repealed.

32.26 **EFFECTIVE DATE.** This section is effective beginning in the 2017-2018 school
32.27 year and later.

32.28 **ARTICLE 2**

32.29 **STATEWIDE STANDARDS AND STUDENT ASSESSMENTS**

32.30 Section 1. Minnesota Statutes 2014, section 120B.02, subdivision 2, is amended to read:

32.31 Subd. 2. **Graduation requirements.** To graduate from high school, students must
32.32 demonstrate to their enrolling school district or school their satisfactory completion of

33.1 the credit requirements under section 120B.024 and their understanding of academic
33.2 standards ~~on a nationally normed college entrance exam as required under section~~
33.3 120B.30, subdivision 1, paragraph (c), clause (1). A school district must adopt graduation
33.4 requirements that meet or exceed state graduation requirements established in law or rule.

33.5 **EFFECTIVE DATE.** This section is effective and applies to students entering grade
33.6 9 in the 2015-2016 school year and later.

33.7 Sec. 2. Minnesota Statutes 2014, section 120B.021, subdivision 4, is amended to read:

33.8 **Subd. 4. Revisions and reviews required.** (a) The commissioner of education must
33.9 revise and appropriately embed technology and information literacy standards consistent
33.10 with recommendations from school media specialists into the state's academic standards
33.11 and graduation requirements and implement a ten-year cycle to review and, consistent
33.12 with the review, revise state academic standards and related benchmarks, consistent with
33.13 this subdivision. During each ten-year review and revision cycle, the commissioner also
33.14 must examine the alignment of each required academic standard and related benchmark
33.15 with the knowledge and skills students need for career and college readiness and advanced
33.16 work in the particular subject area. The commissioner must include the contributions of
33.17 Minnesota American Indian tribes and communities as related to the academic standards
33.18 during the review and revision of the required academic standards.

33.19 (b) The commissioner must ensure that the statewide mathematics assessments
33.20 administered to students in grades 3 through 8 and 11 are aligned with the state academic
33.21 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph
33.22 (b). The commissioner must implement a review of the academic standards and related
33.23 benchmarks in mathematics beginning in the 2015-2016 2020-2021 school year and
33.24 every ten years thereafter.

33.25 (c) The commissioner must implement a review of the academic standards and related
33.26 benchmarks in arts beginning in the 2016-2017 school year and every ten years thereafter.

33.27 (d) The commissioner must implement a review of the academic standards and
33.28 related benchmarks in science beginning in the 2017-2018 school year and every ten
33.29 years thereafter.

33.30 (e) The commissioner must implement a review of the academic standards and
33.31 related benchmarks in language arts beginning in the 2018-2019 school year and every
33.32 ten years thereafter.

33.33 (f) The commissioner must implement a review of the academic standards and
33.34 related benchmarks in social studies beginning in the 2019-2020 school year and every
33.35 ten years thereafter.

34.1 (g) School districts and charter schools must revise and align local academic
34.2 standards and high school graduation requirements in health, world languages, and career
34.3 and technical education to require students to complete the revised standards beginning
34.4 in a school year determined by the school district or charter school. School districts and
34.5 charter schools must formally establish a periodic review cycle for the academic standards
34.6 and related benchmarks in health, world languages, and career and technical education.

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

34.8 Sec. 3. Minnesota Statutes 2014, section 120B.022, subdivision 1, is amended to read:

34.9 Subdivision 1. **Elective standards.** A district must establish its own standards in the
34.10 following subject areas:

34.11 (1) career and technical education; and,

34.12 (2) A district must use the current world languages standards developed by the
34.13 American Council on the Teaching of Foreign Languages.

34.14 A school district must offer courses in all elective subject areas.

34.15 Sec. 4. Minnesota Statutes 2014, section 120B.024, subdivision 2, is amended to read:

34.16 Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a
34.17 school's agriculture education or business department may fulfill a one-half credit in
34.18 social studies under subdivision 1, clause (5), if the credit is sufficient to satisfy all of the
34.19 academic standards in economics.

34.20 (b) An agriculture science or career and technical education credit may fulfill the
34.21 credit in chemistry or physics or the elective science credit required under subdivision 1,
34.22 clause (4), if the credit meets the state chemistry or physics, or district biology physical
34.23 science, life science, earth and space science, chemistry, or physics academic standards or
34.24 a combination of these academic standards as approved by the district. An agriculture or
34.25 career and technical education credit may fulfill the credit in chemistry or physics required
34.26 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic
34.27 standards as approved by the district. A student must satisfy either all of the chemistry
34.28 academic standards or all of the physics academic standards prior to graduation. An
34.29 agriculture science or career and technical education credit may not fulfill the required
34.30 biology credit under subdivision 1, clause (4).

34.31 (c) A career and technical education credit may fulfill a mathematics or arts credit
34.32 requirement under subdivision 1, clause (2) or (6).

35.1 (d) An agriculture education teacher is not required to meet the requirements of
35.2 Minnesota Rules, part 3505.1150, subpart 1, item B, to meet the credit equivalency
35.3 requirements of paragraph (b) above.

35.4 (e) A computer science credit may fulfill a mathematics credit requirement under
35.5 subdivision 1, clause (2), if the credit meets state academic standards in mathematics.

35.6 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
35.7 later.

35.8 Sec. 5. Minnesota Statutes 2014, section 120B.11, subdivision 1a, is amended to read:

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

35.11 (1) student performance on the National Assessment of Education Progress where
35.12 applicable;

35.13 (2) the size of the academic achievement gap, rigorous course taking under section
35.14 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by student
35.15 subgroup;

35.16 (3) student performance on the Minnesota Comprehensive Assessments including
35.17 attainment of readiness scores identified under section 120B.30, subdivision 1, paragraph
35.18 (j);

35.19 (4) high school graduation rates; and

35.20 (5) career and college readiness under section 120B.30, subdivision 1, paragraph (p).

35.21 Sec. 6. Minnesota Statutes 2014, section 120B.125, is amended to read:

35.22 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION**
35.23 **TO POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL**
35.24 **LEARNING PLANS.**

35.25 (a) Consistent with sections 120B.128, 120B.13, 120B.131, 120B.132, 120B.14,
35.26 120B.15, 120B.30, subdivision 1, paragraph (c), 125A.08, and other related sections,
35.27 school districts, beginning in the 2013-2014 school year, must assist all students by no
35.28 later than grade 9 to explore their educational, college, and career interests, aptitudes, and
35.29 aspirations and develop a plan for a smooth and successful transition to postsecondary
35.30 education or employment. All students' plans must:

35.31 (1) provide a comprehensive plan to prepare for and complete a career and college
35.32 ready curriculum by meeting state and local academic standards and developing career and

36.1 employment-related skills such as team work, collaboration, creativity, communication,
36.2 critical thinking, and good work habits;

36.3 (2) emphasize academic rigor and high expectations;

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

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

36.9 (5) help students access education and career options;

36.10 (6) integrate strong academic content into career-focused courses and applied and
36.11 experiential learning opportunities and integrate relevant career-focused courses and
36.12 applied and experiential learning opportunities into strong academic content;

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

36.17 (8) help identify collaborative partnerships among prekindergarten through grade
36.18 12 schools, postsecondary institutions, economic development agencies, and local and
36.19 regional employers that support students' transition to postsecondary education and
36.20 employment and provide students with applied and experiential learning opportunities; and

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

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

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

36.35 (d) When assisting students in developing a plan for a smooth and successful
36.36 transition to postsecondary education and employment, districts must recognize the unique

37.1 possibilities of each student and ensure that the contents of each student's plan reflect the
37.2 student's unique talents, skills, and abilities as the student grows, develops, and learns.

37.3 Sec. 7. Minnesota Statutes 2014, section 120B.30, subdivision 1, is amended to read:

37.4 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts
37.5 with appropriate technical qualifications and experience and stakeholders, consistent
37.6 with subdivision 1a, shall include in the comprehensive assessment system, for each
37.7 grade level to be tested, state-constructed tests developed as computer-adaptive reading
37.8 and mathematics assessments for students that are aligned with the state's required
37.9 academic standards under section 120B.021, include multiple choice questions, and are
37.10 administered annually to all students in grades 3 through 7 ~~8~~. ~~Reading and mathematics~~
37.11 ~~assessments for all students in grade 8 must be aligned with the state's required reading and~~
37.12 ~~mathematics standards, be administered annually, and include multiple choice questions.~~
37.13 State-developed high school tests aligned with the state's required academic standards
37.14 under section 120B.021 and administered to all high school students in a subject other than
37.15 writing must include multiple choice questions. The commissioner shall establish one or
37.16 more months during which schools shall administer the tests to students each school year.

37.17 (1) Students enrolled in grade 8 through the 2009-2010 school year are eligible
37.18 to be assessed under (i) the graduation-required assessment for diploma in reading,
37.19 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1,
37.20 paragraphs (c), clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii)
37.21 the Compass college placement test, (iv) the ACT assessment for college admission, ~~or~~ (v)
37.22 a nationally recognized armed services vocational aptitude test, or (vi) the high school
37.23 assessments required under subdivision 1a.

37.24 (2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are
37.25 eligible to be assessed under (i) the graduation-required assessment for diploma in reading,
37.26 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision
37.27 1, paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the
37.28 Compass college placement test, (iv) the ACT assessment for college admission, ~~or~~ (v)
37.29 a nationally recognized armed services vocational aptitude test, or (vi) the high school
37.30 assessments required under subdivision 1a.

37.31 (3) Students enrolled in grade 8 in the 2012-2013 or 2013-2014 school year are
37.32 eligible to be assessed under the ACT assessment for college admission or the high school
37.33 assessments required under subdivision 1a.

38.1 (3) (4) For students under clause (1) or (2), or (3), a school district may substitute
38.2 a score from an alternative, equivalent assessment to satisfy the requirements of this
38.3 paragraph.

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

38.6 (1) mathematics;

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

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

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

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

38.13 (c) For students enrolled in grade 8 in the 2012-2013 2014-2015 school year
38.14 and later, students' state graduation requirements, based on a longitudinal, systematic
38.15 approach to student education and career planning, assessment, instructional support, and
38.16 evaluation, include the following:

38.17 (1) demonstrate understanding of required academic standards on a nationally
38.18 normed college entrance exam high school assessments required under subdivision 1a;

38.19 (2) achievement and career and college readiness tests in mathematics, reading, and
38.20 writing, consistent with paragraph (e) (j) and to the extent available, to monitor students'
38.21 continuous development of and growth in requisite knowledge and skills; analyze
38.22 students' progress and performance levels, identifying students' academic strengths and
38.23 diagnosing areas where students require curriculum or instructional adjustments, targeted
38.24 interventions, or remediation; and, based on analysis of students' progress and performance
38.25 data, determine students' learning and instructional needs and the instructional tools and
38.26 best practices that support academic rigor for the student; and

38.27 (3) consistent with this paragraph and section 120B.125, age-appropriate exploration
38.28 and planning activities and career assessments to encourage students to identify personally
38.29 relevant career interests and aptitudes and help students and their families develop a
38.30 regularly reexamined transition plan for postsecondary education or employment without
38.31 need for postsecondary remediation.

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

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

39.1 completion. A student under paragraph (c), clause (2), must receive targeted, relevant,
39.2 academically rigorous, and resourced instruction, which may include a targeted instruction
39.3 and intervention plan focused on improving the student's knowledge and skills in core
39.4 subjects so that the student has a reasonable chance to succeed in a career or college
39.5 without need for postsecondary remediation. Consistent with sections 120B.13, 124D.09,
39.6 124D.091, 124D.49, and related sections, an enrolling school or district must actively
39.7 encourage a student in grade 11 or 12 who is identified as academically ready for a career
39.8 or college to participate in courses and programs awarding college credit to high school
39.9 students. Students are not required to achieve a specified score or level of proficiency on
39.10 an assessment under this subdivision to graduate from high school.

39.11 ~~(d) To improve the secondary and postsecondary outcomes of all students, the alignment between secondary and postsecondary education programs and Minnesota's workforce needs, and the efficiency and cost-effectiveness of secondary and postsecondary programs, the commissioner, after consulting with the chancellor of the Minnesota State Colleges and Universities and using a request for proposal process, shall contract for a series of assessments that are consistent with this subdivision, aligned with state academic standards, and include career and college readiness benchmarks. Mathematics, reading, and writing assessments for students in grades 8 and 10 must be predictive of a nationally normed assessment for career and college readiness.~~

39.20 ~~This (e) A nationally recognized assessment must be that is a college entrance exam and given must be offered to students at no cost in grade 11 or 12. This series of assessments must include a college placement diagnostic exam and contain career exploration elements.~~

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

39.34 ~~(f) (g) Districts and schools, on an annual basis, must use the career exploration elements in these assessments to help students, beginning no later than grade 9, and their families explore and plan for postsecondary education or careers based on the students'~~

40.1 interests, aptitudes, and aspirations. Districts and schools must use timely regional labor
40.2 market information and partnerships, among other resources, to help students and their
40.3 families successfully develop, pursue, review, and revise an individualized plan for
40.4 postsecondary education or a career. This process must help increase students' engagement
40.5 in and connection to school, improve students' knowledge and skills, and deepen students'
40.6 understanding of career pathways as a sequence of academic and career courses that lead
40.7 to an industry-recognized credential, an associate's degree, or a bachelor's degree and are
40.8 available to all students, whatever their interests and career goals.

40.9 ~~(2) Students in grade 10 or 11 not yet academically ready for a career or college based
40.10 on their growth in academic achievement between grades 8 and 10 must take the college
40.11 placement diagnostic exam before taking the college entrance exam under clause (3).
40.12 Students, their families, the school, and the district can then use the results of the college
40.13 placement diagnostic exam for targeted instruction, intervention, or remediation and
40.14 improve students' knowledge and skills in core subjects sufficient for a student to graduate
40.15 and have a reasonable chance to succeed in a career or college without remediation.~~

40.16 ~~(3) All students except those eligible for alternative assessments must be given the
40.17 college entrance part of these assessments in grade 11. (h) A student under this clause
40.18 who demonstrates attainment of required state academic standards, which include career
40.19 and college readiness benchmarks, on these high school assessments under subdivision 1a
40.20 is academically ready for a career or college and is encouraged to participate in courses
40.21 awarding college credit to high school students. Such courses and programs may include
40.22 sequential courses of study within broad career areas and technical skill assessments
40.23 that extend beyond course grades.~~

40.24 ~~(4) (i) As appropriate, students through grade 12 must continue to participate in
40.25 targeted instruction, intervention, or remediation and be encouraged to participate in
40.26 courses awarding college credit to high school students.~~

40.27 ~~(5) A study to determine the alignment between these assessments and state
40.28 academic standards under this chapter must be conducted. Where alignment exists, the
40.29 commissioner must seek federal approval to, and immediately upon receiving approval,
40.30 replace the federally required assessments referenced under subdivision 1a and section
40.31 120B.35, subdivision 2, with assessments under this paragraph.~~

40.32 ~~(e) (j) In developing, supporting, and improving students' academic readiness for a
40.33 career or college, schools, districts, and the state must have a continuum of empirically
40.34 derived, clearly defined benchmarks focused on students' attainment of knowledge and
40.35 skills so that students, their parents, and teachers know how well students must perform to
40.36 have a reasonable chance to succeed in a career or college without need for postsecondary~~

41.1 remediation. The commissioner, in consultation with local school officials and educators,
41.2 and Minnesota's public postsecondary institutions must ensure that the foundational
41.3 knowledge and skills for students' successful performance in postsecondary employment or
41.4 education and an articulated series of possible targeted interventions are clearly identified
41.5 and satisfy Minnesota's postsecondary admissions requirements. The commissioner
41.6 of education, in consultation with the chancellor of the Minnesota State Colleges and
41.7 Universities, shall identify minimum score guidelines on the high school reading, writing,
41.8 and mathematics Minnesota Comprehensive Assessments that demonstrate readiness for:

- 41.9 (1) a certificate level program;
41.10 (2) a two-year college program; and
41.11 (3) a four-year college program.

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

41.15 (g) (l) The school board granting students their diplomas may formally decide to
41.16 include a notation of high achievement on the high school diplomas of those graduating
41.17 seniors who, according to established school board criteria, demonstrate exemplary
41.18 academic achievement during high school.

41.19 (h) (m) The 3rd through 7th 8th grade computer-adaptive assessment results and grade
41.20 8 and high school test results shall be available to districts for diagnostic purposes affecting
41.21 student learning and district instruction and curriculum, and for establishing educational
41.22 accountability. The commissioner must establish empirically derived benchmarks on
41.23 adaptive assessments in grades 3 through 7 8 that reveal a trajectory toward career and
41.24 college readiness. The commissioner must disseminate to the public the computer-adaptive
41.25 assessments, grade 8, and high school test results upon receiving those results.

41.26 (i) (n) The grades 3 through 7 8 computer-adaptive assessments and grade 8 and
41.27 high school tests must be aligned with state academic standards. The commissioner shall
41.28 determine the testing process and the order of administration. The statewide results shall
41.29 be aggregated at the site and district level, consistent with subdivision 1a.

41.30 (j) (o) The commissioner shall include the following components in the statewide
41.31 public reporting system:

41.32 (1) uniform statewide computer-adaptive assessments of all students in grades 3
41.33 through 7 8 and testing at the grade 8 and high school levels that provides appropriate,
41.34 technically sound accommodations or alternate assessments;

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

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

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

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

42.15 ~~(l)~~ (q) For purposes of statewide accountability, "cultural competence," "cultural
42.16 competency," or "culturally competent" means the ability and will to interact effectively
42.17 with people of different cultures, native languages, and socioeconomic backgrounds.

42.18 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
42.19 later.

42.20 Sec. 8. Minnesota Statutes 2014, section 120B.30, subdivision 1a, is amended to read:

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

42.23 (1) "Computer-adaptive assessments" means fully adaptive assessments.

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

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

42.28 (4) "Above-grade level" test items contain subject area content that is above the
42.29 grade level of the student taking the assessment and is considered aligned with state
42.30 academic standards to the extent it is aligned with content represented in state academic
42.31 standards above the grade level of the student taking the assessment. Notwithstanding
42.32 the student's grade level, administering above-grade level test items to a student does not
42.33 violate the requirement that state assessments must be aligned with state standards.

42.34 (5) "Below-grade level" test items contain subject area content that is below the
42.35 grade level of the student taking the test and is considered aligned with state academic

43.1 standards to the extent it is aligned with content represented in state academic standards
43.2 below the student's current grade level. Notwithstanding the student's grade level,
43.3 administering below-grade level test items to a student does not violate the requirement
43.4 that state assessments must be aligned with state standards.

43.5 (b) The commissioner must use fully adaptive mathematics and reading assessments
43.6 for grades 3 through ~~7 beginning in the 2015-2016 school year and later~~ 8.

43.7 (c) For purposes of conforming with existing federal educational accountability
43.8 requirements, the commissioner must develop and implement computer-adaptive reading
43.9 and mathematics assessments for grades 3 through ~~7~~ 8, state-developed ~~grade 8 and~~ high
43.10 school reading, writing, and mathematics tests aligned with state academic standards, and
43.11 science assessments under clause (2) that districts and sites must use to monitor student
43.12 growth toward achieving those standards. The commissioner must not develop statewide
43.13 assessments for academic standards in social studies, health and physical education, and
43.14 the arts. The commissioner must require:

43.15 (1) annual computer-adaptive reading and mathematics assessments in grades 3
43.16 through ~~7~~ 8, and ~~grade 8 and~~ high school reading, writing, and mathematics tests; and

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

43.21 (d) The commissioner must ensure that for annual computer-adaptive assessments:

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

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

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

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

44.1 (e) The commissioner must ensure that all state tests administered to elementary and
44.2 secondary students measure students' academic knowledge and skills and not students'
44.3 values, attitudes, and beliefs.

44.4 (f) Reporting of state assessment results must:

- 44.5 (1) provide timely, useful, and understandable information on the performance of
44.6 individual students, schools, school districts, and the state;
- 44.7 (2) include a growth indicator of student achievement; and
- 44.8 (3) determine whether students have met the state's academic standards.

44.9 (g) Consistent with applicable federal law, the commissioner must include
44.10 appropriate, technically sound accommodations or alternative assessments for the very
44.11 few students with disabilities for whom statewide assessments are inappropriate and
44.12 for English learners.

44.13 (h) A school, school district, and charter school must administer statewide
44.14 assessments under this section, as the assessments become available, to evaluate student
44.15 progress toward career and college readiness in the context of the state's academic
44.16 standards. A school, school district, or charter school may use a student's performance
44.17 on a statewide assessment as one of multiple criteria to determine grade promotion or
44.18 retention. A school, school district, or charter school may use a high school student's
44.19 performance on a statewide assessment as a percentage of the student's final grade in a
44.20 course, or place a student's assessment score on the student's transcript.

44.21 **EFFECTIVE DATE.** This section is effective for the 2016-2017 school year and
44.22 later.

44.23 Sec. 9. Laws 2013, chapter 116, article 2, section 20, subdivision 3, is amended to read:

44.24 Subd. 3. **Educational planning and assessment system (EPAS) program.** For
44.25 the educational planning and assessment system program under Minnesota Statutes,
44.26 section 120B.128:

44.27 \$ 829,000 2014
44.28 \$ 0 2015

44.29 Any balance in the first year does not cancel but is available ~~in the second year~~
44.30 through the 2020 fiscal year.

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

44.32 **Sec. 10. REPEALER.**

44.33 Minnesota Statutes 2014, section 120B.128, is repealed.

ARTICLE 3**EDUCATING STUDENTS AND YOUNG CHILDREN**

Section 1. Minnesota Statutes 2014, section 120B.022, subdivision 1a, is amended to read:

Subd. 1a. Foreign language and culture; proficiency certificates. (a) World languages teachers and other school staff should develop and implement world languages programs that acknowledge and reinforce the language proficiency and cultural awareness that non-English language speakers already possess, and encourage students' proficiency in multiple world languages. Programs under this section must encompass indigenous American Indian languages and cultures, among other world languages and cultures. The department shall consult with postsecondary institutions in developing related professional development opportunities for purposes of this section.

(b) Any Minnesota public, charter, or nonpublic school may award Minnesota World Language Proficiency Certificates ~~or Minnesota World Language Proficiency High Achievement Certificates~~, consistent with this subdivision.

(c) The Minnesota World Language Proficiency Certificate recognizes students who demonstrate listening, speaking, reading, and writing language skills at the American Council on the Teaching of Foreign Languages' Intermediate-Low level on a valid and reliable assessment tool. ~~For languages listed as Category 3 by the United States Foreign Service Institute or Category 4 by the United States Defense Language Institute, the standard is Intermediate-Low for listening and speaking and Novice-High for reading and writing.~~

(d) The Minnesota World Language Proficiency High Achievement Certificate recognizes students who demonstrate listening, speaking, reading, and writing language skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level ~~for K-12 learners on a valid and reliable assessment tool. For languages listed as Category 3 by the United States Foreign Service Institute or Category 4 by the United States Defense Language Institute, the standard is Pre-Advanced for listening and speaking and Intermediate-Mid for reading and writing.~~

Sec. 2. Minnesota Statutes 2014, section 120B.022, subdivision 1b, is amended to read:

Subd. 1b. State bilingual and multilingual seals. (a) Consistent with efforts to strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8, paragraph (u), and close the academic achievement and opportunity gap under sections 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established to recognize high school graduates students who demonstrate level 3 an advanced-low

46.1 level or an intermediate-high level of functional native proficiency in listening, speaking,
46.2 reading, and writing on either the Foreign Services Institute language assessments aligned
46.3 with American Council on the Teaching of Foreign Languages' (ACTFL) proficiency
46.4 tests guidelines or on equivalent valid and reliable assessments in one or more languages
46.5 in addition to English. American Sign Language is a language other than English for
46.6 purposes of this subdivision and a world language for purposes of subdivision 1a.

