

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

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1  
1.4 GENERAL EDUCATION

1.5 Section 1. Minnesota Statutes 2020, section 120A.42, is amended to read:

1.6 **120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.**

1.7 (a) The governing body of any district may contract with any of the teachers of the  
1.8 district for the conduct of schools, and may conduct schools, on either, or any, of the  
1.9 following holidays, provided that a clause to this effect is inserted in the teacher's contract:

1.10 Martin Luther King's birthday, Lincoln's and Washington's birthdays, ~~Columbus Day~~  
1.11 Indigenous Peoples' Day, and Veterans' Day. On Martin Luther King's birthday, Washington's  
1.12 birthday, Lincoln's birthday, and Veterans' Day at least one hour of the school program  
1.13 must be devoted to a patriotic observance of the day. On Indigenous Peoples' Day, at least  
1.14 one hour of the school program must be devoted to observance of the day. As part of its  
1.15 observance of Indigenous Peoples' Day, a district may provide professional development  
1.16 to teachers and staff, or instruction to students, on the following topics:

- 1.17 (1) the history of treaties between the United States and Indigenous peoples;
- 1.18 (2) the history of federal boarding schools for Indigenous children;
- 1.19 (3) Indigenous languages;
- 1.20 (4) Indigenous traditional medicines and cultural or spiritual practices;
- 1.21 (5) the sovereignty of Tribal Nations;
- 1.22 (6) the contributions of Indigenous people to American culture, literature, and society;
- 1.23 and

2.1 (7) current issues affecting Indigenous communities.

2.2 (b) A district may conduct a school program to honor Constitution Day and Citizenship  
 2.3 Day by providing opportunities for students to learn about the principles of American  
 2.4 democracy, the American system of government, American citizens' rights and  
 2.5 responsibilities, American history, and American geography, symbols, and holidays. Among  
 2.6 other activities under this paragraph, districts may administer to students the test questions  
 2.7 United States Citizenship and Immigration Services officers pose to applicants for  
 2.8 naturalization.

2.9 Sec. 2. Minnesota Statutes 2020, section 121A.21, is amended to read:

2.10 **121A.21 SCHOOL HEALTH SERVICES.**

2.11 Subdivision 1. School health services required. (a) Every school board must provide  
 2.12 services to promote the health of its pupils.

2.13 (b) The board of a district with 1,000 pupils or more in average daily membership in  
 2.14 early childhood family education, preschool disabled, elementary, and secondary programs  
 2.15 must comply with the requirements of this paragraph. It may use one or a combination of  
 2.16 the following methods:

2.17 (1) employ personnel, including at least one full-time equivalent licensed school nurse;

2.18 (2) contract with a public or private health organization or another public agency for  
 2.19 personnel during the regular school year, determined appropriate by the board, who are  
 2.20 currently licensed under chapter 148 and who are certified public health nurses; or

2.21 (3) enter into another arrangement approved by the commissioner.

2.22 Subd. 2. Access to menstrual products. A school district or charter school must provide  
 2.23 students access to menstrual products at no charge. The products must be available in  
 2.24 restrooms used by students in grades 4 to 12. For purposes of this section, "menstrual  
 2.25 products" means pads, tampons, or other similar products used in connection with the  
 2.26 menstrual cycle.

2.27 Sec. 3. Minnesota Statutes 2020, section 123A.485, subdivision 2, is amended to read:

2.28 Subd. 2. **Aid.** (a) For school districts consolidating after June 30, 2020, consolidation  
 2.29 transition aid is equal to ~~\$200~~ \$400 times the number of resident pupil units in the newly  
 2.30 created district in the year of consolidation and ~~\$100~~ \$300 times the number of resident  
 2.31 pupil units in the first year following the year of consolidation. The number of pupil units

3.1 used to calculate aid in either year shall not exceed 1,000 for districts consolidating July 1,  
3.2 1994, and 1,500 for districts consolidating July 1, 1995, and thereafter.

3.3 (b) If the total appropriation for consolidation transition aid for any fiscal year, plus any  
3.4 amount transferred under section 127A.41, subdivision 8, is insufficient to pay all districts  
3.5 the full amount of aid earned, the department must first pay the districts in the first year  
3.6 following the year of consolidation the full amount of aid earned and distribute any remaining  
3.7 funds to the newly created districts in the first year of consolidation.

3.8 **EFFECTIVE DATE.** This section is effective for consolidations occurring after June  
3.9 30, 2020.