46.7 (b) In addition to paragraph (a), to be eligible to receive a seal:

46.8 (1) students must satisfactorily complete all required English language arts credits;
46.9 and

46.10 (2) students whose primary language is other than English must demonstrate mastery
46.11 of Minnesota's English language proficiency standards.

46.12 (c) Consistent with this subdivision, a high school graduate who demonstrates an
46.13 intermediate-high ACTFL level of functional native proficiency in one language in
46.14 addition to English is eligible to receive the state bilingual gold seal. A high school
46.15 graduate who demonstrates an intermediate-high ACTFL level of functional native
46.16 proficiency in more than one language in addition to English is eligible to receive the
46.17 state multilingual gold seal. A high school graduate who demonstrates an advanced-low
46.18 ACTFL level of functional proficiency in one language in addition to English is eligible
46.19 to receive the state bilingual platinum seal. A high school graduate who demonstrates
46.20 an advanced-low ACTFL level of functional proficiency in more than one language in
46.21 addition to English is eligible to receive the state multilingual platinum seal.

46.22 (d) School districts and charter schools, in consultation with regional centers of
46.23 excellence under section 120B.115, must may give students periodic opportunities to
46.24 demonstrate their level of proficiency in listening, speaking, reading, and writing in a
46.25 language in addition to English. Where valid and reliable assessments are unavailable, a
46.26 school district or charter school may rely on a licensed foreign language immersion teacher
46.27 or a nonlicensed community expert under section 122A.25 evaluators trained in assessing
46.28 under ACTFL proficiency guidelines to assess a student's level of foreign, heritage, or
46.29 indigenous language proficiency under this section. School districts and charter schools
46.30 must maintain appropriate records to identify high school graduates eligible to receive the
46.31 state bilingual or multilingual gold and platinum seals. The school district or charter
46.32 school must affix the appropriate seal to the transcript of each high school graduate who
46.33 meets the requirements of this subdivision and may affix the seal to the student's diploma. A
46.34 school district or charter school must not charge the high school graduate a fee for this seal.

47.1 (e) A school district or charter school may award elective course credits in world
47.2 languages to a student who demonstrates the requisite proficiency in a language other
47.3 than English under this section.

47.4 (f) A school district or charter school may award community service credit to a
47.5 student who demonstrates ~~level 3 an intermediate-high or advanced-low ACTFL level of~~
47.6 functional native proficiency in listening, speaking, reading, and writing in a language
47.7 other than English and who participates in community service activities that are integrated
47.8 into the curriculum, involve the participation of teachers, and support biliteracy in the
47.9 school or local community.

47.10 (g) The commissioner must develop a Web page for the electronic delivery of these
47.11 seals. The commissioner must list on the Web page those assessments that are equivalent
47.12 to the Foreign Services Institute language aligned to ACTFL proficiency tests guidelines.

47.13 (h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges
47.14 and Universities system must award foreign language credits to a student who receives a
47.15 state bilingual seal or a state multilingual seal under this subdivision and may establish
47.16 criteria to translate the seals into college credits based on the World Language course
47.17 equivalencies identified by the Minnesota State Colleges and Universities faculty and
47.18 staff and, upon request from an enrolled student, the Minnesota State Colleges and
47.19 Universities may award foreign language credits to a student who receives a Minnesota
47.20 World Language Proficiency Certificate or a Minnesota World Language Proficiency
47.21 High Achievement Certificate under subdivision 1a. Students enrolled in a Minnesota
47.22 State Colleges and Universities institution must request college credits for their seal or
47.23 proficiency certificate within three academic years after graduating from high school. The
47.24 University of Minnesota is encouraged to award students foreign language academic
47.25 credits consistent with this paragraph.

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

47.27 Sec. 3. Minnesota Statutes 2014, section 120B.30, subdivision 3, is amended to read:

47.28 Subd. 3. **Reporting.** The commissioner shall report test results publicly and to
47.29 stakeholders, including the performance achievement levels developed from students'
47.30 unweighted test scores in each tested subject and a listing of demographic factors that
47.31 strongly correlate with student performance, including student homelessness and highly
47.32 mobile students, among other factors. The test results must not include personally
47.33 identifiable information as defined in Code of Federal Regulations, title 34, section 99.3.
47.34 The commissioner shall also report data that compares performance results among school
47.35 sites, school districts, Minnesota and other states, and Minnesota and other nations. The

48.1 commissioner shall disseminate to schools and school districts a more comprehensive
48.2 report containing testing information that meets local needs for evaluating instruction and
48.3 curriculum. The commissioner shall disseminate to charter school authorizers a more
48.4 comprehensive report containing testing information that contains anonymized data where
48.5 cell count data are sufficient to protect student identity and that meets the authorizer's
48.6 needs in fulfilling its obligations under section 124D.10.

48.7 **EFFECTIVE DATE.** This section is effective the day following final enactment
48.8 and applies to school year reports for the 2015-2016 school year and later.

48.9 Sec. 4. Minnesota Statutes 2014, section 120B.31, subdivision 4, is amended to read:

48.10 Subd. 4. **Student performance data.** In developing policies and assessment
48.11 processes to hold schools and districts accountable for high levels of academic standards
48.12 under section 120B.021, the commissioner shall aggregate student data over time to
48.13 report student performance and growth levels measured at the school, school district, and
48.14 statewide level. When collecting and reporting the performance data, the commissioner
48.15 shall organize and report the data so that state and local policy makers can understand the
48.16 educational implications of changes in districts' demographic profiles over time, including
48.17 student homelessness and highly mobile students, among other demographic factors. Any
48.18 report the commissioner disseminates containing summary data on student performance
48.19 must integrate student performance and the demographic factors that strongly correlate
48.20 with that performance.

48.21 **EFFECTIVE DATE.** This section is effective the day following final enactment
48.22 and applies to school year reports for the 2015-2016 school year and later.

48.23 Sec. 5. Minnesota Statutes 2014, section 120B.36, subdivision 1, is amended to read:

48.24 Subdivision 1. **School performance reports.** (a) The commissioner shall report
48.25 student academic performance under section 120B.35, subdivision 2; the percentages of
48.26 students showing low, medium, and high growth under section 120B.35, subdivision
48.27 3, paragraph (b); school safety and student engagement and connection under section
48.28 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,
48.29 subdivision 3, paragraph (c); the percentage of students under section 120B.35,
48.30 subdivision 3, paragraph (b), clause (2), whose progress and performance levels are
48.31 meeting career and college readiness benchmarks under sections 120B.30, subdivision 1,
48.32 and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible
48.33 districts in reducing disparities in students' academic achievement and realizing racial

49.1 and economic integration under section 124D.861; the acquisition of English, and
49.2 where practicable, native language academic literacy, including oral academic language,
49.3 and the academic progress of English learners under section 124D.59, subdivisions
49.4 2 and 2a; two separate student-to-teacher ratios that clearly indicate the definition of
49.5 teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these
49.6 ratios; staff characteristics excluding salaries; student enrollment demographics; student
49.7 homelessness and district mobility; and extracurricular activities. The report also must
49.8 indicate a school's adequate yearly progress status under applicable federal law, and must
49.9 not set any designations applicable to high- and low-performing schools due solely to
49.10 adequate yearly progress status.

49.11 (b) The commissioner shall develop, annually update, and post on the department
49.12 Web site school performance reports.

49.13 (c) The commissioner must make available performance reports by the beginning
49.14 of each school year.

49.15 (d) A school or district may appeal its adequate yearly progress status in writing to
49.16 the commissioner within 30 days of receiving the notice of its status. The commissioner's
49.17 decision to uphold or deny an appeal is final.

49.18 (e) School performance data are nonpublic data under section 13.02, subdivision 9,
49.19 until the commissioner publicly releases the data. The commissioner shall annually post
49.20 school performance reports to the department's public Web site no later than September 1,
49.21 except that in years when the reports reflect new performance standards, the commissioner
49.22 shall post the school performance reports no later than October 1.

49.23 **EFFECTIVE DATE.** This section is effective the day following final enactment
49.24 and applies to school year reports for the 2015-2016 school year and later.

49.25 Sec. 6. Minnesota Statutes 2014, section 124D.09, subdivision 5, is amended to read:

49.26 Subd. 5. **Authorization; notification.** Notwithstanding any other law to the
49.27 contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled
49.28 tribal contract or grant school eligible for aid under section 124D.83, except a foreign
49.29 exchange pupil enrolled in a district under a cultural exchange program, may apply to an
49.30 eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by
49.31 that postsecondary institution. Notwithstanding any other law to the contrary, a 9th or 10th
49.32 grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
49.33 school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
49.34 a district under a cultural exchange program, may apply to enroll in nonsectarian courses
49.35 offered under subdivision 10, if (1) after all 11th and 12th grade students have applied

50.1 for a course, additional students are necessary to offer the course or (2) the course is a
50.2 world language course currently available to 11th and 12th grade students, and consistent
50.3 with section 120B.022 governing world language standards, certificates, and seals. If an
50.4 institution accepts a secondary pupil for enrollment under this section, the institution shall
50.5 send written notice to the pupil, the pupil's school or school district, and the commissioner
50.6 within ten days of acceptance. The notice must indicate the course and hours of enrollment
50.7 of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must
50.8 notify the pupil about payment in the customary manner used by the institution.

50.9 Sec. 7. Minnesota Statutes 2014, section 124D.165, subdivision 2, is amended to read:

50.10 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
50.11 parents or guardians must meet the following eligibility requirements:

50.12 (1) have a child three or four years of age on September 1 of the current school year,
50.13 who has not yet started kindergarten; and

50.14 (2) have income equal to or less than 185 percent of federal poverty level income
50.15 in the current calendar year, or be able to document their child's current participation in
50.16 the free and reduced-price lunch program or child and adult care food program, National
50.17 School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food
50.18 Distribution Program on Indian Reservations, Food and Nutrition Act, United States
50.19 Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for
50.20 School Readiness Act of 2007; Minnesota family investment program under chapter 256J;
50.21 child care assistance programs under chapter 119B; the supplemental nutrition assistance
50.22 program; or placement in foster care under section 260C.212.

50.23 (b) Notwithstanding the other provisions of this section, a parent under age 21 who
50.24 is pursuing a high school or general education equivalency diploma or postsecondary
50.25 training or education is eligible for an early learning scholarship if the parent has a child
50.26 age zero to five years old and meets the income eligibility guidelines in this subdivision.

50.27 (c) Any siblings between the ages zero to five years old of a child who has been
50.28 awarded a scholarship under this section must be awarded a scholarship upon request,
50.29 provided the sibling attends the same program as long as funds are available.

50.30 (d) Beginning September 1, 2015, any child under the age of five years old on
50.31 September 1 of the current school year who has not started kindergarten and is a recipient
50.32 of an Early Learning Scholarship funded under the federal Race to the Top - Early Learning
50.33 Challenge Grant must receive a scholarship under this section at the end of the child's Race
50.34 to the Top - Early Learning Challenge Grant scholarship as long as funds are available.

51.1 ~~(d)~~ (e) A child who has received a scholarship under this section must continue to
51.2 receive a scholarship each year until that child is eligible for kindergarten under section
51.3 120A.20 and as long as funds are available.

51.4 ~~(e)~~ (f) Early learning scholarships may not be counted as earned income for the
51.5 purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L,
51.6 Minnesota family investment program under chapter 256J, child care assistance programs
51.7 under chapter 119B, or Head Start under the federal Improving Head Start for School
51.8 Readiness Act of 2007.

51.9 Sec. 8. Minnesota Statutes 2014, section 124D.165, subdivision 3, is amended to read:

51.10 Subd. 3. **Administration.** (a) The commissioner shall establish application
51.11 timelines and determine the schedule for awarding scholarships that meets operational
51.12 needs of eligible families and programs.

51.13 ~~(b)~~ The commissioner may prioritize applications on factors including:
51.14 ~~(1)~~ family income;
51.15 ~~(2)~~ geographic location; and
51.16 ~~(3)~~ whether the child's family child:
51.17 ~~(i)~~ is in foster care;
51.18 ~~(ii)~~ is experiencing homelessness;
51.19 ~~(iii)~~ is on a waiting list for a publicly funded program providing early education
51.20 or child care services; or
51.21 ~~(iv)~~ has a parent under age 21 who is pursuing a high school or postsecondary
51.22 training or education.

51.23 ~~(b)~~ (c) For fiscal years 2014 and 2015 only, scholarships may not exceed \$5,000
51.24 per year for each eligible child. For fiscal year 2016 and later, the commissioner shall
51.25 establish a target for the average scholarship amount per child based on the results of the
51.26 rate survey conducted under section 119B.02.

51.27 ~~(e)~~ (d) A four-star rated program that has children eligible for a scholarship enrolled
51.28 in or on a waiting list for a program beginning in July, August, or September may notify
51.29 the commissioner, in the form and manner prescribed by the commissioner, each year
51.30 of the program's desire to enhance program services or to serve more children than
51.31 current funding provides. The commissioner may designate a predetermined number of
51.32 scholarship slots for that program and notify the program of that number. Beginning July
51.33 1, 2016, a school district or Head Start program qualifying under this paragraph may
51.34 use its established registration process to enroll scholarship recipients and may verify a
51.35 scholarship recipient's family income in the same manner as for other program participants.

52.1 (d) (e) A scholarship is awarded for a 12-month period. If the scholarship recipient
52.2 has not been accepted and subsequently enrolled in a rated program within ~~ten~~ six months
52.3 of the awarding of the scholarship, the scholarship cancels and the recipient must reapply
52.4 in order to be eligible for another scholarship. A child may not be awarded more than one
52.5 scholarship in a 12-month period.

52.6 (e) (f) A child who receives a scholarship who has not completed development
52.7 screening under sections 121A.16 to 121A.19 must complete that screening within 90
52.8 days of first attending an eligible program.

52.9 (f) (g) For fiscal year 2017 and later, a school district or Head Start program enrolling
52.10 scholarship recipients under paragraph (e) (d) may apply to the commissioner, in the form
52.11 and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt
52.12 of the application, the commissioner must pay each program directly for each approved
52.13 scholarship recipient enrolled under paragraph (e) (d) according to the metered payment
52.14 system or another schedule established by the commissioner.

52.15 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

52.16 Sec. 9. Minnesota Statutes 2014, section 124D.165, subdivision 4, is amended to read:

52.17 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept
52.18 an early learning scholarship, a program must:

52.19 (1) participate in the quality rating and improvement system under section
52.20 124D.142; and

52.21 (2) beginning July 1, 2016, have a three- or four-star rating in the quality rating
52.22 and improvement system.

52.23 (b) ~~Any program accepting scholarships must use the revenue to supplement and not
52.24 supplant federal funding.~~

52.25 (e) (b) Notwithstanding paragraph (a), all Minnesota early learning foundation
52.26 scholarship program pilot sites are eligible to accept an early learning scholarship under
52.27 this section.

52.28 (c) A provider is not eligible to participate in the scholarship program under this
52.29 section if:

52.30 (1) the provider has been disqualified from receiving payment for child care services
52.31 from the child care assistance program under chapter 119B due to wrongfully obtaining
52.32 child care assistance under section 256.98, subdivision 8, paragraph (c);

52.33 (2) the program or individual is currently on the national disqualified list for the
52.34 Child and Adult Care Food Program; or

53.1 (3) the program or provider has been convicted of any activity that occurred during
53.2 the past seven years indicating a lack of business integrity, including fraud, making false
53.3 statements, receiving stolen property, making false claims, or obstruction of justice.

53.4 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

53.5 Sec. 10. Minnesota Statutes 2014, section 124D.165, is amended by adding a
53.6 subdivision to read:

53.7 Subd. 4a. Record-keeping requirements. A program participating under
53.8 this section must maintain and, at the commissioner's request, make available to the
53.9 commissioner the attendance records and records of charges and payments for all children
53.10 participating in this program, including payments from sources other than this program.

53.11 Sec. 11. Minnesota Statutes 2014, section 124D.165, is amended by adding a
53.12 subdivision to read:

53.13 Subd. 6. Use of funds. (a) Scholarships must be used to supplement and not
53.14 supplant federal funding.

53.15 (b) A scholarship must be used in a program the child regularly attends to ensure
53.16 the child's access to the general curriculum of the program, consistent with the program
53.17 schedule.

53.18 Sec. 12. Minnesota Statutes 2014, section 124D.73, subdivision 3, is amended to read:

53.19 Subd. 3. Advisory task force Tribal Nations Education Committee. "Advisory
53.20 task force" "Tribal Nations Education Committee" means the state advisory task force
53.21 committee established through tribal directive that the commissioner consults with
53.22 on American Indian education programs, policy, and all matters related to educating
53.23 Minnesota's American Indian students.

53.24 Sec. 13. Minnesota Statutes 2014, section 124D.73, subdivision 4, is amended to read:

53.25 **Subd. 4. Participating school; American Indian school.** "Participating school"
53.26 and "American Indian school" mean a school that:

53.27 (1) is not operated by a school district; and
53.28 (2) is eligible for a grant under federal Title IV of the Indian VII of the Elementary
53.29 and Secondary Education Act for the education of American Indian children.

53.30 Sec. 14. Minnesota Statutes 2014, section 124D.74, subdivision 1, is amended to read:

54.1 Subdivision 1. **Program described.** American Indian education programs are
54.2 programs in public elementary and secondary schools, nonsectarian nonpublic, community,
54.3 tribal, charter, or alternative schools enrolling American Indian children designed to:
54.4 (1) support postsecondary preparation for pupils;
54.5 (2) support the academic achievement of American Indian students ~~with identified~~
54.6 ~~focus to improve reading and mathematic skills;~~
54.7 (3) make the curriculum ~~more~~ relevant to the needs, interests, and cultural heritage
54.8 of American Indian pupils;
54.9 (4) provide positive reinforcement of the self-image of American Indian pupils;
54.10 (5) develop intercultural awareness among pupils, parents, and staff; and
54.11 (6) supplement, not supplant, state and federal educational and cocurricular programs.
54.12 Program ~~components may include:~~ development of support components for students in
54.13 the areas ~~services~~ designed to increase completion and graduation rates of American
54.14 Indian students must emphasize of academic achievement, retention, and attendance;
54.15 development of support ~~components~~ services for staff, including in-service training and
54.16 technical assistance in methods of teaching American Indian pupils; research projects,
54.17 including experimentation with ~~innovative teaching approaches~~ and evaluation of
54.18 methods of relating to American Indian pupils; provision of ~~personal and vocational~~
54.19 ~~career~~ counseling to American Indian pupils; modification of curriculum, instructional
54.20 methods, and administrative procedures to meet the needs of American Indian pupils; and
54.21 supplemental instruction in American Indian language, literature, history, and culture.
54.22 Districts offering programs may make contracts for the provision of program ~~components~~
54.23 ~~services~~ by establishing cooperative liaisons with tribal programs and American Indian
54.24 social service agencies. These programs may also be provided as components of early
54.25 childhood and family education programs.

54.26 Sec. 15. Minnesota Statutes 2014, section 124D.74, subdivision 3, is amended to read:
54.27 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent
54.28 it is economically feasible, a district or participating school may make provision for the
54.29 voluntary enrollment of non-American Indian children in the instructional components of
54.30 an American Indian education program in order that they may acquire an understanding of
54.31 the cultural heritage of the American Indian children for whom that particular program is
54.32 designed. However, in determining eligibility to participate in a program, priority must be
54.33 given to American Indian children. American Indian children and other children enrolled
54.34 in an existing nonpublic school system may be enrolled on a shared time basis in all
54.35 academic, targeted services, and American Indian education programs.

55.1 Sec. 16. Minnesota Statutes 2014, section 124D.74, subdivision 6, is amended to read:

55.2 **Subd. 6. Nonverbal courses and extracurricular activities.** In predominantly
55.3 nonverbal subjects, such as art, music, and physical education, American Indian children
55.4 shall participate fully and on an equal basis with their econtemporaries peers in school
55.5 classes provided for these subjects. Every school district or participating school shall
55.6 ensure to children enrolled in American Indian education programs an equal and
55.7 meaningful opportunity to participate fully with other children in all extracurricular
55.8 activities. This subdivision shall not be construed to prohibit instruction in nonverbal
55.9 subjects or extracurricular activities which relate to the cultural heritage of the American
55.10 Indian children, or which are otherwise necessary to accomplish the objectives described
55.11 in sections 124D.71 to 124D.82.

55.12 Sec. 17. Minnesota Statutes 2014, section 124D.75, subdivision 1, is amended to read:

55.13 **Subdivision 1. American Indian language and culture education licenses.** The
55.14 Board of Teaching, in consultation with the Tribal Nations Education Committee, must
55.15 grant initial and continuing teaching licenses in American Indian language and culture
55.16 education that bear the same duration as other initial and continuing licenses. The board
55.17 must grant licenses to persons who present satisfactory evidence that they:

55.18 (1) possess competence in an American Indian language or possess unique
55.19 qualifications relative to or knowledge and understanding of American Indian history
55.20 and culture; or

55.21 (2) possess a bachelor's degree or other academic degree approved by the board or
55.22 meet such requirements as to course of study and training as the board may prescribe, or
55.23 possess such relevant experience as the board may prescribe.

55.24 This evidence may be presented by affidavits, tribal resolutions, or by such other
55.25 methods as the board may prescribe. Individuals may present applications for licensure on
55.26 their own behalf or these applications may be submitted by the superintendent or other
55.27 authorized official of a school district, participating school, or an American Indian school.

55.28 Sec. 18. Minnesota Statutes 2014, section 124D.75, subdivision 3, is amended to read:

55.29 **Subd. 3. Resolution or letter.** All persons applying for a license under this section
55.30 must submit to the board a resolution or letter of support signed by an American Indian
55.31 tribal government ~~or its designee~~. All persons holding a license under this section ~~on July~~
55.32 ~~1, 1995~~, must have on file or file with the board a resolution or letter of support signed by
55.33 a tribal government ~~or its designee by January 1, 1996, or the next renewal date of the~~
55.34 ~~license thereafter~~.

56.1 Sec. 19. Minnesota Statutes 2014, section 124D.75, subdivision 9, is amended to read:

56.2 Subd. 9. **Affirmative efforts in hiring.** In hiring for all positions in these programs,
56.3 school districts and participating schools shall give preference to and make affirmative
56.4 efforts to seek, recruit, and employ persons who share the culture of the American Indian
56.5 children who are enrolled in the program. The district or participating school shall must
56.6 provide procedures for the involvement of the parent advisory committees in designing
56.7 the procedures for the recruitment, screening and selection of applicants. This subdivision
56.8 shall not be construed to limit the school board's authority to hire and discharge personnel.

56.9 Sec. 20. Minnesota Statutes 2014, section 124D.76, is amended to read:

56.10 **124D.76 TEACHERS AIDES; COMMUNITY COORDINATORS, INDIAN
56.11 HOME/SCHOOL LIAISONS, PARAPROFESSIONALS.**

56.12 In addition to employing American Indian language and culture education teachers,
56.13 each district or participating school providing programs pursuant to sections 124D.71 to
56.14 124D.82 may employ teachers' aides paraprofessionals. Teachers' aides Paraprofessionals
56.15 must not be employed for the purpose of supplanting American Indian language and
56.16 culture education teachers.

56.17 Any district or participating school which conducts American Indian education
56.18 programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time
56.19 or part-time community coordinators or Indian home/school liaisons if there are 100 or
56.20 more American Indian students enrolled in the program district. Community coordinators
56.21 shall promote communication understanding, and cooperation between the schools and the
56.22 community and shall visit the homes of children who are to be enrolled in an American
56.23 Indian education program in order to convey information about the program.

56.24 Sec. 21. Minnesota Statutes 2014, section 124D.78, is amended to read:

56.25 **124D.78 PARENT AND COMMUNITY PARTICIPATION.**

56.26 Subdivision 1. **Parent committee.** School boards and American Indian schools
56.27 must provide for the maximum involvement of parents of children enrolled in education
56.28 programs, programs for elementary and secondary grades, special education programs,
56.29 and support services. Accordingly, the board of a school district in which there are ten
56.30 or more American Indian children students enrolled and each American Indian school
56.31 must establish a an American Indian education parent advisory committee. If a committee
56.32 whose membership consists of a majority of parents of American Indian children has been
56.33 or is established according to federal, tribal, or other state law, that committee may serve

57.1 as the committee required by this section and is subject to, at least, the requirements of
57.2 this subdivision and subdivision 2.

57.3 The American Indian education parent advisory committee must develop its
57.4 recommendations in consultation with the curriculum advisory committee required by
57.5 section 120B.11, subdivision 3. This committee must afford parents the necessary
57.6 information and the opportunity effectively to express their views concerning all aspects
57.7 of American Indian education and the educational needs of the American Indian children
57.8 enrolled in the school or program. ~~The committee must also address the need for adult~~
57.9 ~~education programs for American Indian people in the community.~~ The school board or
57.10 American Indian school must ensure that programs are planned, operated, and evaluated
57.11 with the involvement of and in consultation with parents of ~~children~~ students served by
57.12 the programs.

57.13 Subd. 2. **Resolution of concurrence.** Prior to ~~Deeember~~ March 1, the school
57.14 board or American Indian school must submit to the department a copy of a resolution
57.15 adopted by the American Indian education parent advisory committee. The copy must be
57.16 signed by the chair of the committee and must state whether the committee concurs with
57.17 the educational programs for American Indian ~~ehildren~~ students offered by the school
57.18 board or American Indian school. If the committee does not concur with the educational
57.19 programs, the reasons for nonconcurrence and recommendations shall be submitted with
57.20 the resolution. By resolution, the board must respond in writing within 60 days, in cases
57.21 of nonconcurrence, to each recommendation made by the committee and state its reasons
57.22 for not implementing the recommendations.

57.23 Subd. 3. **Membership.** The American Indian education parent advisory committee
57.24 must be composed of parents of children eligible to be enrolled in American Indian
57.25 education programs; secondary students eligible to be served; American Indian language
57.26 and culture education teachers and ~~aides~~ paraprofessionals; American Indian teachers;
57.27 counselors; adult American Indian people enrolled in educational programs; and
57.28 representatives from community groups. A majority of each committee must be parents
57.29 of children enrolled or eligible to be enrolled in the programs. The number of parents
57.30 of American Indian and non-American Indian children shall reflect approximately the
57.31 proportion of children of those groups enrolled in the programs.

57.32 Subd. 4. **Alternate committee.** If the organizational membership or the board
57.33 of directors of an American Indian school consists of parents of children attending the
57.34 school, that membership or board may serve also as the American Indian education parent
57.35 advisory committee.

58.1 Sec. 22. Minnesota Statutes 2014, section 124D.79, subdivision 1, is amended to read:

58.2 Subdivision 1. **American Indian community involvement.** The commissioner
58.3 must provide for the maximum involvement of the state committees on American Indian
58.4 education Tribal Nations Education Committee, parents of American Indian children,
58.5 secondary students eligible to be served, American Indian language and culture education
58.6 teachers, American Indian teachers, ~~teachers' aides~~ paraprofessionals, representatives of
58.7 community groups, and persons knowledgeable in the field of American Indian education,
58.8 in the formulation of policy and procedures relating to the administration of sections
58.9 124D.71 to 124D.82. The commissioner must annually hold a field hearing on Indian
58.10 education to gather input from American Indian educators, parents, and students on the
58.11 state of American Indian education in Minnesota. Results of the hearing must be made
58.12 available to all 11 tribal nations for review and comment.

58.13 Sec. 23. Minnesota Statutes 2014, section 124D.79, subdivision 2, is amended to read:

58.14 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance
58.15 to districts, schools and postsecondary institutions for preservice and in-service training
58.16 for teachers, American Indian education teachers and ~~teacher's aides~~, paraprofessionals
58.17 specifically designed to implement culturally responsive teaching methods, culturally
58.18 based curriculum development, testing and testing mechanisms, and the development of
58.19 materials for American Indian education programs.

58.20 Sec. 24. Minnesota Statutes 2014, section 124D.791, subdivision 4, is amended to read:

58.21 Subd. 4. **Duties; powers.** The Indian education director shall:

58.22 (1) serve as the liaison for the department with the Tribal Nations Education
58.23 Committee, the 11 ~~reservations~~ tribal communities in Minnesota, the Minnesota Chippewa
58.24 tribe, and the Minnesota Indian Affairs Council, and the Urban Advisory Council;

58.25 (2) evaluate the state of American Indian education in Minnesota;

58.26 (3) engage the tribal bodies, community groups, parents of children eligible to be
58.27 served by American Indian education programs, American Indian administrators and
58.28 teachers, persons experienced in the training of teachers for American Indian education
58.29 programs, the tribally controlled schools, and other persons knowledgeable in the field of
58.30 American Indian education and seek their advice on policies that can improve the quality
58.31 of American Indian education;

58.32 (4) advise the commissioner on American Indian education issues, including:

58.33 (i) issues facing American Indian students;

58.34 (ii) policies for American Indian education;

59.1 (iii) awarding scholarships to eligible American Indian students and in administering
59.2 the commissioner's duties regarding awarding of American Indian postsecondary
59.3 preparation education grants to school districts; and

59.4 (iv) administration of the commissioner's duties under sections 124D.71 to 124D.82
59.5 and other programs for the education of American Indian people;

59.6 (5) propose to the commissioner legislative changes that will improve the quality
59.7 of American Indian education;

59.8 (6) develop a strategic plan and a long-term framework for American Indian
59.9 education, in conjunction with the Minnesota Indian Affairs Council, that is updated every
59.10 five years and implemented by the commissioner, with goals to:

59.11 (i) increase American Indian student achievement, including increased levels of
59.12 proficiency and growth on statewide accountability assessments;

59.13 (ii) increase the number of American Indian teachers in public schools;

59.14 (iii) close the achievement gap between American Indian students and their more
59.15 advantaged peers;

59.16 (iv) increase the statewide graduation rate for American Indian students; and

59.17 (v) increase American Indian student placement in postsecondary programs and
59.18 the workforce; and

59.19 (7) keep the American Indian community informed about the work of the department
59.20 by reporting to the Tribal Nations Education Committee at each committee meeting.

59.21 Sec. 25. **REPORT ON ASSESSING STUDENTS' PROFICIENCY IN FOREIGN**
59.22 **LANGUAGES FOR WHICH ACTFL ASSESSMENTS ARE NOT AVAILABLE.**

59.23 By February 1, 2016, the commissioner of education, in consultation with the
59.24 chancellor of the Minnesota State Colleges and Universities, may prepare and submit to
59.25 the K-12 and higher education committees of the legislature a report recommending how
59.26 best to: assess students' foreign language proficiency under Minnesota Statutes, section
59.27 120B.022, subdivisions 1a and 1b, when ACTFL or equivalent valid and reliable language
59.28 proficiency assessments are not available; create guidelines for curriculum, instruction,
59.29 and assessments for foreign languages for which no written forms exist; and, if needed,
59.30 train a corps of individuals qualified to assess students' foreign language proficiency. The
59.31 commissioner, when preparing the report, must also consult with post-secondary world
59.32 languages faculty, teachers of English to speakers of other languages, other experts on
59.33 teaching language and culture and acquiring language, state councils whose constituencies
59.34 include non-native English language speakers, and other stakeholders.

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

60.1 **Sec. 26. REPEALER.**

60.2 Minnesota Statutes 2014, sections 120B.35, subdivision 5; and 126C.12, subdivision
60.3 6, are repealed.

60.4 **ARTICLE 4**

60.5 **EDUCATION PROGRAMS**

60.6 Section 1. Minnesota Statutes 2014, section 120A.41, is amended to read:

60.7 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

60.8 A school board's annual school calendar must include at least 425 hours of
60.9 instruction for a kindergarten student without a disability, 935 hours of instruction for a
60.10 student in grades 1 though 6, and 1,020 hours of instruction for a student in grades 7
60.11 through 12, not including summer school. The school calendar for all-day kindergarten
60.12 must include at least 850 hours of instruction for the school year. A school board's annual
60.13 calendar must include at least 165 days of instruction for a student in grades 1 through
60.14 11 unless a four-day week schedule has been approved by the ~~e~~commissioner board under
60.15 section ~~124D.126~~ 124D.122.

60.16 Sec. 2. Minnesota Statutes 2014, section 120B.12, subdivision 4a, is amended to read:

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

60.21 (1) a process to assess students' level of reading proficiency, and data to support the
60.22 effectiveness of an assessment used to screen and identify a student's level of reading
60.23 proficiency;

60.24 (2) a process to notify and involve parents, intervene with;
60.25 (3) a description of how schools in the district will determine the proper reading
60.26 intervention strategy for a student and the process for intensifying or modifying the
60.27 reading strategy in order to obtain measurable reading progress;

60.28 (4) evidence-based intervention methods for students who are not reading at or
60.29 above grade level, and identify and meet and progress-monitoring to provide information
60.30 on the effectiveness of the intervention;

60.31 (5) identification of staff development needs, including a program to meet those
60.32 needs; and

60.33 (6) a description of how schools in the district will provide explicit and systematic
60.34 instruction in basic phonology and language decoding skills.

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

61.2 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

61.3 Sec. 3. Minnesota Statutes 2014, section 124D.09, subdivision 5a, is amended to read:

61.4 **Subd. 5a. Authorization; career or technical education.** A 10th, 11th, or 12th
61.5 grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant
61.6 school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in
61.7 a district under a cultural exchange program, may enroll in a career or technical education
61.8 course offered by a Minnesota state college or university. A 10th grade pupil applying
61.9 for enrollment in a career or technical education course under this subdivision must have
61.10 received a passing score on the 8th grade Minnesota Comprehensive Assessment in
61.11 reading as a condition of enrollment. A current 10th grade pupil who did not take the 8th
61.12 grade Minnesota Comprehensive Assessment in reading may substitute another reading
61.13 assessment accepted by the enrolling postsecondary institution. A secondary pupil may
61.14 enroll in the pupil's first postsecondary options enrollment course under this subdivision.
61.15 A student who is refused enrollment by a Minnesota state college or university under this
61.16 subdivision may apply to an eligible institution offering a career or technical education
61.17 course. The postsecondary institution must give priority to its students according to
61.18 subdivision 9. If a secondary student receives a grade of "C" or better in the career or
61.19 technical education course taken under this subdivision, the postsecondary institution
61.20 must allow the student to take additional postsecondary courses for secondary credit at
61.21 that institution, not to exceed the limits in subdivision 8. A "career or technical course" is
61.22 a course that is part of a career and technical education program that provides individuals
61.23 with coherent, rigorous content aligned with academic standards and relevant technical
61.24 knowledge and skills needed to prepare for further education and careers in current and
61.25 emerging professions and provide technical skill proficiency, an industry recognized
61.26 credential, and a certificate, a diploma, or an associate degree.

61.27 Sec. 4. Minnesota Statutes 2014, section 124D.09, subdivision 9, is amended to read:

61.28 **Subd. 9. Enrollment priority.** (a) A postsecondary institution shall give priority to
61.29 its postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its courses.
61.30 A postsecondary institution may provide information about its programs to a secondary
61.31 school or to a pupil or parent and it may advertise or otherwise recruit or solicit a secondary
61.32 pupil to enroll in its programs on ~~educational and programmatic grounds only except,~~
61.33 ~~notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020~~
61.34 ~~school years only, an eligible postsecondary institution may advertise or otherwise recruit~~

62.1 or solicit a secondary pupil residing in a school district with 700 students or more in grades
62.2 10, 11, and 12, to enroll in its programs on educational, programmatic, or financial grounds.

62.3 (b) An institution must not enroll secondary pupils, for postsecondary enrollment
62.4 options purposes, in remedial, developmental, or other courses that are not college level
62.5 except when a student eligible to participate and enrolled in the graduation incentives
62.6 program under section 124D.68 enrolls full time in a middle or early college program. A
62.7 middle or early college program must be specifically designed to allow the student to earn
62.8 dual high school and college credit with a well-defined pathway to allow the student to earn
62.9 a postsecondary degree or credential. In this case, the student shall receive developmental
62.10 college credit and not college credit for completing remedial or developmental courses.

62.11 (c) Once a pupil has been enrolled in any postsecondary course under this section,
62.12 the pupil shall not be displaced by another student.

62.13 (b) (d) If a postsecondary institution enrolls a secondary school pupil in a course
62.14 under this section, the postsecondary institution also must enroll in the same course an
62.15 otherwise enrolled and qualified postsecondary student who qualifies as a veteran under
62.16 section 197.447, and demonstrates to the postsecondary institution's satisfaction that the
62.17 institution's established enrollment timelines were not practicable for that student.

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

62.19 Sec. 5. Minnesota Statutes 2014, section 124D.09, subdivision 12, is amended to read:

62.20 Subd. 12. **Credits.** A pupil must not audit a course under this section.

62.21 A district shall grant academic credit to a pupil enrolled in a course for secondary
62.22 credit if the pupil successfully completes the course. Seven quarter or four semester
62.23 college credits equal at least one full year of high school credit. Fewer college credits may
62.24 be prorated. A district must also grant academic credit to a pupil enrolled in a course for
62.25 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is
62.26 offered by the district, the district must, as soon as possible, notify the commissioner, who
62.27 shall determine the number of credits that shall be granted to a pupil who successfully
62.28 completes a course. If a comparable course is offered by the district, the school board
62.29 shall grant a comparable number of credits to the pupil. If there is a dispute between the
62.30 district and the pupil regarding the number of credits granted for a particular course, the
62.31 pupil may appeal the board's decision to the commissioner. The commissioner's decision
62.32 regarding the number of credits shall be final.

62.33 The secondary credits granted to a pupil must be counted toward the graduation
62.34 requirements and subject area requirements of the district. Evidence of successful
62.35 completion of each course and secondary credits granted must be included in the pupil's

secondary school record. A pupil shall provide the school with a copy of the pupil's grade in each course taken for secondary credit under this section. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

EFFECTIVE DATE. This section is effective for the 2015-2016 school year and later.

Sec. 6. Minnesota Statutes 2014, section 124D.121, is amended to read:

124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.

"Flexible learning year program" means any district plan ~~approved by the commissioner~~ that utilizes buildings and facilities during the entire year or that provides forms of optional scheduling of pupils and personnel during the learning year in elementary and secondary schools or residential facilities for children with a disability.

Sec. 7. Minnesota Statutes 2014, section 124D.122, is amended to read:

124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.

The board of any district or a consortium of districts, ~~with the approval of the commissioner,~~ may establish and operate a flexible learning year program in one or more of the day or residential facilities for children with a disability within the district. Consortiums may use a single ~~application and~~ evaluation process, though results, public hearings, and board approvals must be obtained for each district as required under appropriate sections.

Sec. 8. Minnesota Statutes 2014, section 124D.126, subdivision 1, is amended to read:

Subdivision 1. Powers and duties. The commissioner must:

(1) promulgate rules necessary to the operation of sections 124D.12 to 124D.127;

(2) ~~(1)~~ cooperate with and provide supervision of flexible learning year programs to determine compliance with the provisions of sections 124D.12 to 124D.127, ~~the commissioner's standards and qualifications, and the proposed program as submitted and approved;~~

(3) ~~(2)~~ provide any necessary adjustments of (a) attendance and membership computations and (b) the dates and percentages of apportionment of state aids; and (4) ~~(3)~~ consistent with the definition of "average daily membership" in section 126C.05, subdivision 8, furnish the board of a district implementing a flexible learning year program with a formula for computing average daily membership. This formula must be computed so that tax levies to be made by the district, state aids to be received by the district, and any and all other formulas based upon average daily membership are not affected solely as a result of adopting this plan of instruction.

Sec. 9. Minnesota Statutes 2014, section 124D.127, is amended to read:

124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.

The board of any district, ~~with the approval of the commissioner of education,~~ may terminate a flexible learning year program in one or more of the day or residential facilities for children with a disability within the district. This section shall not be construed to permit an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

Sec. 10. Minnesota Statutes 2014, section 124D.128, subdivision 1, is amended to read:

Subdivision 1. Program established. A learning year program provides instruction throughout the year on an extended year calendar, extended school day calendar, or both. ~~A pupil may participate in the program and accelerate attainment of grade level requirements or graduation requirements.~~ A learning year program may begin after the

65.1 close of the regular school year in June. The program may be for students in one or more
65.2 grade levels from kindergarten through grade 12.

65.3 Sec. 11. Minnesota Statutes 2014, section 124D.13, subdivision 4, is amended to read:

65.4 Subd. 4. **Home visiting program.** (a) A district that levies for home visiting under
65.5 section 124D.135, subdivision 6, shall use this revenue to include as part of the early
65.6 childhood family education programs a parent education component that is designed to
65.7 reach isolated or at-risk families.

65.8 The home visiting program must:

65.9 (1) incorporate evidence-informed parenting education practices designed to support
65.10 the healthy growth and development of children, with a priority focus on reaching those
65.11 children who have high needs at as early an age as possible;

65.12 (2) establish clear objectives and protocols for home visits;

65.13 (3) encourage families to make a transition from home visits to site-based parenting
65.14 programs;

65.15 (4) provide program services that are community-based, accessible, and culturally
65.16 relevant;

65.17 (5) foster collaboration among existing agencies and community-based organizations
65.18 that serve young children and their families, such as public health evidence-based models
65.19 of home visiting and Head Start home visiting; and

65.20 (6) provide information about and assist in making arrangements for an early
65.21 childhood health and developmental screening when the child nears his or her third birthday.

65.22 The home visiting program should be provided by licensed parenting educators,
65.23 certified family life educators, or professionals with an equivalent license that reflect the
65.24 demographic composition of the community to the extent possible.

65.25 (b) A home visiting program must include information focused on early brain
65.26 development, including but not limited to brain development at different stages of life,
65.27 expectations of cognitive functions at different stages of life, suggested activities to
65.28 encourage healthy brain development, and suggested activities to discourage negative
65.29 brain development based on a child's surroundings.

65.30 **EFFECTIVE DATE.** This section is effective July 1, 2015.

65.31 Sec. 12. Minnesota Statutes 2014, section 125A.01, is amended to read:

65.32 **125A.01 DEFINITIONS.**

66.1 Subdivision 1. General application. For purposes of this chapter, the words defined
66.2 in section 120A.05 have the same meaning.

66.3 Subd. 2. Dyslexia. "Dyslexia" means a specific learning disability that is
66.4 neurological in origin. It is characterized by difficulties with accurate or fluent recognition
66.5 of words and by poor spelling and decoding abilities. These difficulties typically result
66.6 from a deficit in the phonological component of language that is often unexpected in
66.7 relation to other cognitive abilities and the provision of effective classroom instruction.
66.8 Secondary consequences may include problems in reading comprehension and reduced
66.9 reading experience that can impede the growth of vocabulary and background knowledge.

66.10 Sec. 13. Minnesota Statutes 2014, section 135A.101, is amended by adding a
66.11 subdivision to read:

66.12 Subd. 3. Minnesota transfer curriculum. Notwithstanding section 135A.08 or
66.13 other law to the contrary, all MnSCU institutions must give full credit to a secondary pupil
66.14 who completes for postsecondary credit a postsecondary course or program that is part or
66.15 all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls
66.16 in a MnSCU institution after leaving secondary school. Once one MnSCU institution
66.17 certifies as completed a secondary student's postsecondary course or program that is part
66.18 or all of a goal area or a transfer curriculum, every MnSCU institution must consider the
66.19 student's course or program for that goal area or the transfer curriculum as completed.

66.20 **EFFECTIVE DATE.** This section is effective August 1, 2015.

66.21 Sec. 14. **COMMISSIONER OF EDUCATION RECOMMENDATIONS ON
66.22 SERVICE LEARNING.**

66.23 The commissioner of education must make recommendations to the legislature on
66.24 teacher preparation and licensure requirements in the area of service learning by February
66.25 15, 2016, consistent with Minnesota Statutes, section 124D.50. The commissioner must
66.26 consult with service-learning experts, representatives of teacher preparation programs and
66.27 institutions, community-based service-learning practitioners, licensed teachers, and other
66.28 interested stakeholders in developing recommendations.

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

66.30 Sec. 15. **TRANSFER CURRICULUM REPORT.**

66.31 By February 1, 2016, the chancellor of the Minnesota State Colleges and
66.32 Universities must prepare and submit to the K-12 and higher education committees of

67.1 the legislature a report describing the implementation of the transfer curriculum policy
67.2 for postsecondary enrollment options program students under Minnesota Statutes,
67.3 sections 124D.09, subdivision 12, and 135A.101, subdivision 3, and how to standardize
67.4 Advanced Placement, International Baccalaureate, and college-level exam program course
67.5 equivalencies across all state colleges and universities.

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

Sec. 16. REPEALER.

67.8 Minnesota Rules, part 3500.1000, is repealed.

ARTICLE 5

SPECIAL EDUCATION

67.11 Section 1. Minnesota Statutes 2014, section 122A.31, subdivision 1, is amended to read:

Subdivision 1. Requirements for American sign language/English interpreters.

67.13 (a) In addition to any other requirements that a school district establishes, any person
67.14 employed to provide American sign language/English interpreting or sign transliterating
67.15 services on a full-time or part-time basis for a school district after July 1, 2000, must:

67.16 (1) hold current interpreter and transliterator certificates awarded by the Registry
67.17 of Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate
67.18 awarded by the National Association of the Deaf (NAD), or a comparable state
67.19 certification from the commissioner of education; and

67.20 (2) satisfactorily complete an interpreter/transliterator training program affiliated
67.21 with an accredited educational institution.

67.22 (b) New graduates of an interpreter/transliterator program affiliated with an
67.23 accredited education institution shall be granted a two-year provisional certificate by
67.24 the commissioner. During the two-year provisional period, the interpreter/transliterator
67.25 must develop and implement an education plan in collaboration with a mentor under
67.26 paragraph (c).

67.27 (c) A mentor of a provisionally certified interpreter/transliterator must be an
67.28 interpreter/transliterator who has either NAD level IV or V certification or RID
67.29 certified interpreter and certified transliterator certification and have at least three
67.30 years interpreting/transliterating experience in any educational setting. The mentor, in
67.31 collaboration with the provisionally certified interpreter/transliterator, shall develop and
67.32 implement an education plan designed to meet the requirements of paragraph (a), clause
67.33 (1), and include a weekly on-site mentoring process.

68.1 (d) Consistent with the requirements of this paragraph, a person holding a
68.2 provisional certificate may apply to the commissioner for one time-limited extension.
68.3 The commissioner, in consultation with the Commission of Deaf, DeafBlind and
68.4 Hard-of-Hearing Minnesotans, must grant the person a time-limited extension of the
68.5 provisional certificate based on the following documentation:

68.6 (1) letters of support from the person's mentor, a parent of a pupil the person serves,
68.7 the special education director of the district in which the person is employed, and a
68.8 representative from the regional service center of the deaf and hard-of-hearing;

68.9 (2) records of the person's formal education, training, experience, and progress on
68.10 the person's education plan; and

68.11 (3) an explanation of why the extension is needed.

68.12 As a condition of receiving the extension, the person must comply with a plan
68.13 and the accompanying time line for meeting the requirements of this subdivision. A
68.14 committee composed of the ~~director of the Minnesota Resource Center Serving Deaf and~~
68.15 ~~Hard-of-Hearing, or the director's designee K-12 deaf and hard of hearing coordinator,~~
68.16 a representative of the Minnesota Association of Deaf Citizens, a representative of the
68.17 Minnesota Registry of Interpreters of the Deaf, and other appropriate persons selected
68.18 by the commissioner must develop the plan and time line for the person receiving the
68.19 extension.