3.10 Sec. 4. Minnesota Statutes 2020, section 123B.04, subdivision 1, is amended to read:

3.11 Subdivision 1. **Definition.** "Education site" means a separate facility. ~~A~~ or program  
3.12 within a facility or within a district ~~is an education site~~ if the school board recognizes it as  
3.13 a site.

3.14 Sec. 5. Minnesota Statutes 2020, section 123B.195, is amended to read:

3.15 **123B.195 BOARD MEMBERS' RIGHT TO EMPLOYMENT.**

3.16 Notwithstanding section 471.88, subdivision 5, a school board member may be newly  
3.17 employed or may continue to be employed by a school district as an employee only if there  
3.18 is a reasonable expectation at the beginning of the fiscal year or at the time the contract is  
3.19 entered into or extended that the amount to be earned by that officer under that contract or  
3.20 employment relationship will not exceed ~~\$8,000~~ \$20,000 in that fiscal year. Notwithstanding  
3.21 section 122A.40 or 122A.41 or other law, if the officer does not receive majority approval  
3.22 to be initially employed or to continue in employment at a meeting at which all board  
3.23 members are present, that employment is immediately terminated and that officer has no  
3.24 further rights to employment while serving as a school board member in the district.

3.25 **EFFECTIVE DATE.** This section is effective July 1, 2022.

3.26 Sec. 6. Minnesota Statutes 2020, section 123B.44, subdivision 1, is amended to read:

3.27 Subdivision 1. **Provided services.** The commissioner of education shall promulgate  
3.28 rules under the provisions of chapter 14 requiring each district or other intermediary service  
3.29 area: (a) to provide each year upon formal request by a specific date by or on behalf of a  
3.30 nonpublic school pupil enrolled in a nonpublic school located in that district or area, the  
3.31 same specific health services as are provided for public school pupils by the district where

4.1 the nonpublic school is located; and (b) to provide each year upon formal request by a  
4.2 specific date by or on behalf of a nonpublic school elementary or secondary pupil enrolled  
4.3 in a nonpublic school located in that district or area, ~~the same specific~~ guidance and  
4.4 counseling services ~~as are provided for public school secondary pupils by the district where~~  
4.5 ~~the nonpublic school is located~~. The district where the nonpublic school is located must  
4.6 provide the necessary transportation within the district boundaries between the nonpublic  
4.7 school and a public school or neutral site for nonpublic school pupils who are provided  
4.8 pupil support services under this section if the district elects to provide pupil support services  
4.9 at a site other than the nonpublic school. Each request for pupil support services must set  
4.10 forth the guidance and counseling or health services requested by or on behalf of all eligible  
4.11 nonpublic school pupils enrolled in a given nonpublic school. No district or intermediary  
4.12 service area must not expend an amount for these pupil support services which exceeds the  
4.13 amount allotted to it under this section.

4.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

4.15 Sec. 7. Minnesota Statutes 2020, section 123B.44, subdivision 5, is amended to read:

4.16 Subd. 5. **Guidance and counseling services; allotment.** Each school year the  
4.17 commissioner shall allot to the school districts or intermediary service areas for the provision  
4.18 of guidance and counseling services pursuant to this section the actual cost of the services  
4.19 provided for the pupils in each respective nonpublic school for that school year. The allotment  
4.20 for guidance and counseling services for the elementary pupils in each nonpublic school  
4.21 must not exceed the average expenditure per public school elementary pupil for these services  
4.22 by those Minnesota public schools that provide these services to their elementary pupils,  
4.23 multiplied by the number of elementary pupils in that particular nonpublic school who  
4.24 request these services and who are enrolled as of September 15 of the current school year.  
4.25 The allotment for guidance and counseling services for the secondary pupils in each  
4.26 nonpublic school must not exceed the average expenditure per public school secondary  
4.27 pupil for these services by those Minnesota public schools ~~which~~ that provide these services  
4.28 to their secondary pupils, multiplied by the number of secondary pupils in that particular  
4.29 nonpublic school who request these services and who are enrolled as of September 15 of  
4.30 the current school year.

4.31 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

5.1 Sec. 8. Minnesota Statutes 2020, section 123B.44, subdivision 6, is amended to read:

5.2 Subd. 6. **Computation of maximum allotments.** For purposes of computing maximum  
5.3 allotments for each school year pursuant to this section, the average public school expenditure  
5.4 per pupil for health services and the average public school expenditure per elementary and  
5.5 secondary pupil for guidance and counseling services shall be computed and established  
5.6 by the department by February 1 of the preceding school year from the most recent public  
5.7 school year data then available.