68.20 (e) A school district may employ only an interpreter/transliterator who has been
68.21 certified under paragraph (a) or (b), or for whom a time-limited extension has been
68.22 granted under paragraph (d).

68.23 Sec. 2. Minnesota Statutes 2014, section 122A.31, subdivision 2, is amended to read:

68.24 **Subd. 2. Oral or cued speech transliterators.** (a) In addition to any other
68.25 requirements that a school district establishes, any person employed to provide oral
68.26 transliterating or cued speech transliterating services on a full-time or part-time basis for a
68.27 school district after July 1, 2000, must hold a current applicable transliterator certificate
68.28 awarded by the national certifying association or comparable state certification from
68.29 the commissioner of education.

68.30 (b) To provide oral or cued speech transliterator services on a full-time or part-time
68.31 basis, a person employed in a school district must comply with paragraph (a). The
68.32 commissioner shall grant a nonrenewable, two-year certificate to a school district on behalf
68.33 of a person who has not yet attained a current applicable transliterator certificate under
68.34 paragraph (a). A person for whom a nonrenewable, two-year certificate is issued must
68.35 work under the direction of a licensed teacher who is skilled in language development

69.1 of individuals who are deaf or hard-of-hearing. A person for whom a nonrenewable,
69.2 two-year certificate is issued also must enroll in a state-approved training program and
69.3 demonstrate progress towards the certification required under paragraph (a) sufficient for
69.4 the person to be certified at the end of the two-year period.

69.5 (c) Consistent with the requirements of this paragraph, a person holding a
69.6 provisional certificate may apply to the commissioner for one time-limited extension. The
69.7 commissioner, in consultation with the Commission Serving Deaf and Hard-of-Hearing
69.8 People, must grant the person a time-limited extension of the provisional certificate based
69.9 on the following documentation:

69.10 (1) letters of support from the person's mentor, a parent of a pupil the person serves,
69.11 the special education director of the district in which the person is employed, and a
69.12 representative from the regional service center of the deaf and hard-of-hearing;

69.13 (2) records of the person's formal education, training, experience, and progress on
69.14 the person's education plan; and

69.15 (3) an explanation of why the extension is needed.

69.16 As a condition of receiving the extension, the person must comply with a plan
69.17 and the accompanying time line for meeting the requirements of this subdivision. A
69.18 committee composed of the ~~director of the Minnesota Resource Center Serving Deaf and~~
69.19 ~~Hard-of-Hearing, or the director's designee K-12 deaf and hard of hearing coordinator,~~
69.20 a representative of the Minnesota Association of Deaf Citizens, a representative of the
69.21 Minnesota Registry of Interpreters of the Deaf, and other appropriate persons selected
69.22 by the commissioner must develop the plan and time line for the person receiving the
69.23 extension.

69.24 Sec. 3. Minnesota Statutes 2014, section 123B.88, subdivision 1, is amended to read:

69.25 Subdivision 1. **Providing transportation.** The board may provide for the
69.26 transportation of pupils to and from school and for any other purpose. The board may
69.27 also provide for the transportation of pupils to schools in other districts for grades and
69.28 departments not maintained in the district, including high school, at the expense of the
69.29 district, when funds are available therefor and if agreeable to the district to which it is
69.30 proposed to transport the pupils, for the whole or a part of the school year, as it may
69.31 deem advisable, and subject to its rules. In any district, the board must arrange for the
69.32 attendance of all pupils living two miles or more from the school, except pupils whose
69.33 transportation privileges have been voluntarily surrendered under subdivision 2, or
69.34 whose privileges have been revoked under section 123B.91, subdivision 1, clause (6), or
69.35 123B.90, subdivision 2. The district may provide for the transportation of or the boarding

70.1 and rooming of the pupils who may be more economically and conveniently provided for
70.2 by that means. Arrangements for attendance may include a requirement that parents or
70.3 guardians request transportation before it is provided. The board must provide necessary
70.4 ~~transportation to and from the home of, consistent with section 123B.92, subdivision 1,~~
70.5 ~~paragraph (b), clause (4), for~~ a child with a disability not yet enrolled in kindergarten
70.6 ~~when for the provision of~~ special instruction and services under sections 125A.03 to
70.7 125A.24, 125A.26 to 125A.48, and 125A.65 ~~are provided in a location other than in~~
70.8 ~~the child's home. Special instruction and services for a child with a disability not yet~~
70.9 ~~enrolled in kindergarten include an individualized education program team placement~~
70.10 ~~in an early childhood program when that placement is necessary to address the child's~~
70.11 ~~level of functioning and needs.~~ When transportation is provided, scheduling of routes,
70.12 establishment of the location of bus stops, manner and method of transportation, control
70.13 and discipline of school children, the determination of fees, and any other matter relating
70.14 thereto must be within the sole discretion, control, and management of the board. The
70.15 district may provide for the transportation of pupils or expend a reasonable amount
70.16 for room and board of pupils whose attendance at school can more economically and
70.17 conveniently be provided for by that means or who attend school in a building rented or
70.18 leased by a district within the confines of an adjacent district.

70.19 Sec. 4. Minnesota Statutes 2014, section 125A.023, subdivision 3, is amended to read:

70.20 Subd. 3. **Definitions.** For purposes of this section and section 125A.027, the
70.21 following terms have the meanings given them:

70.22 (a) "Health plan" means:

70.23 (1) a health plan under section 62Q.01, subdivision 3;

70.24 (2) a county-based purchasing plan under section 256B.692;

70.25 (3) a self-insured health plan established by a local government under section
70.26 471.617; or

70.27 (4) self-insured health coverage provided by the state to its employees or retirees.

70.28 (b) For purposes of this section, "health plan company" means an entity that issues
70.29 a health plan as defined in paragraph (a).

70.30 (c) "Interagency intervention service system" means a system that coordinates
70.31 services and programs required in state and federal law to meet the needs of eligible
70.32 children with disabilities ages birth through 21, including:

70.33 (1) services provided under the following programs or initiatives administered
70.34 by state or local agencies:

70.35 (i) the maternal and child health program under title V of the Social Security Act;

71.1 (ii) the Minnesota children with special health needs program under sections 144.05
71.2 and 144.07;

71.3 (iii) the Individuals with Disabilities Education Act, Part B, section 619, and Part
71.4 C as amended;

71.5 (iv) medical assistance under title 42, chapter 7, of the Social Security Act;

71.6 (v) developmental disabilities services under chapter 256B;

71.7 (vi) the Head Start Act under title 42, chapter 105, of the Social Security Act;

71.8 (vii) vocational rehabilitation services provided under chapters 248 and 268A and
71.9 the Rehabilitation Act of 1973;

71.10 (viii) Juvenile Court Act services provided under sections 260.011 to 260.91;
71.11 260B.001 to 260B.446; and 260C.001 to 260C.451;

71.12 (ix) Minnesota Comprehensive Children's Mental Health Act under section 245.487;

71.13 (x) the community health services grants under sections 145.88 to 145.9266;

71.14 (xi) the Local Public Health Act under chapter 145A; and

71.15 (xii) the Vulnerable Children and Adults Act, sections 256M.60 to 256M.80;

71.16 (2) service provision and funding that can be coordinated through:

71.17 (i) the children's mental health collaborative under section 245.493;

71.18 (ii) the family services collaborative under section 124D.23;

71.19 (iii) the community transition interagency committees under section 125A.22; and

71.20 (iv) the interagency early intervention committees under section 125A.259;

71.21 (3) financial and other funding programs to be coordinated including medical
71.22 assistance under title 42, chapter 7, of the Social Security Act, the MinnesotaCare program
71.23 under chapter 256L, Supplemental Social Security Income, Developmental Disabilities
71.24 Assistance, and any other employment-related activities associated with the Social
71.25 Security Administration; and services provided under a health plan in conformity with an
71.26 individual family service plan or an individualized education program or an individual
71.27 interagency intervention plan; and

71.28 (4) additional appropriate services that local agencies and counties provide on
71.29 an individual need basis upon determining eligibility and receiving a request from (i)
71.30 the ~~interageney~~ early intervention committee school board or county board and (ii) the
71.31 child's parent.

71.32 (d) "Children with disabilities" has the meaning given in section 125A.02.

71.33 (e) A "standardized written plan" means those individual services or programs, with
71.34 accompanying funding sources, available through the interagency intervention service
71.35 system to an eligible child other than the services or programs described in the child's
71.36 individualized education program or the child's individual family service plan.

72.1 Sec. 5. Minnesota Statutes 2014, section 125A.023, subdivision 4, is amended to read:

72.2 Subd. 4. **State Interagency Committee.** (a) The commissioner of education, on
72.3 behalf of the governor, shall convene an interagency committee to develop and implement
72.4 a coordinated, multidisciplinary, interagency intervention service system for children ages
72.5 three to 21 with disabilities. The commissioners of commerce, education, health, human
72.6 rights, human services, employment and economic development, and corrections shall
72.7 each appoint two committee members from their departments; and the Association of
72.8 Minnesota Counties, Minnesota School Boards Association, the Minnesota Administrators
72.9 of Special Education, and the School Nurse Association of Minnesota shall each appoint
72.10 one committee member. The committee shall select a chair from among its members.

72.11 (b) The committee shall:

72.12 (1) identify and assist in removing state and federal barriers to local coordination of
72.13 services provided to children with disabilities;

72.14 (2) identify adequate, equitable, and flexible funding sources to streamline these
72.15 services;

72.16 (3) develop guidelines for implementing policies that ensure a comprehensive and
72.17 coordinated system of all state and local agency services, including multidisciplinary
72.18 assessment practices for children with disabilities ages three to 21, including:

72.19 (i) develop, consistent with federal law, a standardized written plan for providing
72.20 services to a child with disabilities;

72.21 (ii) identify how current systems for dispute resolution can be coordinated;

72.22 (iii) develop an evaluation process to measure the success of state and local
72.23 interagency efforts in improving the quality and coordination of services to children with
72.24 disabilities ages three to 21; and

72.25 (iv) develop guidelines to assist the governing boards of the interagency early
72.26 intervention committees in carrying out the duties assigned in section 125A.027,
72.27 subdivision 1, paragraph (b); and

72.28 (4) carry out other duties necessary to develop and implement within communities
72.29 a coordinated, multidisciplinary, interagency intervention service system for children
72.30 with disabilities.

72.31 (c) The committee shall consult on an ongoing basis with the state Special Education
72.32 Advisory Panel and the governor's Interagency Coordinating Council in carrying out
72.33 its duties under this section, including assisting the governing school boards of the
72.34 interagency early intervention committees and county boards.

72.35 Sec. 6. Minnesota Statutes 2014, section 125A.027, is amended to read:

125A.027 INTERAGENCY EARLY INTERVENTION COMMITTEE**RESPONSIBILITIES LOCAL AGENCY COORDINATION RESPONSIBILITIES.****Subdivision 1. Additional duties School board and county board responsibilities.**

(a) It is the joint responsibility of school and county boards to coordinate, provide, and pay for appropriate services and to facilitate payment for services from public and private sources. Appropriate services for children eligible under section 125A.02 and receiving services from two or more public agencies of which one is the public school must be determined in consultation with parents, physicians, and other education, medical health, and human services providers. The services provided must conform with a standardized written plan for each eligible child ages three to 21.

(b) Appropriate services include those services listed on a child's standardized written plan. These services are those that are required to be documented on a plan under federal and state law or rule.

(c) School and county boards shall coordinate interagency services. Service responsibilities for eligible children, ages three to 21, may be established in interagency agreements or joint powers board agreements. In addition, interagency agreements or joint powers board agreements may be developed to establish agency responsibility that ensures that coordinated interagency services are coordinated, provided, and paid for and that payment is facilitated from public and private sources. School boards must provide, pay for, and facilitate payment for special education services as required under sections 125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for those programs over which they have service and fiscal responsibility as referenced in section 125A.023, subdivision 3, paragraph (c), clause (1).

Subd. 1a. Local governance structure. (a) The governing school boards of the interagency early intervention committees and county boards are responsible for developing and implementing interagency policies and procedures to coordinate services at the local level for children with disabilities ages three to 21 under guidelines established by the state interagency committee under section 125A.023, subdivision 4. Consistent with the requirements in this section and section 125A.023, the governing school boards of the interagency early intervention committees and county boards may organize as a joint powers board under section 471.59 or enter into an interagency agreement that establishes a governance structure.

(b) The governing board of each interagency early intervention committee as defined in section 125A.30, paragraph (a), which may include a juvenile justice professional, shall:

(1) identify state and federal barriers to local coordination of services provided to children with disabilities;

74.1 (2) implement policies that ensure a comprehensive and coordinated system of all
74.2 state and local agency services, including practices on multidisciplinary assessment,
74.3 standardized written plans, dispute resolution, and system evaluation for children with
74.4 disabilities ages three to 21;

74.5 (3) coordinate services and facilitate payment for services from public and private
74.6 institutions, agencies, and health plan companies; and

74.7 (4) share needed information consistent with state and federal data practices
74.8 requirements.

74.9 **Subd. 2. Appropriate and necessary services.** (a) Parents, physicians, other health
74.10 care professionals including school nurses, and education and human services providers
74.11 jointly must determine appropriate and necessary services for eligible children with
74.12 disabilities ages three to 21. The services provided to the child under this section must
74.13 conform with the child's standardized written plan. The governing school board of an
74.14 interagency early intervention committee or county board must provide those services
74.15 contained in a child's individualized education program and those services for which
74.16 a legal obligation exists.

74.17 (b) Nothing in this section or section 125A.023 increases or decreases the obligation
74.18 of the state, county, regional agency, local school district, or local agency or organization
74.19 to pay for education, health care, or social services.

74.20 (c) A health plan may not exclude any medically necessary covered service solely
74.21 because the service is or could be identified in a child's individual family service plan,
74.22 individualized education program, a plan established under section 504 of the federal
74.23 Rehabilitation Act of 1973, or a student's individual health plan. This paragraph reaffirms
74.24 the obligation of a health plan company to provide or pay for certain medically necessary
74.25 covered services, and encourages a health plan company to coordinate this care with any
74.26 other providers of similar services. Also, a health plan company may not exclude from a
74.27 health plan any medically necessary covered service such as an assessment or physical
74.28 examination solely because the resulting information may be used for an individualized
74.29 education program or a standardized written plan.

74.30 **Subd. 4. Responsibilities of school and county boards.** (a) It is the joint
74.31 responsibility of school and county boards to coordinate, provide, and pay for appropriate
74.32 services, and to facilitate payment for services from public and private sources.
74.33 Appropriate service for children eligible under section 125A.02 and receiving service
74.34 from two or more public agencies of which one is the public school must be determined in
74.35 consultation with parents, physicians, and other education, medical health, and human

75.1 services providers. The services provided must be in conformity with a standardized
75.2 written plan for each eligible child ages 3 to 21.

75.3 (b) Appropriate services include those services listed on a child's standardized
75.4 written plan. These services are those that are required to be documented on a plan under
75.5 federal and state law or rule.

75.6 (c) School and county boards shall coordinate interagency services. Service
75.7 responsibilities for eligible children, ages 3 to 21, may be established in interagency
75.8 agreements or joint powers board agreements. In addition, interagency agreements or joint
75.9 powers board agreements may be developed to establish agency responsibility that assures
75.10 that coordinated interagency services are coordinated, provided, and paid for, and that
75.11 payment is facilitated from public and private sources. School boards must provide,
75.12 pay for, and facilitate payment for special education services as required under sections
75.13 125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for
75.14 those programs over which they have service and fiscal responsibility as referenced in
75.15 section 125A.023, subdivision 3, paragraph (e), clause (1).

75.16 Sec. 7. Minnesota Statutes 2014, section 125A.08, is amended to read:

75.17 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

75.18 (a) At the beginning of each school year, each school district shall have in effect, for
75.19 each child with a disability, an individualized education program.

75.20 (b) As defined in this section, every district must ensure the following:

75.21 (1) all students with disabilities are provided the special instruction and services
75.22 which are appropriate to their needs. Where the individualized education program team
75.23 has determined appropriate goals and objectives based on the student's needs, including
75.24 the extent to which the student can be included in the least restrictive environment,
75.25 and where there are essentially equivalent and effective instruction, related services, or
75.26 assistive technology devices available to meet the student's needs, cost to the district may
75.27 be among the factors considered by the team in choosing how to provide the appropriate
75.28 services, instruction, or devices that are to be made part of the student's individualized
75.29 education program. The individualized education program team shall consider and
75.30 may authorize services covered by medical assistance according to section 256B.0625,
75.31 subdivision 26. The student's needs and the special education instruction and services to
75.32 be provided must be agreed upon through the development of an individualized education
75.33 program. The program must address the student's need to develop skills to live and
75.34 work as independently as possible within the community. The individualized education
75.35 program team must consider positive behavioral interventions, strategies, and supports

76.1 that address behavior needs for children ~~with attention deficit disorder or attention deficit~~
76.2 ~~hyperactivity disorder~~. During grade 9, the program must address the student's needs for
76.3 transition from secondary services to postsecondary education and training, employment,
76.4 community participation, recreation, and leisure and home living. In developing the
76.5 program, districts must inform parents of the full range of transitional goals and related
76.6 services that should be considered. The program must include a statement of the needed
76.7 transition services, including a statement of the interagency responsibilities or linkages or
76.8 both before secondary services are concluded;

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

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

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

76.18 (5) to the maximum extent appropriate, children with a disability, including those
76.19 in public or private institutions or other care facilities, are educated with children who
76.20 are not disabled, and that special classes, separate schooling, or other removal of children
76.21 with a disability from the regular educational environment occurs only when and to the
76.22 extent that the nature or severity of the disability is such that education in regular classes
76.23 with the use of supplementary services cannot be achieved satisfactorily;

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

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

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

76.33 (1) before or immediately upon employment, each paraprofessional develops
76.34 sufficient knowledge and skills in emergency procedures, building orientation, roles and
76.35 responsibilities, confidentiality, vulnerability, and reportability, among other things,

77.1 to begin meeting the needs, especially disability-specific and behavioral needs, of the
77.2 students with whom the paraprofessional works;

77.3 (2) annual training opportunities are available required to enable the paraprofessional
77.4 to continue to further develop the knowledge and skills that are specific to the students
77.5 with whom the paraprofessional works, including understanding disabilities, the unique
77.6 and individual needs of each student according to the student's disability and how the
77.7 disability affects the student's education and behavior, following lesson plans, and
77.8 implementing follow-up instructional procedures and activities; and

77.9 (3) a districtwide process obligates each paraprofessional to work under the ongoing
77.10 direction of a licensed teacher and, where appropriate and possible, the supervision of a
77.11 school nurse.

77.12 Sec. 8. Minnesota Statutes 2014, section 125A.0942, subdivision 3, is amended to read:

77.13 Subd. 3. **Physical holding or seclusion.** (a) Physical holding or seclusion may be
77.14 used only in an emergency. A school that uses physical holding or seclusion shall meet the
77.15 following requirements:

77.16 (1) physical holding or seclusion is the least intrusive intervention that effectively
77.17 responds to the emergency;

77.18 (2) physical holding or seclusion is not used to discipline a noncompliant child;

77.19 (3) physical holding or seclusion ends when the threat of harm ends and the staff
77.20 determines the child can safely return to the classroom or activity;

77.21 (4) staff directly observes the child while physical holding or seclusion is being used;

77.22 (5) each time physical holding or seclusion is used, the staff person who implements
77.23 or oversees the physical holding or seclusion documents, as soon as possible after the
77.24 incident concludes, the following information:

77.25 (i) a description of the incident that led to the physical holding or seclusion;

77.26 (ii) why a less restrictive measure failed or was determined by staff to be
77.27 inappropriate or impractical;

77.28 (iii) the time the physical holding or seclusion began and the time the child was
77.29 released; and

77.30 (iv) a brief record of the child's behavioral and physical status;

77.31 (6) the room used for seclusion must:

77.32 (i) be at least six feet by five feet;

77.33 (ii) be well lit, well ventilated, adequately heated, and clean;

77.34 (iii) have a window that allows staff to directly observe a child in seclusion;

78.1 (iv) have tamperproof fixtures, electrical switches located immediately outside the
78.2 door, and secure ceilings;

78.3 (v) have doors that open out and are unlocked, locked with keyless locks that
78.4 have immediate release mechanisms, or locked with locks that have immediate release
78.5 mechanisms connected with a fire and emergency system; and

78.6 (vi) not contain objects that a child may use to injure the child or others;

78.7 (7) before using a room for seclusion, a school must:

78.8 (i) receive written notice from local authorities that the room and the locking
78.9 mechanisms comply with applicable building, fire, and safety codes; and

78.10 (ii) register the room with the commissioner, who may view that room; and

78.11 (8) until August 1, 2015, a school district may use prone restraints with children
78.12 age five or older if:

78.13 (i) the district has provided to the department a list of staff who have had specific
78.14 training on the use of prone restraints;

78.15 (ii) the district provides information on the type of training that was provided and
78.16 by whom;

78.17 (iii) only staff who received specific training use prone restraints;

78.18 (iv) each incident of the use of prone restraints is reported to the department within
78.19 five working days on a form provided by the department; and

78.20 (v) the district, before using prone restraints, must review any known medical or
78.21 psychological limitations that contraindicate the use of prone restraints.

78.22 The department must collect data on districts' use of prone restraints and publish the data
78.23 in a readily accessible format on the department's Web site on a quarterly basis.

78.24 (b) By February 1, 2015, and annually thereafter, stakeholders must may, as
78.25 necessary, recommend to the commissioner specific and measurable implementation and
78.26 outcome goals for reducing the use of restrictive procedures and the commissioner must
78.27 submit to the legislature a report on districts' progress in reducing the use of restrictive
78.28 procedures that recommends how to further reduce these procedures and eliminate
78.29 the use of prone restraints. The statewide plan includes the following components:
78.30 measurable goals; the resources, training, technical assistance, mental health services, and
78.31 collaborative efforts needed to significantly reduce districts' use of prone restraints; and
78.32 recommendations to clarify and improve the law governing districts' use of restrictive
78.33 procedures. The commissioner must consult with interested stakeholders when preparing
78.34 the report, including representatives of advocacy organizations, special education directors,
78.35 teachers, paraprofessionals, intermediate school districts, school boards, day treatment
78.36 providers, county social services, state human services department staff, mental health

79.1 professionals, and autism experts. By June 30 each year, districts must report summary
79.2 data on their use of restrictive procedures to the department, in a form and manner
79.3 determined by the commissioner. The summary data must include information about the
79.4 use of restrictive procedures, including use of reasonable force under section 121A.582.

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

79.6 Sec. 9. Minnesota Statutes 2014, section 125A.21, is amended to read:

79.7 **125A.21 THIRD-PARTY PAYMENT.**

79.8 Subdivision 1. **Obligation to pay.** Nothing in sections 125A.03 to 125A.24 and
79.9 125A.65 relieves an insurer or similar third party from an otherwise valid obligation to
79.10 pay, or changes the validity of an obligation to pay, for services rendered to a child with
79.11 a disability, and the child's family. A school district shall pay the nonfederal share of
79.12 medical assistance services provided according to section 256B.0625, subdivision 26.
79.13 Eligible expenditures must not be made from federal funds or funds used to match other
79.14 federal funds. Any federal disallowances are the responsibility of the school district. A
79.15 school district may pay or reimburse co-payments, coinsurance, deductibles, and other
79.16 enrollee cost-sharing amounts, on behalf of the student or family, in connection with
79.17 health and related services provided under an individual educational plan or individualized
79.18 family service plan.

79.19 Subd. 2. **Third-party reimbursement.** (a) Beginning July 1, 2000, districts
79.20 shall seek reimbursement from insurers and similar third parties for the cost of services
79.21 provided by the district whenever the services provided by the district are otherwise
79.22 covered by the child's health coverage. Districts shall request, but may not require, the
79.23 child's family to provide information about the child's health coverage when a child with a
79.24 disability begins to receive services from the district of a type that may be reimbursable,
79.25 and shall request, but may not require, updated information after that as needed.

79.26 (b) For children enrolled in medical assistance under chapter 256B or MinnesotaCare
79.27 under chapter 256L who have no other health coverage, a district shall provide an initial
79.28 and annual written notice to the enrolled child's parent or legal representative of its intent
79.29 to seek reimbursement from medical assistance or MinnesotaCare for the individualized
79.30 education program or individualized family service plan health-related services provided
79.31 by the district. The initial notice must give the child's parent or legal representative the
79.32 right to request a copy of the child's education records on the health-related services that
79.33 the district provided to the child and disclosed to a third-party payer.

79.34 (c) The district shall give the parent or legal representative annual written notice of:

80.1 (1) the district's intent to seek reimbursement from medical assistance or
80.2 MinnesotaCare for individualized education program or individualized family service plan
80.3 health-related services provided by the district;

80.4 (2) the right of the parent or legal representative to request a copy of all records
80.5 concerning individualized education program or individualized family service plan
80.6 health-related services disclosed by the district to any third party; and

80.7 (3) the right of the parent or legal representative to withdraw consent for disclosure
80.8 of a child's records at any time without consequence.

80.9 The written notice shall be provided as part of the written notice required by Code of
80.10 Federal Regulations, title 34, section 300.504 or 303.520. The district must ensure that the
80.11 parent of a child with a disability is given notice, in understandable language, of federal and
80.12 state procedural safeguards available to the parent under this paragraph and paragraph (b).

80.13 (d) In order to access the private health care coverage of a child who is covered by
80.14 private health care coverage in whole or in part, a district must:

80.15 (1) obtain annual written informed consent from the parent or legal representative, in
80.16 compliance with subdivision 5; and

80.17 (2) inform the parent or legal representative that a refusal to permit the district
80.18 or state Medicaid agency to access their private health care coverage does not relieve
80.19 the district of its responsibility to provide all services necessary to provide free and
80.20 appropriate public education at no cost to the parent or legal representative.

80.21 (e) If the commissioner of human services obtains federal approval to exempt
80.22 covered individualized education program or individualized family service plan
80.23 health-related services from the requirement that private health care coverage refuse
80.24 payment before medical assistance may be billed, paragraphs (b), (c), and (d) shall also
80.25 apply to students with a combination of private health care coverage and health care
80.26 coverage through medical assistance or MinnesotaCare.

80.27 (f) In the event that Congress or any federal agency or the Minnesota legislature
80.28 or any state agency establishes lifetime limits, limits for any health care services,
80.29 cost-sharing provisions, or otherwise provides that individualized education program or
80.30 individualized family service plan health-related services impact benefits for persons
80.31 enrolled in medical assistance or MinnesotaCare, the amendments to this subdivision
80.32 adopted in 2002 are repealed on the effective date of any federal or state law or regulation
80.33 that imposes the limits. In that event, districts must obtain informed consent consistent
80.34 with this subdivision as it existed prior to the 2002 amendments and subdivision 5, before
80.35 seeking reimbursement for children enrolled in medical assistance under chapter 256B or
80.36 MinnesotaCare under chapter 256L who have no other health care coverage.

81.1 **Subd. 3. Use of reimbursements.** Of the reimbursements received, districts may:

81.2 (1) retain an amount sufficient to compensate the district for its administrative costs
81.3 of obtaining reimbursements;

81.4 (2) regularly obtain from education- and health-related entities training and other
81.5 appropriate technical assistance designed to improve the district's ability to access
81.6 third-party payments for individualized education program or individualized family
81.7 service plan health-related services; or

81.8 (3) reallocate reimbursements for the benefit of students with individualized
81.9 education programs or individual individualized family service plans in the district.

81.10 **Subd. 4. Parents not obligated to use health coverage.** To the extent required by
81.11 federal law, a school district may not require parents of children with disabilities, if they
81.12 would incur a financial cost, to use private or public health coverage to pay for the services
81.13 that must be provided under an individualized education program or individualized
81.14 family service plan.

81.15 **Subd. 5. Informed consent.** When obtaining informed consent, consistent with
81.16 sections 13.05, subdivision 4a; 256B.77, subdivision 2, paragraph (p); and Code of
81.17 Federal Regulations, title 34, parts 99 and, 300, and 303, to bill health plans for covered
81.18 services, the school district must notify the legal representative (1) that the cost of the
81.19 person's private health insurance premium may increase due to providing the covered
81.20 service in the school setting, (2) that the school district may pay certain enrollee health
81.21 plan costs, including but not limited to, co-payments, coinsurance, deductibles, premium
81.22 increases or other enrollee cost-sharing amounts for health and related services required
81.23 by an individual service plan, or individual individualized family service plan, and (3) that
81.24 the school's billing for each type of covered service may affect service limits and prior
81.25 authorization thresholds. The informed consent may be revoked in writing at any time
81.26 by the person authorizing the billing of the health plan.

81.27 **Subd. 6. District obligation to provide service.** To the extent required by federal
81.28 law, no school district may deny, withhold, or delay any service that must be provided
81.29 under an individualized education program or individualized family service plan because
81.30 a family has refused to provide informed consent to bill a health plan for services or a
81.31 health plan company has refused to pay any, all, or a portion of the cost of services billed.

81.32 **Subd. 7. District disclosure of information.** A school district may disclose
81.33 information contained in a student's individualized education program, consistent with
81.34 section 13.32, subdivision 3, paragraph (a), and Code of Federal Regulations, title 34,
81.35 parts 99 and, 300, and 303; including records of the student's diagnosis and treatment, to a
81.36 health plan company only with the signed and dated consent of the student's parent, or

82.1 other legally authorized individual. The school district shall disclose only that information
82.2 necessary for the health plan company to decide matters of coverage and payment. A
82.3 health plan company may use the information only for making decisions regarding
82.4 coverage and payment, and for any other use permitted by law.

82.5 Sec. 10. Minnesota Statutes 2014, section 125A.28, is amended to read:

82.6 **125A.28 STATE INTERAGENCY COORDINATING COUNCIL.**

82.7 An Interagency Coordinating Council of at least 17, but not more than 25 members is
82.8 established, in compliance with Public Law 108-446, section 641. The members must be
82.9 appointed by the governor and reasonably represent the population of Minnesota. Council
82.10 members must elect the council chair, who may not be a representative of the Department
82.11 of Education. The council must be composed of at least five parents, including persons
82.12 of color, of children with disabilities under age 12, including at least three parents of a
82.13 child with a disability under age seven, five representatives of public or private providers
82.14 of services for children with disabilities under age five, including a special education
82.15 director, county social service director, local Head Start director, and a community health
82.16 services or public health nursing administrator, one member of the senate, one member of
82.17 the house of representatives, one representative of teacher preparation programs in early
82.18 childhood-special education or other preparation programs in early childhood intervention,
82.19 at least one representative of advocacy organizations for children with disabilities under
82.20 age five, one physician who cares for young children with special health care needs, one
82.21 representative each from the commissioners of commerce, education, health, human
82.22 services, a representative from the state agency responsible for child care, foster care,
82.23 mental health, homeless coordinator of education of homeless children and youth, and a
82.24 representative from Indian health services or a tribal council. Section 15.059, subdivisions
82.25 2 to 4, apply to the council. The council must meet at least quarterly.

82.26 The council must address methods of implementing the state policy of developing
82.27 and implementing comprehensive, coordinated, multidisciplinary interagency programs of
82.28 early intervention services for children with disabilities and their families.

82.29 The duties of the council include recommending policies to ensure a comprehensive
82.30 and coordinated system of all state and local agency services for children under age five
82.31 with disabilities and their families. The policies must address how to incorporate each
82.32 agency's services into a unified state and local system of multidisciplinary assessment
82.33 practices, individual intervention plans, comprehensive systems to find children in need of
82.34 services, methods to improve public awareness, and assistance in determining the role of
82.35 interagency early intervention committees.

83.1 On the date that Minnesota Part C Annual Performance Report is submitted to
83.2 Within 30 days of receiving the annual determination from the federal Office of Special
83.3 Education on the Minnesota Part C Annual Performance Report, the council must
83.4 recommend to the governor and the commissioners of education, health, human services,
83.5 commerce, and employment and economic development policies for a comprehensive
83.6 and coordinated system.

83.7 Annually, the council must prepare and submit a report to the governor and the
83.8 secretary of the federal Department of Education on the status of early intervention
83.9 services and programs for infants and toddlers with disabilities and their families under
83.10 the Individuals with Disabilities Education Act, United States Code, title 20, sections
83.11 1471 to 1485 (Part C, Public Law 102-119), as operated in Minnesota. The Minnesota
83.12 Part C annual performance report may serve as the report.

83.13 Notwithstanding any other law to the contrary, the State Interagency Coordinating
83.14 Council does not expire unless federal law no longer requires the existence of the council
83.15 or committee.

83.16 Sec. 11. Minnesota Statutes 2014, section 125A.63, subdivision 2, is amended to read:

83.17 Subd. 2. **Programs.** (a) The resource centers department must offer summer
83.18 institutes or other training programs throughout the state for deaf or hard-of-hearing, blind
83.19 or visually impaired, and multiply disabled pupils. The resource centers department must
83.20 also offer workshops for teachers, and leadership development for teachers.

83.21 A program(b) Training and workshop programs offered through the resource centers
83.22 under paragraph (a) must help promote and develop education programs offered by school
83.23 districts or other organizations. The program programs must assist school districts or other
83.24 organizations to develop innovative programs.

83.25 Sec. 12. Minnesota Statutes 2014, section 125A.63, subdivision 3, is amended to read:

83.26 Subd. 3. **Programs by nonprofits.** The resource centers department may contract
83.27 to have nonprofit organizations provide programs through the resource centers under
83.28 subdivision 2.

83.29 Sec. 13. Minnesota Statutes 2014, section 125A.63, subdivision 4, is amended to read:

83.30 Subd. 4. **Advisory committees.** (a) The commissioner shall establish an advisory
83.31 committee for each resource center the deaf and hard-of-hearing and for the
83.32 blind and visually impaired. The advisory committees shall develop recommendations

84.1 regarding the resource centers and submit an annual report to the commissioner on the
84.2 form and in the manner prescribed by the commissioner.

84.3 (b) The advisory committee for the Resource Center committees for the deaf and
84.4 hard of hearing and for the blind and visually impaired shall meet periodically at least four
84.5 times per year and each submit an annual report to the commissioner, the education policy
84.6 and finance committees of the legislature, and the Commission of Deaf, DeafBlind, and
84.7 Hard of Hearing Hard-of-Hearing Minnesotans. The report reports must, at least:

84.8 (1) identify and report the aggregate, data-based education outcomes for children
84.9 with the primary disability classification of deaf and hard of hearing or of blind and
84.10 visually impaired, consistent with the commissioner's child count reporting practices, the
84.11 commissioner's state and local outcome data reporting system by district and region, and
84.12 the school performance report cards under section 120B.36, subdivision 1; and

84.13 (2) describe the implementation of a data-based plan for improving the education
84.14 outcomes of deaf and hard of hearing or blind and visually impaired children that is
84.15 premised on evidence-based best practices, and provide a cost estimate for ongoing
84.16 implementation of the plan.

84.17 Sec. 14. Minnesota Statutes 2014, section 125A.63, subdivision 5, is amended to read:

84.18 **Subd. 5. Statewide hearing loss early education intervention coordinator. (a)**

84.19 The coordinator shall:

84.20 (1) collaborate with the early hearing detection and intervention coordinator for the
84.21 Department of Health, the director of the Department of Education Resource Center for
84.22 Deaf and Hard-of-Hearing K-12 deaf and hard of hearing coordinator, and the Department
84.23 of Health Early Hearing Detection and Intervention Advisory Council;

84.24 (2) coordinate and support Department of Education early hearing detection and
84.25 intervention teams;

84.26 (3) leverage resources by serving as a liaison between interagency early intervention
84.27 committees; part C coordinators from the Departments of Education, Health, and
84.28 Human Services; Department of Education regional low-incidence facilitators; service
84.29 coordinators from school districts; Minnesota children with special health needs in the
84.30 Department of Health; public health nurses; child find; Department of Human Services
84.31 Deaf and Hard-of-Hearing Services Division; and others as appropriate;

84.32 (4) identify, support, and promote culturally appropriate and evidence-based early
84.33 intervention practices for infants with hearing loss, and provide training, outreach, and use
84.34 of technology to increase consistency in statewide service provision;

85.1 (5) identify culturally appropriate specialized reliable and valid instruments to assess
85.2 and track the progress of children with hearing loss and promote their use;

85.3 (6) ensure that early childhood providers, parents, and members of the individual
85.4 family service and intervention plan are provided with child progress data resulting from
85.5 specialized assessments;

85.6 (7) educate early childhood providers and teachers of the deaf and hard-of-hearing
85.7 to use developmental data from specialized assessments to plan and adjust individual
85.8 family service plans; and

85.9 (8) make recommendations that would improve educational outcomes to the early
85.10 hearing detection and intervention committee, the commissioners of education and health,
85.11 the Commission of Deaf, DeafBlind and Hard-of-Hearing Minnesotans, and the advisory
85.12 council of the Minnesota Department of Education Resource Center for the deaf and
85.13 hard-of-hearing.

85.14 (b) The Department of Education must provide aggregate data regarding outcomes
85.15 of deaf and hard-of-hearing children who receive early intervention services within the
85.16 state in accordance with the state performance plan.

85.17 **Sec. 15. SPECIAL EDUCATION EVALUATION.**

85.18 Subdivision 1. Special education teachers' compliance with legal requirements.

85.19 The Department of Education must identify ways to give teachers working with eligible
85.20 children with disabilities sufficient written and online resources to make informed
85.21 decisions about how to effectively comply with legal requirements related to providing
85.22 special education programs and services, including writing individualized education
85.23 programs and related documents, among other requirements. The department must work
85.24 collaboratively with teachers working with eligible children with disabilities, other school
85.25 and district staff, and representatives of affected organizations, including Education
85.26 Minnesota and Minnesota Administrators of Special Education, among others, to identify
85.27 obstacles to and solutions for teachers' confusion about complying with legal requirements
85.28 governing special education programs and services. The department must work with
85.29 schools and districts to provide staff development training to better comply with applicable
85.30 legal requirements while meeting the educational needs and improving the educational
85.31 progress of eligible children with disabilities.

85.32 Subd. 2. Efficiencies to reduce paperwork. The Department of Education, in
85.33 collaboration with teachers and administrators working with eligible children with
85.34 disabilities in schools and districts, must identify strategies to effectively decrease the

86.1 amount of time teachers spend completing paperwork for special education programs and
86.2 services, evaluate whether the strategies are cost-effective, and determine whether other
86.3 schools and districts are able to effectively use the strategies given available staff and
86.4 resources. Where an evaluation shows that particular paperwork reduction strategies are
86.5 cost-effective without undermining the purpose of the paperwork or the integrity of special
86.6 education requirements, the department must electronically disseminate and promote the
86.7 strategies to other schools and districts throughout the state.

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

Sec. 16. TRAINING AND TECHNICAL ASSISTANCE TO REDUCE DISTRICT USE OF SECLUSION AND RESTRAINT; APPROPRIATION.

86.11 \$750,000 in fiscal year 2016 is appropriated from the general fund to the
86.12 commissioner of education for providing school districts with training and technical
86.13 assistance to reduce district use of seclusion and restraint on students with complex needs.
86.14 Of this appropriation, \$500,000 is available to the commissioner to reimburse school
86.15 districts for the cost of hiring experts to provide staff training in reducing district use of
86.16 seclusion and restraint on students with complex needs. Of this appropriation, \$250,000 is
86.17 available to the commissioner for the costs of providing specialized training and assistance
86.18 to school districts with a high use of seclusion and restraint on students with complex needs.
86.19 The commissioner may contract with experts from intermediate school districts teams or
86.20 level four programs to provide the specialized training and technical assistance. Any funds
86.21 unexpended in fiscal year 2016 do not cancel but carry forward into the next fiscal year.

EFFECTIVE DATE. This section is effective July 1, 2015.

Sec. 17. REPEALER.

86.24 Minnesota Statutes 2014, section 125A.63, subdivision 1, is repealed.

ARTICLE 6

CHARTER SCHOOLS

86.27 Section 1. Minnesota Statutes 2014, section 124D.10, subdivision 1, is amended to read:

86.28 Subdivision 1. **Purposes.** (a) The primary purpose of this section is to improve all
86.29 pupil learning and all student achievement. Additional purposes include to:

- 86.30 (1) increase learning opportunities for all pupils;
86.31 (2) encourage the use of different and innovative teaching methods;

87.1 (3) measure learning outcomes and create different and innovative forms of
87.2 measuring outcomes;
87.3 (4) establish new forms of accountability for schools; or
87.4 (5) create new professional opportunities for teachers, including the opportunity to
87.5 be responsible for the learning program at the school site.

87.6 (b) This section does not provide a means to keep open a school that a school board
87.7 decides to close. However, a school board may endorse or authorize the establishing of
87.8 a charter school to replace the school the board decided to close. Applicants seeking a
87.9 charter under this circumstance must demonstrate to the authorizer that the charter sought
87.10 is substantially different in purpose and program from the school the board closed and
87.11 that the proposed charter satisfies the requirements of this subdivision. If the school
87.12 board that closed the school authorizes the charter, it must document in its affidavit to the
87.13 commissioner that the charter is substantially different in program and purpose from
87.14 the school it closed.

87.15 (c) An authorizer shall not approve an application submitted by a charter school
87.16 developer under subdivision 4, paragraph (a), if the application does not comply with this
87.17 subdivision. The commissioner shall not approve an affidavit submitted by an authorizer
87.18 under subdivision 4, paragraph (b), if the affidavit does not comply with this subdivision.

87.19 Sec. 2. Minnesota Statutes 2014, section 124D.10, subdivision 3, is amended to read:

87.20 Subd. 3. **Authorizer.** (a) For purposes of this section, the terms defined in this
87.21 subdivision have the meanings given them.

87.22 "Application" to receive approval as an authorizer means the proposal an eligible
87.23 authorizer submits to the commissioner under paragraph ~~(e)~~ (d) before that authorizer is
87.24 able to submit any affidavit to charter to a school.

87.25 "Application" under subdivision 4 means the charter school business plan a
87.26 school developer submits to an authorizer for approval to establish a charter school that
87.27 documents the school developer's mission statement, school purposes, program design,
87.28 financial plan, governance and management structure, and background and experience,
87.29 plus any other information the authorizer requests. The application also shall include a
87.30 "statement of assurances" of legal compliance prescribed by the commissioner.

87.31 "Affidavit" means a written statement the authorizer submits to the commissioner
87.32 for approval to establish a charter school under subdivision 4 attesting to its review and
87.33 approval process before chartering a school.

87.34 (b) The following organizations may authorize one or more charter schools:

88.1 (1) a school board, intermediate school district school board, or education district
88.2 organized under sections 123A.15 to 123A.19;

88.3 (2) a charitable organization under section 501(c)(3) of the Internal Revenue Code
88.4 of 1986, excluding a nonpublic sectarian or religious institution; any person other than a
88.5 natural person that directly or indirectly, through one or more intermediaries, controls,
88.6 is controlled by, or is under common control with the nonpublic sectarian or religious
88.7 institution; and any other charitable organization under this clause that in the federal IRS
88.8 Form 1023, Part IV, describes activities indicating a religious purpose, that:

88.9 (i) is a member of the Minnesota Council of Nonprofits or the Minnesota Council on
88.10 Foundations;

88.11 (ii) is registered with the attorney general's office; and

88.12 (iii) is incorporated in the state of Minnesota and has been operating continuously
88.13 for at least five years but does not operate a charter school;

88.14 (3) a Minnesota private college, notwithstanding clause (2), that grants two- or
88.15 four-year degrees and is registered with the Minnesota Office of Higher Education under
88.16 chapter 136A; community college, state university, or technical college governed by the
88.17 Board of Trustees of the Minnesota State Colleges and Universities; or the University
88.18 of Minnesota;

88.19 (4) a nonprofit corporation subject to chapter 317A, described in section 317A.905,
88.20 and exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code
88.21 of 1986, may authorize one or more charter schools if the charter school has operated
88.22 for at least three years under a different authorizer and if the nonprofit corporation has
88.23 existed for at least 25 years; or

88.24 (5) single-purpose authorizers formed as charitable, nonsectarian organizations
88.25 under section 501(c)(3) of the Internal Revenue Code of 1986 and incorporated in the state
88.26 of Minnesota under chapter 317A as a corporation with no members or under section
88.27 322B.975 as a nonprofit limited liability company for the sole purpose of chartering schools.

88.28 (c) Eligible organizations interested in being approved as an authorizer under this
88.29 paragraph must submit a proposal to the commissioner that includes the provisions
88.30 of paragraph (e)(d) and a five-year financial plan. Such authorizers shall consider and
88.31 approve charter school applications using the criteria provided in subdivision 4 and shall
88.32 not limit the applications it solicits, considers, or approves to any single curriculum,
88.33 learning program, or method.

88.34 (e)(d) An eligible authorizer under this subdivision must apply to the commissioner
88.35 for approval as an authorizer before submitting any affidavit to the commissioner to charter
88.36 a school. The application for approval as a charter school authorizer must demonstrate

89.1 the applicant's ability to implement the procedures and satisfy the criteria for chartering a
89.2 school under this section. The commissioner must approve or disapprove an application
89.3 within 45 business days of the application deadline. If the commissioner disapproves
89.4 the application, the commissioner must notify the applicant of the specific deficiencies
89.5 in writing and the applicant then has 20 business days to address the deficiencies to the
89.6 commissioner's satisfaction. After the 20 business days expire, the commissioner has 15
89.7 business days to make a final decision to approve or disapprove the application. Failing to
89.8 address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to
89.9 be an authorizer. The commissioner, in establishing criteria for approval, must consider
89.10 the applicant's:

- 89.11 (1) capacity and infrastructure;
89.12 (2) application criteria and process;
89.13 (3) contracting process;
89.14 (4) ongoing oversight and evaluation processes; and
89.15 (5) renewal criteria and processes.

89.16 ~~(d)~~ (e) An applicant must include in its application to the commissioner to be an
89.17 approved authorizer at least the following:

- 89.18 (1) how chartering schools is a way for the organization to carry out its mission;
89.19 (2) a description of the capacity of the organization to serve as an authorizer,
89.20 including the personnel who will perform the authorizing duties, their qualifications, the
89.21 amount of time they will be assigned to this responsibility, and the financial resources
89.22 allocated by the organization to this responsibility;
89.23 (3) a description of the application and review process the authorizer will use to
89.24 make decisions regarding the granting of charters;
89.25 (4) a description of the type of contract it will arrange with the schools it charters
89.26 that meets the provisions of subdivision 6;
89.27 (5) the process to be used for providing ongoing oversight of the school consistent
89.28 with the contract expectations specified in clause (4) that assures that the schools chartered
89.29 are complying with both the provisions of applicable law and rules, and with the contract;
89.30 (6) a description of the criteria and process the authorizer will use to grant expanded
89.31 applications under subdivision 4, paragraph ~~(f)~~ (s);
89.32 (7) the process for making decisions regarding the renewal or termination of
89.33 the school's charter based on evidence that demonstrates the academic, organizational,
89.34 and financial competency of the school, including its success in increasing student
89.35 achievement and meeting the goals of the charter school agreement; and

90.1 (8) an assurance specifying that the organization is committed to serving as an
90.2 authorizer for the full five-year term.

90.3 (e) f) A disapproved applicant under this section may resubmit an application
90.4 during a future application period.

90.5 (f) g) If the governing board of an approved authorizer votes to withdraw as
90.6 an approved authorizer for a reason unrelated to any cause under subdivision 23, the
90.7 authorizer must notify all its chartered schools and the commissioner in writing by July 15
90.8 of its intent to withdraw as an authorizer on June 30 in the next calendar year, regardless
90.9 of when the authorizer's five-year term of approval ends. The commissioner may approve
90.10 the transfer of a charter school to a new authorizer under this paragraph after the new
90.11 authorizer submits an affidavit to the commissioner.

90.12 (g) h) The authorizer must participate in department-approved training.

90.13 (h) i) The commissioner shall review an authorizer's performance every five years
90.14 in a manner and form determined by the commissioner and may review an authorizer's
90.15 performance more frequently at the commissioner's own initiative or at the request of a
90.16 charter school operator, charter school board member, or other interested party. The
90.17 commissioner, after completing the review, shall transmit a report with findings to the
90.18 authorizer.

90.19 (j) If, consistent with this section, the commissioner finds that an authorizer has not
90.20 fulfilled the requirements of this section, the commissioner may subject the authorizer
90.21 to corrective action, which may include terminating the contract with the charter school
90.22 board of directors of a school it chartered. The commissioner must notify the authorizer
90.23 in writing of any findings that may subject the authorizer to corrective action and
90.24 the authorizer then has 15 business days to request an informal hearing before the
90.25 commissioner takes corrective action. If the commissioner terminates a contract between
90.26 an authorizer and a charter school under this paragraph, the commissioner may assist the
90.27 charter school in acquiring a new authorizer.

90.28 (f) k) The commissioner may at any time take corrective action against an
90.29 authorizer, including terminating an authorizer's ability to charter a school for:

90.30 (1) failing to demonstrate the criteria under paragraph e) d) under which the
90.31 commissioner approved the authorizer;

90.32 (2) violating a term of the chartering contract between the authorizer and the charter
90.33 school board of directors;

90.34 (3) unsatisfactory performance as an approved authorizer; or

90.35 (4) any good cause shown that provides the commissioner a legally sufficient reason
90.36 to take corrective action against an authorizer.

91.1 Sec. 3. Minnesota Statutes 2014, section 124D.10, subdivision 4, is amended to read:

91.2 **Subd. 4. Formation of school.** (a) An authorizer, after receiving an application from
91.3 a school developer, may charter a licensed teacher under section 122A.18, subdivision
91.4 1, or a group of individuals that includes one or more licensed teachers under section
91.5 122A.18, subdivision 1, to operate a school subject to the commissioner's approval of the
91.6 authorizer's affidavit under paragraph (b)(d).

91.7 (b) The school must be organized and operated as a nonprofit corporation under
91.8 chapter 317A and the provisions under the applicable chapter shall apply to the school
91.9 except as provided in this section.

91.10 (c) Notwithstanding sections 465.717 and 465.719, a school district, subject to this
91.11 section and section 124D.11, may create a corporation for the purpose of establishing a
91.12 charter school.

91.13 (b)(d) Before the operators may establish and operate a school, the authorizer must
91.14 file an affidavit with the commissioner stating its intent to charter a school. An authorizer
91.15 must file a separate affidavit for each school it intends to charter. An authorizer must file
91.16 an affidavit ~~by May 1 to be able to charter a new school in the next school year after the~~
91.17 ~~commissioner approves the authorizer's affidavit at least 14 months before July 1 of the~~
91.18 ~~year the new charter school plans to serve students.~~ The affidavit must state the terms and
91.19 conditions under which the authorizer would charter a school and how the authorizer
91.20 intends to oversee the fiscal and student performance of the charter school and to comply
91.21 with the terms of the written contract between the authorizer and the charter school
91.22 board of directors under subdivision 6. The commissioner must approve or disapprove
91.23 the authorizer's affidavit within 60 business days of receipt of the affidavit. If the
91.24 commissioner disapproves the affidavit, the commissioner shall notify the authorizer of
91.25 the deficiencies in the affidavit and the authorizer then has 20 business days to address the
91.26 deficiencies. The commissioner must notify the authorizer of final approval or disapproval
91.27 within 15 business days after receiving the authorizer's response to the deficiencies in the
91.28 affidavit. If the authorizer does not address deficiencies to the commissioner's satisfaction,
91.29 the commissioner's disapproval is final. Failure to obtain commissioner approval precludes
91.30 an authorizer from chartering the school that is the subject of this affidavit.

91.31 (e)(e) The authorizer may prevent an approved charter school from opening for
91.32 operation if, among other grounds, the charter school violates this section or does not meet
91.33 the ready-to-open standards that are part of the authorizer's oversight and evaluation
91.34 process or are stipulated in the charter school contract.

92.1 (d) (f) The operators authorized to organize and operate a school, before entering
92.2 into a contract or other agreement for professional or other services, goods, or facilities,
92.3 must incorporate as a nonprofit corporation under chapter 317A and.

92.4 (g) The operators authorized to organize and operate a school, before entering into a
92.5 contract or other agreement for professional or other services, goods, or facilities, must
92.6 establish a board of directors composed of at least five members who are not related parties
92.7 until a timely election for members of the ongoing charter school board of directors is
92.8 held according to the school's articles and bylaws under paragraph (f) (l). A charter school
92.9 board of directors must be composed of at least five members who are not related parties.

92.10 (h) Staff members employed at the school, including teachers providing instruction
92.11 under a contract with a cooperative, members of the board of directors, and all parents
92.12 or legal guardians of children enrolled in the school are the voters eligible to elect the
92.13 members of the school's board of directors. A charter school must notify eligible voters of
92.14 the school board election dates at least 30 days before the election.

92.15 (i) Board of director meetings must comply with chapter 13D.

92.16 ~~(e) (j)~~ A charter school shall publish and maintain on the school's official Web site:
92.17 (1) the minutes of meetings of the board of directors, and of members and committees
92.18 having any board-delegated authority, for at least one calendar year from the date
92.19 of publication; (2) directory information for members of the board of directors and
92.20 committees having board-delegated authority; and (3) identifying and contact information
92.21 for the school's authorizer. Identifying and contact information for the school's authorizer
92.22 must be included in other school materials made available to the public.

92.23 (k) Upon request of an individual, the charter school must also make available in
92.24 a timely fashion financial statements showing all operations and transactions affecting
92.25 income, surplus, and deficit during the school's last annual accounting period; and a
92.26 balance sheet summarizing assets and liabilities on the closing date of the accounting
92.27 period. A charter school also must include that same information about its authorizer in
92.28 other school materials that it makes available to the public.

92.29 (f) (l) Every charter school board member shall attend annual training throughout
92.30 the member's term on the board. All new board members shall attend initial training on
92.31 the board's role and responsibilities, employment policies and practices, and financial
92.32 management. A new board member who does not begin the required initial training within
92.33 six months after being seated and complete that training within 12 months of being seated
92.34 on the board is automatically ineligible to continue to serve as a board member. The
92.35 school shall include in its annual report the training attended by each board member
92.36 during the previous year.

93.1 (g) (m) The ongoing board must be elected before the school completes its third
93.2 year of operation. Board elections must be held during the school year but may not be
93.3 conducted on days when the school is closed for holidays, breaks, or vacations.

93.4 (n) The charter school board of directors shall be composed of at least five nonrelated
93.5 members and include: (i) at least one licensed teacher employed as a teacher at the school
93.6 or providing instruction under contract between the charter school and a cooperative; (ii)
93.7 at least one parent or legal guardian of a student enrolled in the charter school who is not
93.8 an employee of the charter school; and (iii) at least one interested community member
93.9 who resides in Minnesota and is not employed by the charter school and does not have a
93.10 child enrolled in the school. The board may include a majority of teachers described in
93.11 this paragraph or parents or community members, or it may have no clear majority. The
93.12 chief financial officer and the chief administrator may only serve as ex-officio nonvoting
93.13 board members. No charter school employees shall serve on the board other than teachers
93.14 under item (i). Contractors providing facilities, goods, or services to a charter school shall
93.15 not serve on the board of directors of the charter school.

93.16 (o) Board bylaws shall outline the process and procedures for changing the board's
93.17 governance structure, consistent with chapter 317A. A board may change its governance
93.18 structure only:

93.19 (1) by a majority vote of the board of directors and a majority vote of the licensed
93.20 teachers employed by the school as teachers, including licensed teachers providing
93.21 instruction under a contract between the school and a cooperative; and

93.22 (2) with the authorizer's approval.

93.23 Any change in board governance structure must conform with the composition of
93.24 the board established under this paragraph.

93.25 (h) (p) The granting or renewal of a charter by an authorizer must not be conditioned
93.26 upon the bargaining unit status of the employees of the school.

93.27 (i) (q) The granting or renewal of a charter school by an authorizer must not be
93.28 contingent on the charter school being required to contract, lease, or purchase services
93.29 from the authorizer.

93.30 (r) Any potential contract, lease, or purchase of service from an authorizer must
93.31 be disclosed to the commissioner, accepted through an open bidding process, and be a
93.32 separate contract from the charter contract. The school must document the open bidding
93.33 process. An authorizer must not enter into a contract to provide management and financial
93.34 services for a school that it authorizes, unless the school documents that it received at
93.35 least two competitive bids.

94.1 ~~(f)~~ (s) A charter school may apply to the authorizer to amend the school charter to
94.2 expand the operation of the school to additional grades or sites that would be students'
94.3 primary enrollment site beyond those defined in the original affidavit approved by the
94.4 commissioner. After approving the school's application, the authorizer shall submit a
94.5 supplementary affidavit in the form and manner prescribed by the commissioner. The
94.6 authorizer must file a supplement affidavit by October 1 to be eligible to expand in the next
94.7 school year. The supplementary affidavit must document that the school has demonstrated
94.8 to the satisfaction of the authorizer the following:

94.9 (1) the need for the expansion with supporting long-range enrollment projections;

94.10 (2) a longitudinal record of demonstrated student academic performance and growth
94.11 on statewide assessments under chapter 120B or on other academic assessments that
94.12 measure longitudinal student performance and growth approved by the charter school's
94.13 board of directors and agreed upon with the authorizer;

94.14 (3) a history of sound school finances and a finance plan to implement the expansion
94.15 in a manner to promote the school's financial sustainability; and

94.16 (4) board capacity and an administrative and management plan to implement its
94.17 expansion.

94.18 ~~(k)~~ (t) The commissioner shall have 30 business days to review and comment on the
94.19 supplemental affidavit. The commissioner shall notify the authorizer in writing of any
94.20 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to
94.21 address, to the commissioner's satisfaction, any deficiencies in the supplemental affidavit.
94.22 The commissioner must notify the authorizer of final approval or disapproval within 15
94.23 business days after receiving the authorizer's response to the deficiencies in the affidavit.
94.24 The school may not expand grades or add sites until the commissioner has approved the
94.25 supplemental affidavit. The commissioner's approval or disapproval of a supplemental
94.26 affidavit is final.

94.27 Sec. 4. Minnesota Statutes 2014, section 124D.10, subdivision 8, is amended to read:

94.28 **Subd. 8. Federal, state, and local requirements.** (a) A charter school shall meet all
94.29 federal, state, and local health and safety requirements applicable to school districts.

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

94.32 (c) A school authorized by a school board may be located in any district, unless the
94.33 school board of the district of the proposed location disapproves by written resolution.

94.34 (d) A charter school must be nonsectarian in its programs, admission policies,
94.35 employment practices, and all other operations. An authorizer may not authorize a charter

95.1 school or program that is affiliated with a nonpublic sectarian school or a religious
95.2 institution.

95.3 (e) A charter school student must be released for religious instruction, consistent
95.4 with section 120A.22, subdivision 12, clause (3).

95.5 (f) Charter schools must not be used as a method of providing education or
95.6 generating revenue for students who are being home-schooled. This paragraph does not
95.7 apply to shared time aid under section 126C.19.

95.8 (g) The primary focus of a charter school must be to provide a comprehensive
95.9 program of instruction for at least one grade or age group from five through 18 years of
95.10 age. Instruction may be provided to people older than 18 years of age. A charter school
95.11 may offer a free or fee-based preschool or prekindergarten that meets high-quality early
95.12 learning instructional program standards that are aligned with Minnesota's early learning
95.13 standards for children. Students enrolled in a fee-based prekindergarten program are not
95.14 eligible to be counted as pupil units under section 126C.05 and must not be included in the
95.15 calculation of general education revenue under section 126C.10.

95.16 (h) Except as provided in paragraph (g), a charter school may not charge tuition.

95.17 (i) A charter school is subject to and must comply with chapter 363A and section
95.18 121A.04.

95.19 (j) Once a student is enrolled in the school, the student is considered enrolled
95.20 in the school until the student formally withdraws or is expelled under the Pupil Fair
95.21 Dismissal Act in sections 121A.40 to 121A.56. A charter school is subject to and must
95.22 comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and.

95.23 (k) A charter school is subject to and must comply with the Minnesota Public School
95.24 Fee Law, sections 123B.34 to 123B.39.

95.25 (l) A charter school is subject to the same financial audits, audit procedures, and
95.26 audit requirements as a district, except as required under subdivision 6a. Audits must be
95.27 conducted in compliance with generally accepted governmental auditing standards, the
95.28 federal Single Audit Act, if applicable, and section 6.65. A charter school is subject
95.29 to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04;
95.30 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with
95.31 the requirements of sections 123B.75 to 123B.83, except to the extent deviations are
95.32 necessary because of the program at the school. Deviations must be approved by the
95.33 commissioner and authorizer. The Department of Education, state auditor, legislative
95.34 auditor, or authorizer may conduct financial, program, or compliance audits. A charter
95.35 school determined to be in statutory operating debt under sections 123B.81 to 123B.83
95.36 must submit a plan under section 123B.81, subdivision 4.

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

96.2 (l) A charter school must comply with chapters 13 and 13D; and sections

96.3 120A.22, subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

96.4 (m) A charter school is subject to the Pledge of Allegiance requirement under
96.5 section 121A.11, subdivision 3.

96.6 (n) A charter school offering online courses or programs must comply with
96.7 section 124D.095.

96.8 (o) A charter school and charter school board of directors are subject to chapter
96.9 181.

96.10 (p) A charter school must comply with section 120A.22, subdivision 7, governing
96.11 the transfer of students' educational records and sections 138.163 and 138.17 governing
96.12 the management of local records.

96.13 (q) A charter school that provides early childhood health and developmental
96.14 screening must comply with sections 121A.16 to 121A.19.

96.15 (r) A charter school that provides school-sponsored youth athletic activities
96.16 must comply with section 121A.38.

96.17 (s) A charter school is subject to and must comply with continuing truant
96.18 notification under section 260A.03.

96.19 (t) A charter school must develop and implement a teacher evaluation and
96.20 peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to
96.21 (13). The teacher evaluation process in this paragraph does not create any additional
96.22 employment rights for teachers.

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

96.26 (v) A charter school must comply with section 121A.031 governing policies on
96.27 prohibited conduct.

96.28 (w) A charter school must comply with all pupil transportation requirements in
96.29 section 123B.88, subdivision 1. A charter school must not require parents to surrender
96.30 their rights to pupil transportation under section 123B.88, subdivision 2.

96.31 Sec. 5. Minnesota Statutes 2014, section 124D.10, subdivision 9, is amended to read:

96.32 Subd. 9. **Admission requirements.** (a) A charter school may limit admission to:

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

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

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

97.3 (b) A charter school shall enroll an eligible pupil who submits a timely application,
97.4 unless the number of applications exceeds the capacity of a program, class, grade level, or
97.5 building. In this case, pupils must be accepted by lot. The charter school must develop
97.6 and publish, including on its Web site, a lottery policy and process that it must use when
97.7 accepting pupils by lot.

97.8 (c) A charter school shall give enrollment preference to a sibling of an enrolled pupil
97.9 and to a foster child of that pupil's parents and may give preference for enrolling children
97.10 of the school's staff and children who are eligible to receive a free or reduced-price lunch
97.11 before accepting other pupils by lot. A charter school that gives preference to enrolling
97.12 the children of school staff or children who are eligible to receive a free or reduced-price
97.13 lunch must identify in its admission and lottery policy and on its Web site the manner and
97.14 order of preference for enrolling the children and give at least 180 days' notice on its Web
97.15 site before discontinuing the enrollment preference. A charter school may give enrollment
97.16 preference to children who are eligible to receive a free or reduced-price lunch when the
97.17 percent of enrolled charter school students who are eligible to receive a meal benefit is
97.18 lower than either the statewide percent of students who are eligible to receive a meal
97.19 benefit or the district-wide percent of students who are eligible to receive a meal benefit
97.20 in the district in which the charter school is located. A charter school must ask on its
97.21 enrollment application whether the student is eligible for and interested in the enrollment
97.22 preference. A charter school may send an Application for Educational Benefits form to the
97.23 household of an interested student and ask on the application form whether the household
97.24 wants its student considered for the enrollment preference. Charter schools must use the
97.25 department's direct certification and approval process for determining students' eligibility
97.26 for meal benefits. Once established, this enrollment preference continues unless and until
97.27 a majority of the members of the charter school board of directors votes to discontinue
97.28 the enrollment preference. A charter school that is located in Duluth township in St.
97.29 Louis County and admits students in kindergarten through grade 6 must give enrollment
97.30 preference to students residing within a five-mile radius of the school and to the siblings
97.31 of enrolled children. A If a charter school has a preschool or prekindergarten program
97.32 under subdivision 8, paragraph (g), that is free to all participants, the charter school may
97.33 give enrollment preference to children currently enrolled in the school's free preschool or
97.34 prekindergarten program under subdivision 8, paragraph (f), who are eligible to enroll in
97.35 kindergarten in the next school year.

98.1 (d) A person shall not be admitted to a charter school (1) as a kindergarten pupil,
98.2 unless the pupil is at least five years of age on September 1 of the calendar year in which
98.3 the school year for which the pupil seeks admission commences; or (2) as a first grade
98.4 student, unless the pupil is at least six years of age on September 1 of the calendar year in
98.5 which the school year for which the pupil seeks admission commences or has completed
98.6 kindergarten; except that a charter school may establish and publish on its Web site a
98.7 policy for admission of selected pupils at an earlier age, consistent with the enrollment
98.8 process in paragraphs (b) and (c).

98.9 (e) Except as permitted in paragraph (d), a charter school may not limit admission
98.10 to pupils on the basis of intellectual ability, measures of achievement or aptitude, or
98.11 athletic ability and may not establish any criteria or requirements for admission that are
98.12 inconsistent with this subdivision.

98.13 (f) The charter school shall not distribute any services or goods of value to students,
98.14 parents, or guardians as an inducement, term, or condition of enrolling a student in a
98.15 charter school.

98.16 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
98.17 later.

98.18 Sec. 6. Minnesota Statutes 2014, section 124D.10, subdivision 12, is amended to read:

98.19 Subd. 12. **Pupils with a disability.** A charter school must comply with sections
98.20 125A.02, 125A.03 to 125A.24, and 125A.65, and 125A.75 and rules relating to the
98.21 education of pupils with a disability as though it were a district.

98.22 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

98.23 Sec. 7. Minnesota Statutes 2014, section 124D.10, subdivision 14, is amended to read:

98.24 Subd. 14. **Annual public reports.** (a) A charter school must publish an annual
98.25 report approved by the board of directors. The annual report must at least include
98.26 information on school enrollment, student attrition, governance and management, staffing,
98.27 finances, academic performance, innovative practices and implementation, and future
98.28 plans. A charter school may combine this report with the reporting required under section
98.29 120B.11. A charter school must post the annual report on the school's official Web site. A
98.30 charter school must also distribute the annual report by publication, mail, or electronic
98.31 means to its authorizer, school employees, and parents and legal guardians of students
98.32 enrolled in the charter school. The reports are public data under chapter 13.

99.1 (b) The commissioner shall establish specifications for an authorizer's annual public
99.2 report that is part of the system to evaluate authorizer performance under subdivision
99.3 3, paragraph (h). The report shall at least include key indicators of school academic,
99.4 operational, and financial performance.

99.5 Sec. 8. Minnesota Statutes 2014, section 124D.10, subdivision 23, is amended to read:

99.6 **Subd. 23. Causes for nonrenewal or termination of charter school contract.** (a)
99.7 The duration of the contract with an authorizer must be for the term contained in the
99.8 contract according to subdivision 6. The authorizer may or may not renew a contract at
99.9 the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally
99.10 terminate a contract during the term of the contract for any ground listed in paragraph (b).
99.11 At least 60 business days before not renewing or terminating a contract, the authorizer
99.12 shall notify the board of directors of the charter school of the proposed action in writing.
99.13 The notice shall state the grounds for the proposed action in reasonable detail and that the
99.14 charter school's board of directors may request in writing an informal hearing before the
99.15 authorizer within 15 business days of receiving notice of nonrenewal or termination of
99.16 the contract. Failure by the board of directors to make a written request for an informal
99.17 hearing within the 15-business-day period shall be treated as acquiescence to the proposed
99.18 action. Upon receiving a timely written request for a hearing, the authorizer shall give ten
99.19 business days' notice to the charter school's board of directors of the hearing date. The
99.20 authorizer shall conduct an informal hearing before taking final action. The authorizer
99.21 shall take final action to renew or not renew a contract no later than 20 business days
99.22 before the proposed date for terminating the contract or the end date of the contract.

99.23 (b) A contract may be terminated or not renewed upon any of the following grounds:

99.24 (1) failure to demonstrate satisfactory academic achievement for all students,
99.25 including the requirements for pupil performance contained in the contract;
99.26 (2) failure to meet generally accepted standards of fiscal management;
99.27 (3) violations of law; or
99.28 (4) other good cause shown.

99.29 If a contract is terminated or not renewed under this paragraph, the school must be
99.30 dissolved according to the applicable provisions of chapter 317A.

99.31 (c) If the authorizer and the charter school board of directors mutually agree not to
99.32 renew the contract, a change in authorizers is allowed. The authorizer and the school
99.33 board must jointly submit a written and signed letter of their intent to the commissioner
99.34 to mutually not renew the contract. The authorizer that is a party to the existing contract
99.35 must inform the proposed authorizer about the fiscal, operational, and student performance

100.1 status of the school, as well as any outstanding contractual obligations that exist. The
100.2 charter contract between the proposed authorizer and the school must identify and provide
100.3 a plan to address any outstanding obligations from the previous contract. The proposed
100.4 contract must be submitted at least 105 business days before the end of the existing
100.5 charter contract. The commissioner shall have 30 business days to review and make a
100.6 determination. The proposed authorizer and the school shall have 15 business days to
100.7 respond to the determination and address any issues identified by the commissioner. A
100.8 final determination by the commissioner shall be made no later than 45 business days
100.9 before the end of the current charter contract. If no change in authorizer is approved, the
100.10 school and the current authorizer may withdraw their letter of nonrenewal and enter into a
100.11 new contract. If the transfer of authorizers is not approved and the current authorizer and
100.12 the school do not withdraw their letter and enter into a new contract, the school must be
100.13 dissolved according to applicable law and the terms of the contract.

100.14 (d) The commissioner, after providing reasonable notice to the board of directors of
100.15 a charter school and the existing authorizer, and after providing an opportunity for a public
100.16 hearing, may terminate the existing contract between the authorizer and the charter school
100.17 board if the charter school has a history of:

- 100.18 (1) failure to meet pupil performance requirements consistent with state law;
- 100.19 (2) financial mismanagement or failure to meet generally accepted standards of
100.20 fiscal management; or
- 100.21 (3) repeated or major violations of the law.

100.22 (e) Notwithstanding other provisions of this subdivision, the authorizer of a charter
100.23 school may terminate an existing contract between the authorizer and the charter school at
100.24 the end of the current school year, after notifying the charter school board of directors by
100.25 December 1, if in each of the previous three consecutive school years the performance of
100.26 the charter school based on federal school accountability measures and on state measures
100.27 of student performance and growth would place the school in the bottom ten percent of all
100.28 public schools as determined by the commissioner. If an authorizer chooses to terminate
100.29 the contract, the school must be closed according to applicable law and the terms of the
100.30 contract. The authorizer must work with the charter school's board of directors to ensure
100.31 parents of children currently enrolled at the school are aware of school choice options
100.32 and receive assistance in selecting an appropriate choice for their children for the next
100.33 school year. If the authorizer chooses not to terminate the existing contract under these
100.34 conditions, the authorizer must submit a public, written justification of its decision to the
100.35 commissioner by December 1. The federal and state measures identified in this paragraph

101.1 do not prevent an authorizer from closing schools under other conditions, consistent with
101.2 applicable law and contract terms.

101.3 Sec. 9. Minnesota Statutes 2014, section 124D.10, is amended by adding a subdivision
101.4 to read:

101.5 Subd. 24a. **Merger.** (a) Two or more charter schools may merge under chapter
101.6 317A. The effective date of a merger must be July 1. The merged school must continue
101.7 under the identity of one of the merging schools. A new charter contract under subdivision
101.8 6 must be executed by July 1. The authorizer must submit to the commissioner a copy of
101.9 the new signed charter contract within ten business days of its execution.

101.10 (b) Each merging school must submit a separate year-end report for the previous year
101.11 for that school only. After the final fiscal year of the premerger schools is closed out, the
101.12 fund balances and debts from the merging schools must be transferred to the merged school.

101.13 (c) For its first year of operation, the merged school is eligible to receive aid from
101.14 programs requiring approved applications equal to the sum of the aid of all of the merging
101.15 schools. For aids based on prior year data, the merged school is eligible to receive aid for
101.16 its first year of operation based on the combined data of all of the merging schools.

101.17 Sec. 10. Minnesota Statutes 2014, section 124D.11, subdivision 9, is amended to read:

101.18 **Subd. 9. Payment of aids to charter schools.** (a) Notwithstanding section
101.19 127A.45, subdivision 3, if the current year aid payment percentage under section
101.20 127A.45, subdivision 2, paragraph (d), is 90 or greater, aid payments for the current
101.21 fiscal year to a charter school shall be of an equal amount on each of the 24 payment
101.22 dates. Notwithstanding section 127A.45, subdivision 3, if the current year aid payment
101.23 percentage under section 127A.45, subdivision 2, paragraph (d), is less than 90, aid
101.24 payments for the current fiscal year to a charter school shall be of an equal amount on
101.25 each of the 16 payment dates in July through February.

101.26 (b) Notwithstanding paragraph (a) and section 127A.45, for a charter school ceasing
101.27 operation on or prior to June 30 of a school year, for the payment periods occurring after
101.28 the school ceases serving students, the commissioner shall withhold the estimated state aid
101.29 owed the school. The charter school board of directors and authorizer must submit to the
101.30 commissioner a closure plan under chapter 308A or 317A, and financial information about
101.31 the school's liabilities and assets. After receiving the closure plan, financial information,
101.32 an audit of pupil counts, documentation of lease expenditures, and monitoring of special
101.33 education expenditures, the commissioner may release cash withheld and may continue
101.34 regular payments up to the current year payment percentages if further amounts are

102.1 owed. If, based on audits and monitoring, the school received state aid in excess of the
102.2 amount owed, the commissioner shall retain aid withheld sufficient to eliminate the aid
102.3 overpayment. For a charter school ceasing operations prior to, or at the end of, a school
102.4 year, notwithstanding section 127A.45, subdivision 3, preliminary final payments may
102.5 be made after receiving the closure plan, audit of pupil counts, monitoring of special
102.6 education expenditures, documentation of lease expenditures, and school submission of
102.7 Uniform Financial Accounting and Reporting Standards (UFARS) financial data for the
102.8 final year of operation. Final payment may be made upon receipt of audited financial
102.9 statements under section 123B.77, subdivision 3.

102.10 (c) If a charter school fails to comply with the commissioner's directive to return,
102.11 for cause, federal or state funds administered by the department, the commissioner may
102.12 withhold an amount of state aid sufficient to satisfy the directive.

102.13 (d) If, within the timeline under section 471.425, a charter school fails to pay the state
102.14 of Minnesota, a school district, intermediate school district, or service cooperative after
102.15 receiving an undisputed invoice for goods and services, the commissioner may withhold
102.16 an amount of state aid sufficient to satisfy the claim and shall distribute the withheld
102.17 aid to the interested state agency, school district, intermediate school district, or service
102.18 cooperative. An interested state agency, school district, intermediate school district, or
102.19 education cooperative shall notify the commissioner when a charter school fails to pay an
102.20 undisputed invoice within 75 business days of when it received the original invoice.

102.21 ~~(e) Notwithstanding section 127A.45, subdivision 3, and paragraph (a), 80 percent
102.22 of the start-up cost aid under subdivision 8 shall be paid within 45 days after the first day
102.23 of student attendance for that school year.~~

102.24 ~~(f)~~ (e) In order to receive state aid payments under this subdivision, a charter school
102.25 in its first three years of operation must submit a school calendar in the form and manner
102.26 requested by the department and a quarterly report to the Department of Education. The
102.27 report must list each student by grade, show the student's start and end dates, if any,
102.28 with the charter school, and for any student participating in a learning year program,
102.29 the report must list the hours and times of learning year activities. The report must be
102.30 submitted not more than two weeks after the end of the calendar quarter to the department.
102.31 The department must develop a Web-based reporting form for charter schools to use
102.32 when submitting enrollment reports. A charter school in its fourth and subsequent year of
102.33 operation must submit a school calendar and enrollment information to the department in
102.34 the form and manner requested by the department.

103.1 (g) Notwithstanding sections 317A.701 to 317A.791, upon closure of a charter
 103.2 school and satisfaction of creditors, cash and investment balances remaining shall be
 103.3 returned to the state.

103.4 (h) A charter school must have a valid, signed contract under section 124D.10,
 103.5 subdivision 6, on file at the Department of Education at least 15 days prior to the date of
 103.6 first payment of state aid for the fiscal year.

103.7 (i) State aid entitlements shall be computed for a charter school only for the
 103.8 portion of a school year for which it has a valid, signed contract under section 124D.10,
 103.9 subdivision 6.

103.10 Sec. 11. **REVISOR'S INSTRUCTION.**

103.11 The revisor of statutes shall renumber the provisions of Minnesota Statutes listed
 103.12 in column A to the references listed in column B. The revisor of statutes may alter the
 103.13 renumbering to incorporate statutory changes made during the 2015 regular legislative
 103.14 session. The revisor shall also make necessary cross-reference changes in Minnesota
 103.15 Statutes and Minnesota Rules consistent with the renumbering in this instruction and the
 103.16 relettering of paragraphs in sections 1 to 5.

Column A	Column B
<u>124D.10, subd. 1, paragraph (a)</u>	<u>124E.01, subd. 1</u>
<u>124D.10, subd. 1, paragraph (b)</u>	<u>124E.06, subd. 3, paragraph (d)</u>
<u>124D.10, subd. 1, paragraph (c)</u>	<u>124E.06, subd. 1, paragraph (b)</u>
<u>124D.10, subd. 2</u>	<u>124E.01, subd. 2</u>
<u>124D.10, subd. 3, paragraph (a)</u>	<u>124E.02, paragraph (a)</u>
<u>124D.10, subd. 3, paragraph (b)</u>	<u>124E.05, subd. 1</u>
<u>124D.10, subd. 3, paragraph (c)</u>	<u>124E.05, subd. 2, paragraph (a)</u>
<u>124D.10, subd. 3, paragraph (d)</u>	<u>124E.05, subd. 3, paragraph (a)</u>
<u>124D.10, subd. 3, paragraph (e)</u>	<u>124E.05, subd. 4</u>
<u>124D.10, subd. 3, paragraph (f)</u>	<u>124E.05, subd. 3, paragraph (b)</u>
<u>124D.10, subd. 3, paragraph (g)</u>	<u>124E.05, subd. 7</u>
<u>124D.10, subd. 3, paragraph (h)</u>	<u>124E.05, subd. 2, paragraph (b)</u>
<u>124D.10, subd. 3, paragraph (i)</u>	<u>124E.05, subd. 5</u>
<u>124D.10, subd. 3, paragraph (j)</u>	<u>124E.05, subd. 6, paragraph (a)</u>
<u>124D.10, subd. 3, paragraph (k)</u>	<u>124E.05, subd. 6, paragraph (b)</u>
<u>124D.10, subd. 4, paragraph (a)</u>	<u>124E.06, subd. 1, paragraph (a)</u>
<u>124D.10, subd. 4, paragraph (b)</u>	<u>124E.06, subd. 2, paragraph (a)</u>
<u>124D.10, subd. 4, paragraph (c)</u>	<u>124E.06, subd. 2, paragraph (c)</u>
<u>124D.10, subd. 4, paragraph (d)</u>	<u>124E.06, subd. 4</u>
<u>124D.10, subd. 4, paragraph (e)</u>	<u>124E.06, subd. 3, paragraph (g)</u>
<u>124D.10, subd. 4, paragraph (f)</u>	<u>124E.06, subd. 2, paragraph (b)</u>
<u>124D.10, subd. 4, paragraph (g)</u>	<u>124E.07, subd. 1</u>

104.1	<u>124D.10, subd. 4, paragraph (h)</u>	<u>124E.07, subd. 5</u>
104.2	<u>124D.10, subd. 4, paragraph (i)</u>	<u>124E.07, subd. 8, paragraph (a)</u>
104.3	<u>124D.10, subd. 4, paragraph (j)</u>	<u>124E.07, subd. 8, paragraph (b)</u>
104.4	<u>124D.10, subd. 4, paragraph (k)</u>	<u>124E.17, subd. 2</u>
104.5	<u>124D.10, subd. 4, paragraph (l)</u>	<u>124E.07, subd. 7</u>
104.6	<u>124D.10, subd. 4, paragraph (m)</u>	<u>124E.07, subd. 2</u>
104.7	<u>124D.10, subd. 4, paragraph (n)</u>	<u>124E.07, subd. 3, paragraph (a)</u>
104.8	<u>124D.10, subd. 4, paragraph (o)</u>	<u>124E.07, subd. 4</u>
104.9	<u>124D.10, subd. 4, paragraph (p)</u>	<u>124E.10, subd. 2, paragraph (c)</u>
104.10	<u>124D.10, subd. 4, paragraph (q)</u>	<u>124E.10, subd. 2, paragraph (b)</u>
104.11	<u>124D.10, subd. 4, paragraph (r)</u>	<u>124E.10, subd. 2, paragraph (a)</u>
104.12	<u>124D.10, subd. 4, paragraph (s)</u>	<u>124E.06, subd. 5, paragraph (a)</u>
104.13	<u>124D.10, subd. 4, paragraph (t)</u>	<u>124E.06, subd. 5, paragraph (b)</u>
104.14	<u>124D.10, subd. 4a, paragraph (a)</u>	<u>124E.07, subd. 3, paragraph (b)</u>
104.15	<u>124D.10, subd. 4a, paragraph (b)</u>	<u>124E.14, paragraph (a)</u>
104.16	<u>124D.10, subd. 4a, paragraph (c)</u>	<u>124E.07, subd. 3, paragraph (c)</u>
104.17	<u>124D.10, subd. 4a, paragraph (d)</u>	<u>124E.07, subd. 3, paragraph (d)</u>
104.18	<u>124D.10, subd. 4a, paragraph (e)</u>	<u>124E.14, paragraph (b)</u>
104.19	<u>124D.10, subd. 4a, paragraph (f)</u>	<u>124E.14, paragraph (c)</u>
104.20	<u>124D.10, subd. 5</u>	<u>124E.06, subd. 6</u>
104.21	<u>124D.10, subd. 6</u>	<u>124E.10, subd. 1, paragraph (a)</u>
104.22	<u>124D.10, subd. 6a</u>	<u>124E.16, subd. 1, paragraphs (b) to (e)</u>
104.23		
104.24	<u>124D.10, subd. 7</u>	<u>124E.03, subd. 1</u>
104.25	<u>124D.10, subd. 8, paragraph (a)</u>	<u>124E.03, subd. 2, paragraph (a)</u>
104.26	<u>124D.10, subd. 8, paragraph (b)</u>	<u>124E.03, subd. 2, paragraph (b)</u>
104.27	<u>124D.10, subd. 8, paragraph (c)</u>	<u>124E.06, subd. 3, paragraph (e)</u>
104.28	<u>124D.10, subd. 8, paragraph (d)</u>	<u>124E.06, subd. 3, paragraph (b)</u>
104.29	<u>124D.10, subd. 8, paragraph (e)</u>	<u>124E.03, subd. 4, paragraph (a)</u>
104.30	<u>124D.10, subd. 8, paragraph (f)</u>	<u>124E.06, subd. 3, paragraph (c)</u>
104.31	<u>124D.10, subd. 8, paragraph (g)</u>	<u>124E.06, subd. 3, paragraph (a)</u>
104.32	<u>124D.10, subd. 8, paragraph (h)</u>	<u>124E.06, subd. 3, paragraph (f)</u>
104.33	<u>124D.10, subd. 8, paragraph (i)</u>	<u>124E.03, subd. 4, paragraph (b)</u>
104.34	<u>124D.10, subd. 8, paragraph (j)</u>	<u>124E.11, paragraph (g)</u>
104.35	<u>124D.10, subd. 8, paragraph (k)</u>	<u>124E.03, subd. 2, paragraph (c)</u>
104.36	<u>124D.10, subd. 8, paragraph (l)</u>	<u>124E.16, subd. 1, paragraph (a)</u>
104.37	<u>124D.10, subd. 8, paragraph (m)</u>	<u>124E.03, subd. 2, paragraph (d)</u>
104.38	<u>124D.10, subd. 8, paragraph (n)</u>	<u>124E.03, subd. 5, paragraph (a)</u>
104.39	<u>124D.10, subd. 8, paragraph (o)</u>	<u>124E.03, subd. 2, paragraph (e)</u>
104.40	<u>124D.10, subd. 8, paragraph (p)</u>	<u>124E.03, subd. 7, paragraph (a)</u>
104.41	<u>124D.10, subd. 8, paragraph (q)</u>	<u>124E.03, subd. 2, paragraph (f)</u>
104.42	<u>124D.10, subd. 8, paragraph (r)</u>	<u>124E.03, subd. 5, paragraph (b)</u>
104.43	<u>124D.10, subd. 8, paragraph (s)</u>	<u>124E.03, subd. 7, paragraph (b)</u>
104.44	<u>124D.10, subd. 8, paragraph (t)</u>	<u>124E.03, subd. 7, paragraph (c)</u>

105.1	<u>124D.10, subd. 8, paragraph (u)</u>	<u>124E.03, subd. 2, paragraph (g)</u>
105.2	<u>124D.10, subd. 8, paragraph (v)</u>	<u>124E.03, subd. 2, paragraph (h)</u>
105.3	<u>124D.10, subd. 8, paragraph (w)</u>	<u>124E.03, subd. 2, paragraph (i)</u>
105.4	<u>124D.10, subd. 8, paragraph (x)</u>	<u>124E.03, subd. 4, paragraph (c)</u>
105.5	<u>124D.10, subd. 8, paragraph (y)</u>	<u>124E.15, paragraph (a)</u>
105.6	<u>124D.10, subd. 8a</u>	<u>124E.25, subd. 3, paragraph (a)</u>
105.7	<u>124D.10, subd. 8b</u>	<u>124E.25, subd. 3, paragraph (b)</u>
105.8	<u>124D.10, subd. 9</u>	<u>124E.11, paragraphs (a) to (f)</u>
105.9	<u>124D.10, subd. 10</u>	<u>124E.10, subd. 1, paragraph (b)</u>
105.10	<u>124D.10, subd. 11, paragraph (a)</u>	<u>124E.12, subd. 1</u>
105.11	<u>124D.10, subd. 11, paragraph (b)</u>	<u>124E.12, subd. 2</u>
105.12	<u>124D.10, subd. 11, paragraph (c)</u>	<u>124E.07, subd. 6</u>
105.13	<u>124D.10, subd. 11, paragraph (d)</u>	<u>124E.12, subd. 5</u>
105.14	<u>124D.10, subd. 12</u>	<u>124E.03, subd. 3</u>
105.15	<u>124D.10, subd. 13</u>	<u>124E.03, subd. 6</u>
105.16	<u>124D.10, subd. 14</u>	<u>124E.16, subd. 2</u>
105.17	<u>124D.10, subd. 15, paragraphs (a)</u>	<u>124E.10, subd. 3, paragraphs (a) to</u>
105.18	<u>to (e)</u>	<u>(e)</u>
105.19	<u>124D.10, subd. 15, paragraph (f)</u>	<u>124E.05, subd. 8</u>
105.20	<u>124D.10, subd. 16</u>	<u>124E.15, paragraphs (b) to (d)</u>
105.21	<u>124D.10, subd. 17</u>	<u>124E.13, subd. 1</u>
105.22	<u>124D.10, subd. 17a</u>	<u>124E.13, subd. 3</u>
105.23	<u>124D.10, subd. 17b</u>	<u>124E.13, subd. 4</u>
105.24	<u>124D.10, subd. 19</u>	<u>124E.17, subd. 1</u>
105.25	<u>124D.10, subd. 20</u>	<u>124E.12, subd. 6</u>
105.26	<u>124D.10, subd. 21</u>	<u>124E.12, subd. 3</u>
105.27	<u>124D.10, subd. 22</u>	<u>124E.12, subd. 4</u>
105.28	<u>124D.10, subd. 23, paragraphs (a)</u>	<u>124E.10, subd. 4, paragraphs (a) and</u>
105.29	<u>and (b)</u>	<u>(b)</u>
105.30	<u>124D.10, subd. 23, paragraph (c)</u>	<u>124E.10, subd. 5</u>
105.31	<u>124D.10, subd. 23, paragraph (d)</u>	<u>124E.10, subd. 4, paragraph (c)</u>
105.32	<u>124D.10, subd. 23a, paragraph (a)</u>	<u>124E.13, subd. 2, paragraph (a)</u>
105.33	<u>124D.10, subd. 23a, paragraph (b)</u>	<u>124E.02, paragraph (b)</u>
105.34	<u>124D.10, subd. 23a, paragraph (c)</u>	<u>124E.13, subd. 2, paragraph (b)</u>
105.35	<u>124D.10, subd. 23a, paragraph (d)</u>	<u>124E.13, subd. 2, paragraph (c)</u>
105.36	<u>124D.10, subd. 24</u>	<u>124E.10, subd. 6</u>
105.37	<u>124D.10, subd. 25</u>	<u>124E.09</u>
105.38	<u>124D.10, subd. 27</u>	<u>124E.08</u>
105.39	<u>124D.11, subd. 1</u>	<u>124E.20, subd.1</u>
105.40	<u>124D.11, subd. 2</u>	<u>124E.23</u>
105.41	<u>124D.11, subd. 3</u>	<u>124E.20, subd. 2</u>
105.42	<u>124D.11, subd. 4</u>	<u>124E.22</u>
105.43	<u>124D.11, subd. 5</u>	<u>124E.21</u>
105.44	<u>124D.11, subd. 6</u>	<u>124E.24</u>

106.1	<u>124D.11, subd. 7</u>	<u>124E.26</u>
106.2	<u>124D.11, subd. 9, paragraph (a)</u>	<u>124E.25, subd. 1, paragraph (a)</u>
106.3	<u>124D.11, subd. 9, paragraph (b)</u>	<u>124E.25, subd. 1, paragraph (b)</u>
106.4	<u>124D.11, subd. 9, paragraph (c)</u>	<u>124E.25, subd. 4, paragraph (a)</u>
106.5	<u>124D.11, subd. 9, paragraph (d)</u>	<u>124E.25, subd. 4, paragraph (b)</u>
106.6	<u>124D.11, subd. 9, paragraph (e)</u>	<u>124E.25, subd. 2, paragraph (a)</u>
106.7	<u>124D.11, subd. 9, paragraph (f)</u>	<u>124E.25, subd. 1, paragraph (c)</u>
106.8	<u>124D.11, subd. 9, paragraph (g)</u>	<u>124E.25, subd. 2, paragraph (b)</u>
106.9	<u>124D.11, subd. 9, paragraph (h)</u>	<u>124E.25, subd. 2, paragraph (c)</u>

ARTICLE 7**GENERAL EDUCATION**

106.12 Section 1. Minnesota Statutes 2014, section 126C.10, subdivision 13a, is amended to
106.13 read:

106.14 Subd. 13a. **Operating capital levy.** To obtain operating capital revenue for fiscal
106.15 year 2015 and later, a district may levy an amount not more than the product of its
106.16 operating capital revenue for the fiscal year times the lesser of one or the ratio of its
106.17 adjusted net tax capacity per adjusted ~~marginal cost~~ pupil unit to the operating capital
106.18 equalizing factor. The operating capital equalizing factor equals \$14,500.

106.19 **EFFECTIVE DATE.** This section is effective the day following final enactment for
106.20 fiscal year 2015 and later.

106.21 Sec. 2. Minnesota Statutes 2014, section 126C.13, subdivision 3a, is amended to read:

106.22 Subd. 3a. **Student achievement rate.** The commissioner must establish the student
106.23 achievement rate by ~~July 1~~ September 30 of each year for levies payable in the following
106.24 year. The student achievement rate must be a rate, rounded up to the nearest hundredth of
106.25 a percent, that, when applied to the adjusted net tax capacity for all districts, raises the
106.26 amount specified in this subdivision. The student achievement rate must be the rate that
106.27 raises \$20,000,000 for fiscal year 2015 and later years. The student achievement rate may
106.28 not be changed due to changes or corrections made to a district's adjusted net tax capacity
106.29 after the rate has been established.

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

106.31 Sec. 3. Minnesota Statutes 2014, section 126C.13, subdivision 4, is amended to read:

106.32 Subd. 4. **General education aid.** ~~(a) For fiscal years 2013 and 2014 only, a district's~~
106.33 ~~general education aid is the sum of the following amounts:~~

107.1 (1) general education revenue, excluding equity revenue, total operating capital
107.2 revenue, alternative teacher compensation revenue, and transition revenue;
107.3 (2) operating capital aid under section 126C.10, subdivision 13b;
107.4 (3) equity aid under section 126C.10, subdivision 30;
107.5 (4) alternative teacher compensation aid under section 126C.10, subdivision 36;
107.6 (5) transition aid under section 126C.10, subdivision 33;
107.7 (6) shared time aid under section 126C.01, subdivision 7;
107.8 (7) referendum aid under section 126C.17, subdivisions 7 and 7a; and
107.9 (8) online learning aid according to section 124D.096.

107.10 (b) For fiscal year 2015 and later, a district's general education aid equals:
107.11 (1) general education revenue, excluding operating capital revenue, equity revenue,
107.12 local optional revenue, and transition revenue, minus the student achievement levy,
107.13 multiplied times the ratio of the actual amount of student achievement levy levied to the
107.14 permitted student achievement levy; plus
107.15 (2) operating capital aid under section 126C.10, subdivision 13b;
107.16 (2) (3) equity aid under section 126C.10, subdivision 30; plus
107.17 (3) (4) transition aid under section 126C.10, subdivision 33; plus
107.18 (4) (5) shared time aid under section 126C.10, subdivision 7; plus
107.19 (5) (6) referendum aid under section 126C.17, subdivisions 7 and 7a; plus
107.20 (6) (7) online learning aid under section 124D.096; plus
107.21 (7) (8) local optional aid according to section 126C.10, subdivision 2d, paragraph (d).

107.22 EFFECTIVE DATE. This section is effective for fiscal year 2015 and later.

107.23 Sec. 4. Minnesota Statutes 2014, section 126C.15, subdivision 1, is amended to read:
107.24 Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10,
107.25 subdivision 4, must be reserved and used to meet the educational needs of pupils who
107.26 enroll under-prepared to learn and whose progress toward meeting state or local content
107.27 or performance standards is below the level that is appropriate for learners of their age.
107.28 Basic skills revenue may also be used for programs designed to prepare children and their
107.29 families for entry into school whether the student first enrolls in kindergarten or first grade.
107.30 Any of the following may be provided to meet these learners' needs:
107.31 (1) direct instructional services under the assurance of mastery program according
107.32 to section 124D.66;
107.33 (2) remedial instruction in reading, language arts, mathematics, other content areas,
107.34 or study skills to improve the achievement level of these learners;

- 108.1 (3) additional teachers and teacher aides to provide more individualized instruction
108.2 to these learners through individual tutoring, lower instructor-to-learner ratios, or team
108.3 teaching;
- 108.4 (4) a longer school day or week during the regular school year or through a summer
108.5 program that may be offered directly by the site or under a performance-based contract
108.6 with a community-based organization;
- 108.7 (5) comprehensive and ongoing staff development consistent with district and site
108.8 plans according to section 122A.60 and to implement plans under section 120B.12,
108.9 subdivision 4a, for teachers, teacher aides, principals, and other personnel to improve
108.10 their ability to identify the needs of these learners and provide appropriate remediation,
108.11 intervention, accommodations, or modifications;
- 108.12 (6) instructional materials, digital learning, and technology appropriate for meeting
108.13 the individual needs of these learners;
- 108.14 (7) programs to reduce truancy, encourage completion of high school, enhance
108.15 self-concept, provide health services, provide nutrition services, provide a safe and secure
108.16 learning environment, provide coordination for pupils receiving services from other
108.17 governmental agencies, provide psychological services to determine the level of social,
108.18 emotional, cognitive, and intellectual development, and provide counseling services,
108.19 guidance services, and social work services;
- 108.20 (8) bilingual programs, bicultural programs, and programs for English learners;
- 108.21 (9) all-day kindergarten;
- 108.22 (10) early education programs, parent-training programs, school readiness programs,
108.23 kindergarten programs for four-year-olds, voluntary home visits under section 124D.13,
108.24 subdivision 4, and other outreach efforts designed to prepare children for kindergarten;
- 108.25 (11) extended school day and extended school year programs; and
- 108.26 (12) substantial parent involvement in developing and implementing remedial
108.27 education or intervention plans for a learner, including learning contracts between the
108.28 school, the learner, and the parent that establish achievement goals and responsibilities of
108.29 the learner and the learner's parent or guardian.

108.30 **EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

- 108.31 Sec. 5. Minnesota Statutes 2014, section 126C.17, subdivision 1, is amended to read:
- 108.32 Subdivision 1. **Referendum allowance.** (a) A district's initial referendum allowance
108.33 equals the result of the following calculations:
- 108.34 (1) multiply the referendum allowance the district would have received for fiscal
108.35 year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 1, based on

109.1 elections held before July 1, 2013, by the resident marginal cost pupil units the district
109.2 would have counted for fiscal year 2015 under Minnesota Statutes 2012, section 126C.05;

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

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

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

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

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

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

109.16 (b) A district's referendum allowance equals the sum of the district's initial
109.17 referendum allowance, plus any new referendum allowance authorized between July 1,
109.18 2013, and December 31, 2013, under subdivision 9a, plus any additional referendum
109.19 allowance per adjusted pupil unit authorized after December 31, 2013, minus any
109.20 allowances expiring in fiscal year 2016 or later, provided that the allowance may not be
109.21 less than zero. For a district with more than one referendum allowance for fiscal year
109.22 2015 under Minnesota Statutes 2012, section 126C.17, the allowance calculated under
109.23 paragraph (a), clause (3), must be divided into components such that the same percentage
109.24 of the district's allowance expires at the same time as the old allowances would have
109.25 expired under Minnesota Statutes 2012, section 126C.17. For a district with more than one
109.26 allowance for fiscal year 2015 that expires in the same year, the reduction under paragraph
109.27 (a), clause (6), to offset local optional revenue shall be made first from any allowances that
109.28 do not have an inflation adjustment approved by the voters.

109.29 EFFECTIVE DATE. This section is effective the day following final enactment for
109.30 fiscal year 2015 and later.

109.31 Sec. 6. Minnesota Statutes 2014, section 126C.17, subdivision 2, is amended to read:

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

109.35 (1) \$1,845;

110.1 (2) the sum of the referendum revenue the district would have received for fiscal
110.2 year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 4, based on
110.3 elections held before July 1, 2013, and the adjustment the district would have received
110.4 under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and
110.5 (c), based on elections held before July 1, 2013, divided by the district's adjusted pupil
110.6 units for fiscal year 2015;

110.7 (3) the product of the referendum allowance limit the district would have received
110.8 for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 2, and
110.9 the resident marginal cost pupil units the district would have received for fiscal year 2015
110.10 under Minnesota Statutes 2012, section 126C.05, subdivision 6, plus the adjustment the
110.11 district would have received under Minnesota Statutes 2012, section 127A.47, subdivision
110.12 7, paragraphs (a), (b), and (c), based on elections held before July 1, 2013, divided by
110.13 the district's adjusted pupil units for fiscal year 2015; minus \$424 for a district receiving
110.14 local optional revenue under section 126C.10, subdivision 2d, paragraph (a), minus
110.15 \$212 for a district receiving local optional revenue under section 126C.10, subdivision
110.16 2d, paragraph (b); or

110.17 (4) for a newly reorganized district created after July 1, 2013, the referendum
110.18 revenue authority for each reorganizing district in the year preceding reorganization
110.19 divided by its adjusted pupil units for the year preceding reorganization.

110.20 (b) For purposes of this subdivision, for fiscal year 2016 and later, "inflationary
110.21 increase" means one plus the percentage change in the Consumer Price Index for urban
110.22 consumers, as prepared by the United States Bureau of Labor Standards, for the current
110.23 fiscal year to fiscal year 2015. For fiscal year 2016 and later, for purposes of paragraph (a),
110.24 clause (3), the inflationary increase equals one-fourth of the percentage increase in the
110.25 formula allowance for that year compared with the formula allowance for fiscal year 2015.

110.26 **EFFECTIVE DATE.** This section is effective the day following final enactment for
110.27 fiscal year 2015 and later.

110.28 Sec. 7. Minnesota Statutes 2014, section 126C.48, subdivision 8, is amended to read:

110.29 **Subd. 8. Taconite payment and other reductions.** (1) Reductions in levies
110.30 pursuant to subdivision 1 must be made prior to the reductions in clause (2).

110.31 (2) Notwithstanding any other law to the contrary, districts that have revenue
110.32 pursuant to sections 298.018; 298.225; 298.24 to 298.28, except an amount distributed
110.33 under sections 298.26; 298.28, subdivision 4, paragraphs (c), clause (ii), and (d); 298.34 to
110.34 298.39; 298.391 to 298.396; 298.405; 477A.15; and any law imposing a tax upon severed
110.35 mineral values must reduce the levies authorized by this chapter and chapters 120B, 122A,

111.1 123A, 123B, 124A, 124D, 125A, and 127A, excluding the student achievement levy
111.2 under section 126C.13, subdivision 3b, by 95 percent of the sum of the previous year's
111.3 revenue specified under this clause and the amount attributable to the same production
111.4 year distributed to the cities and townships within the school district under section 298.28,
111.5 subdivision 2, paragraph (c).

111.6 (3) The amount of any voter approved referendum, facilities down payment, and
111.7 debt levies shall not be reduced by more than 50 percent under this subdivision, except
111.8 that payments under section 298.28, subdivision 7a, may reduce the debt service levy by
111.9 more than 50 percent. In administering this paragraph, the commissioner shall first reduce
111.10 the nonvoter approved levies of a district; then, if any payments, severed mineral value
111.11 tax revenue or recognized revenue under paragraph (2) remains, the commissioner shall
111.12 reduce any voter approved referendum levies authorized under section 126C.17; then, if
111.13 any payments, severed mineral value tax revenue or recognized revenue under paragraph
111.14 (2) remains, the commissioner shall reduce any voter approved facilities down payment
111.15 levies authorized under section 123B.63 and then, if any payments, severed mineral value
111.16 tax revenue or recognized revenue under paragraph (2) remains, the commissioner shall
111.17 reduce any voter approved debt levies.

111.18 (4) Before computing the reduction pursuant to this subdivision of the health and
111.19 safety levy authorized by sections 123B.57 and 126C.40, subdivision 5, the commissioner
111.20 shall ascertain from each affected school district the amount it proposes to levy under
111.21 each section or subdivision. The reduction shall be computed on the basis of the amount
111.22 so ascertained.

111.23 (5) To the extent the levy reduction calculated under paragraph (2) exceeds the
111.24 limitation in paragraph (3), an amount equal to the excess must be distributed from the
111.25 school district's distribution under sections 298.225, 298.28, and 477A.15 in the following
111.26 year to the cities and townships within the school district in the proportion that their
111.27 taxable net tax capacity within the school district bears to the taxable net tax capacity of
111.28 the school district for property taxes payable in the year prior to distribution. No city or
111.29 township shall receive a distribution greater than its levy for taxes payable in the year prior
111.30 to distribution. The commissioner of revenue shall certify the distributions of cities and
111.31 towns under this paragraph to the county auditor by September 30 of the year preceding
111.32 distribution. The county auditor shall reduce the proposed and final levies of cities and
111.33 towns receiving distributions by the amount of their distribution. Distributions to the cities
111.34 and towns shall be made at the times provided under section 298.27.

111.35 Sec. 8. **REPEALER.**

112.1 Minnesota Statutes 2014, section 126C.41, subdivision 1, is repealed.

ARTICLE 8

LIBRARIES, OTHER FACILITIES, AND TECHNOLOGY

Section 1. Minnesota Statutes 2014, section 125B.26, subdivision 2, is amended to read:

Subd. 2. E-rates. To be eligible for aid under this section, a district, charter school, intermediate school district is required to file an e-rate application either separately or through its telecommunications access cluster ~~and have a current technology plan on file with the department~~. Discounts received on telecommunications expenditures shall be reflected in the costs submitted to the department for aid under this section.

Sec. 2. Minnesota Statutes 2014, section 134.20, subdivision 2, is amended to read:

Subd. 2. Library board and chief administrative officer. (a) The agreement establishing a regional public library system shall provide for a library board to govern the organization having all the powers and duties of city and county library boards as provided in sections 134.11, 134.12, and 134.13 and including exclusive determination of all library services to be provided under terms of the agreement as defined in section 134.001, and exclusive control of the expenditure of all funds for the services. The regional library board may consist of as many members as the contracting parties deem necessary, appointed in a number from among the residents of the contracting parties and for terms which party to the contract as determined by the contracting parties, irrespective of the existence of one or more city and county library boards already in existence in the participating cities and counties. Not more than one member from each contracting party may be a member of the governing body of a contracting party and no member may be appointed to serve more than three consecutive three-year terms. In the participating cities and counties, the portion of the proceeds of the city and county library tax authorized in section 134.07, shall be used to support the regional public library system as the contracting agreement may provide.

(b) The governing board of a regional public library system must employ a chief administrative officer who is compensated by no more than one regional library system.

ARTICLE 9

STATE AGENCIES

112.31 Section 1. Minnesota Statutes 2014, section 16A.103, subdivision 1c, is amended to
112.32 read:

113.1 Subd. 1c. **Expenditure data.** (a) State agencies must submit any revisions
113.2 in expenditure data the commissioner determines necessary for the forecast to the
113.3 commissioner at least four weeks prior to the release of the forecast. The information
113.4 submitted by state agencies and any modifications to that information made by the
113.5 commissioner must be made available to legislative fiscal staff no later than three weeks
113.6 prior to the release of the forecast.

113.7 (b) Notwithstanding paragraph (a), the Department of Education must submit any
113.8 revisions in expenditure data to the commissioner at least three weeks before the release of
113.9 the November forecast, and the commissioner must make E-12 expenditure data available to
113.10 legislative fiscal staff no later than two weeks before the release of the November forecast.

113.11 Sec. 2. Minnesota Statutes 2014, section 123A.24, subdivision 1, is amended to read:

113.12 Subdivision 1. **Distribution of assets and liabilities.** (a) If a district withdraws
113.13 from a cooperative unit defined in subdivision 2, the distribution of assets and assignment
113.14 of liabilities to the withdrawing district shall be determined according to this subdivision.

113.15 (b) The withdrawing district remains responsible for its share of debt incurred by the
113.16 cooperative unit according to section 123B.02, subdivision 3. The district and cooperative
113.17 unit may mutually agree, through a board resolution by each, to terms and conditions of
113.18 the distribution of assets and the assignment of liabilities.

113.19 (c) If the cooperative unit and the district cannot agree on the terms and conditions,
113.20 the commissioner shall resolve the dispute by determining the district's proportionate share
113.21 of assets and liabilities based on the district's enrollment, financial contribution, usage, or
113.22 other factor or combination of factors determined appropriate by the commissioner. If the
113.23 dispute requires the commissioner to involve an administrative law judge, any fees due
113.24 to the Office of Administrative Hearings must be equally split between the district and
113.25 cooperative unit. The assets must be disbursed to the withdrawing district in a manner
113.26 that minimizes financial disruption to the cooperative unit.

113.27 (d) Assets related to an insurance pool shall not be disbursed to a member district
113.28 under paragraph (c).

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

113.30 Sec. 3. Minnesota Statutes 2014, section 123B.77, subdivision 3, is amended to read:

113.31 Subd. 3. **Statement for comparison and correction.** (a) By November 3015 of the
113.32 calendar year of the submission of the unaudited financial data, the district must provide to
113.33 the commissioner audited financial data for the preceding fiscal year. The audit must be
113.34 conducted in compliance with generally accepted governmental auditing standards, the

114.1 federal Single Audit Act, and the Minnesota legal compliance guide issued by the Office
114.2 of the State Auditor. An audited financial statement prepared in a form which will allow
114.3 comparison with and correction of material differences in the unaudited financial data shall
114.4 be submitted to the commissioner and the state auditor by December 3115. The audited
114.5 financial statement must also provide a statement of assurance pertaining to uniform
114.6 financial accounting and reporting standards compliance and a copy of the management
114.7 letter submitted to the district by the school district's auditor.

114.8 (b) By February 15 (1) of the calendar year following the submission of the
114.9 unaudited financial data, the commissioner shall convert the audited financial data
114.10 required by this subdivision into the consolidated financial statement format required
114.11 under subdivision 1a and publish the information on the department's Web site.

114.12 Sec. 4. Minnesota Statutes 2014, section 124D.50, is amended by adding a subdivision
114.13 to read:

114.14 **Subd. 2a. Service-learning specialist; service-learning work.** The commissioner
114.15 shall create a service-learning specialist position in the department to advance
114.16 evidence-based service learning, coordinate the service-learning grants program, and
114.17 provide technical assistance to school districts, schools, and school programs and to
114.18 their community-based partners or participants, such as nonprofit organizations, units
114.19 of government, higher education institutions, businesses or business organizations,
114.20 community leaders, or parents. The commissioner may provide or may contract for
114.21 specialized expertise in school- and community-based service-learning best practices,
114.22 professional development or training, service-learning research or evaluation, or
114.23 development of service-learning "learning communities" or "user group" support.

114.24 **EFFECTIVE DATE.** This section is effective July 1, 2015.

114.25 Sec. 5. Minnesota Statutes 2014, section 125A.75, subdivision 9, is amended to read:

114.26 **Subd. 9. Litigation costs; annual report.** (a) By November 30 of each year,
114.27 a school district must annually report the district's special education litigation costs,
114.28 including attorney fees and costs of due process hearings, to the commissioner of
114.29 education, consistent with the Uniform Financial Accounting and Reporting Standards.

114.30 (b) By January 15 February 1 of each year, the commissioner shall report school
114.31 district special education litigation costs to the house of representatives and the senate
114.32 committees having jurisdiction over kindergarten through grade 12 education finance.

114.33 Sec. 6. Minnesota Statutes 2014, section 127A.05, subdivision 6, is amended to read:

115.1 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's
115.2 school districts and teacher preparation programs and report to the education committees
115.3 of the legislature by January 15 February 1 of each odd-numbered year on the status of
115.4 teacher early retirement patterns, the teacher shortage, and the substitute teacher shortage,
115.5 including patterns and shortages in subject areas and regions of the state. The report must
115.6 also include how districts are making progress in hiring teachers and substitutes in the
115.7 areas of shortage and a five-year projection of teacher demand for each district.

115.8 Sec. 7. Minnesota Statutes 2014, section 127A.49, subdivision 1, is amended to read:

115.9 Subdivision 1. **Omissions.** No adjustments to any aid payments made pursuant
115.10 to this chapter or chapters 120B, 122A, 123A, 123B, 124D, 125A, and 126C resulting
115.11 from omissions in district reports, except those adjustments determined by the legislative
115.12 auditor, shall be made for any school year after December 30 15 of the next school year,
115.13 unless otherwise specifically provided by law.

115.14 Sec. 8. Minnesota Statutes 2014, section 127A.70, subdivision 1, is amended to read:

115.15 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is
115.16 established to create a seamless system of education that maximizes achievements of
115.17 all students, from early childhood through elementary, secondary, and postsecondary
115.18 education, while promoting the efficient use of financial and human resources. The
115.19 partnership shall consist of major statewide educational groups or constituencies or
115.20 noneducational statewide organizations with a stated interest in P-20 education. The initial
115.21 membership of the partnership includes the members serving on the Minnesota P-16
115.22 Education Partnership and four legislators appointed as follows:

115.23 (1) one senator from the majority party and one senator from the minority party,
115.24 appointed by the Subcommittee on Committees of the Committee on Rules and
115.25 Administration; and

115.26 (2) one member of the house of representatives appointed by the speaker of the
115.27 house and one member appointed by the minority leader of the house of representatives.

115.28 (b) The chair of the P-16 education partnership must convene the first meeting
115.29 of the P-20 partnership. Prospective members may be nominated by any partnership
115.30 member and new members will be added with the approval of a two-thirds majority of the
115.31 partnership. The partnership will also seek input from nonmember organizations whose
115.32 expertise can help inform the partnership's work.

116.1 (c) Partnership members shall be represented by the chief executives, presidents, or
116.2 other formally designated leaders of their respective organizations, or their designees. The
116.3 partnership shall meet at least three times during each calendar year.

116.4 (d) The P-20 education partnership shall be the state council for the Interstate
116.5 Compact on Educational Opportunity for Military Children under section 127A.85 with
116.6 the chair commissioner or commissioner's designee serving as the compact commissioner
116.7 responsible for the administration and management of the state's participation in the
116.8 compact. When conducting business required under section 127A.85, the P-20 partnership
116.9 shall include a representative from a military installation appointed by the adjutant general
116.10 of the Minnesota National Guard.

116.11 Sec. 9. Laws 2014, chapter 312, article 16, section 15, is amended to read:

116.12 **Sec. 15. TEACHER DEVELOPMENT AND EVALUATION REVENUE.**

116.13 (a) For fiscal year 2015 only, teacher development and evaluation revenue for a
116.14 school district, intermediate school district, or charter school with any school site that does
116.15 not have an alternative professional pay system agreement under Minnesota Statutes,
116.16 section 122A.414, subdivision 2, equals \$302 times the number of full-time equivalent
116.17 teachers employed on October 1 of the previous school year in each school site without
116.18 an alternative professional pay system under Minnesota Statutes, section 122A.414,
116.19 subdivision 2. Except for charter schools, revenue under this section must be reserved for
116.20 teacher development and evaluation activities consistent with Minnesota Statutes, section
116.21 122A.40, subdivision 8, or Minnesota Statutes, section 122A.41, subdivision 5. For the
116.22 purposes of this section, "teacher" has the meaning given it in Minnesota Statutes, section
116.23 122A.40, subdivision 1, or Minnesota Statutes, section 122A.41, subdivision 1.

116.24 (b) Notwithstanding paragraph (a), the state total teacher development and evaluation
116.25 revenue entitlement must not exceed \$10,000,000 for fiscal year 2015. The commissioner
116.26 must limit the amount of revenue under this section so as not to exceed this limit.

116.27 **EFFECTIVE DATE. This section is effective for fiscal year 2015."**

116.28 Delete the title and insert:

116.29 "A bill for an act
116.30 relating to education innovation; amending Minnesota Statutes 2014, sections
116.31 16A.103, subdivision 1c; 120A.41; 120B.02, subdivision 2; 120B.021,
116.32 subdivision 4; 120B.022, subdivisions 1, 1a, 1b; 120B.024, subdivision 2;
116.33 120B.11, subdivision 1a; 120B.12, subdivision 4a; 120B.125; 120B.30,
116.34 subdivisions 1, 1a, 3; 120B.31, subdivision 4; 120B.36, subdivision 1; 122A.09,
116.35 subdivision 4, by adding subdivisions; 122A.14, subdivision 3, by adding
116.36 a subdivision; 122A.18, subdivision 2; 122A.20, subdivision 1; 122A.21,
116.37 subdivision 2; 122A.23; 122A.245, subdivisions 1, 3, 7; 122A.25; 122A.30;
116.38 122A.31, subdivisions 1, 2; 122A.40, subdivisions 5, 8, 10, 11; 122A.41,
116.39 subdivisions 2, 5, 14; 122A.60, subdivision 1a; 122A.61, subdivision 1; 122A.70,

117.1 subdivision 1; 123A.24, subdivision 1; 123A.75, subdivision 1; 123B.77,
117.2 subdivision 3; 123B.88, subdivision 1; 124D.09, subdivisions 5, 5a, 9, 12;
117.3 124D.10, subdivisions 1, 3, 4, 8, 9, 12, 14, 23, by adding a subdivision; 124D.11,
117.4 subdivision 9; 124D.121; 124D.122; 124D.126, subdivision 1; 124D.127;
117.5 124D.128, subdivision 1; 124D.13, subdivision 4; 124D.165, subdivisions 2,
117.6 3, 4, by adding subdivisions; 124D.50, by adding a subdivision; 124D.73,
117.7 subdivisions 3, 4; 124D.74, subdivisions 1, 3, 6; 124D.75, subdivisions 1, 3,
117.8 9; 124D.76; 124D.78; 124D.79, subdivisions 1, 2; 124D.791, subdivision
117.9 4; 125A.01; 125A.023, subdivisions 3, 4; 125A.027; 125A.08; 125A.0942,
117.10 subdivision 3; 125A.21; 125A.28; 125A.63, subdivisions 2, 3, 4, 5; 125A.75,
117.11 subdivision 9; 125B.26, subdivision 2; 126C.10, subdivision 13a; 126C.13,
117.12 subdivisions 3a, 4; 126C.15, subdivision 1; 126C.17, subdivisions 1, 2; 126C.48,
117.13 subdivision 8; 127A.05, subdivision 6; 127A.49, subdivision 1; 127A.70,
117.14 subdivision 1; 134.20, subdivision 2; 135A.101, by adding a subdivision;
117.15 179A.20, by adding a subdivision; Laws 2013, chapter 116, article 2, section
117.16 20, subdivision 3; Laws 2014, chapter 312, article 16, section 15; repealing
117.17 Minnesota Statutes 2014, sections 120B.128; 120B.35, subdivision 5; 122A.40,
117.18 subdivision 11; 125A.63, subdivision 1; 126C.12, subdivision 6; 126C.41,
117.19 subdivision 1; Minnesota Rules, part 3500.1000."