5.8 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

5.9 Sec. 9. Minnesota Statutes 2020, section 123B.86, subdivision 3, is amended to read:

5.10 Subd. 3. **Board control.** (a) When transportation is provided, the scheduling of routes,  
5.11 manner and method of transportation, control and discipline of school children and any  
5.12 other matter relating thereto shall be within the sole discretion, control and management of  
5.13 the board.

5.14 (b) A school board and a nonpublic school may mutually agree to a written plan for the  
5.15 board to provide nonpublic pupil transportation to nonpublic school students.

5.16 (1) A school board that provides pupil transportation through its employees may transport  
5.17 nonpublic school students according to the plan and retain the nonpublic pupil transportation  
5.18 aid attributable to that plan. A nonpublic school may make a payment to the school district  
5.19 to cover additional transportation services agreed to in the written plan for nonpublic pupil  
5.20 transportation services not required under sections 123B.84 to 123B.87.

5.21 (2) A school board that contracts for pupil transportation services may enter into a  
5.22 contractual arrangement with a school bus contractor according to the written plan adopted  
5.23 by the school board and the nonpublic school to transport nonpublic school students and  
5.24 retain the nonpublic pupil transportation aid attributable to that plan for purposes of paying  
5.25 the school bus contractor. A nonpublic school may make a payment to the school district  
5.26 to cover additional transportation services agreed to in the written plan for nonpublic pupil  
5.27 transportation services included in the contract that are not required under sections 123B.84  
5.28 to 123B.87.

5.29 (c) The school district must report the number of nonpublic school students transported  
5.30 and the nonpublic pupil transportation expenditures incurred under paragraph (b) in the  
5.31 form and manner specified by the commissioner.

6.1 Sec. 10. Minnesota Statutes 2020, section 124D.095, subdivision 2, is amended to read:

6.2 Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings  
6.3 given them.

6.4 (a) "Digital learning" is learning facilitated by technology that offers students an element  
6.5 of control over the time, place, path, or pace of their learning ~~and includes blended and~~  
6.6 ~~online learning.~~

6.7 (b) "Blended learning" is a form of digital learning that occurs when a student learns  
6.8 part time in a supervised physical setting and part time through digital delivery of instruction,  
6.9 or a student learns in a supervised physical setting where technology is used as a primary  
6.10 method to deliver instruction.

6.11 (c) "Online learning" is a form of digital learning ~~delivered by an approved online~~  
6.12 ~~learning provider under paragraph (d)~~ that occurs when a student learns primarily through  
6.13 digital delivery of instruction in a location other than a school building.

6.14 (d) "Supplemental online learning" means an online learning course taken in place of a  
6.15 course period at a local district school provided by a supplemental online learning provider.

6.16 ~~(d)~~ (e) "Supplemental online learning provider" is a school district, an intermediate  
6.17 school district, an organization of two or more school districts operating under a joint powers  
6.18 agreement, or a charter school located in Minnesota that provides online learning courses  
6.19 or programs to students other than their own enrolled students and is approved by the  
6.20 department to provide supplemental online learning courses.

6.21 ~~(e)~~ (f) "Student" is a Minnesota resident enrolled in a school under section 120A.22,  
6.22 subdivision 4, or in a school authorized to receive Tribal contract or grant aid under section  
6.23 124D.83, in kindergarten through grade 12.

6.24 ~~(f)~~ (g) "Supplemental online learning student" is a student enrolled in ~~an~~ a supplemental  
6.25 online learning course or program delivered by ~~an~~ a supplemental online learning provider  
6.26 under paragraph ~~(d)~~ (e).

6.27 (h) "Teacher" is a public employee as defined in section 179A.03, subdivision 18,  
6.28 employed by a charter school or district providing online instruction. The contract of a  
6.29 teacher employed by a charter school or district must meet the requirements of section  
6.30 122A.40 or 122A.41 and a charter school must employ or contract with a licensed teacher  
6.31 as defined in section 122A.06, subdivision 2. A teacher must perform all duties described  
6.32 in Minnesota Rules, part 8710.0310, defining teacher of record.

7.1 ~~(g)~~ (i) "Enrolling district" means the school district or charter school in which a student  
7.2 is enrolled under section 120A.22, subdivision 4, for purposes of compulsory attendance.

7.3 ~~(h) "Supplemental online learning" means an online learning course taken in place of a~~  
7.4 ~~course period at a local district school.~~

7.5 ~~(i) "Full-time online learning provider" means an enrolling school authorized by the~~  
7.6 ~~department to deliver comprehensive public education at any or all of the elementary, middle,~~  
7.7 ~~or high school levels.~~

7.8 (j) "Online learning course syllabus" is a written document that ~~an~~ a supplemental online  
7.9 learning provider transmits to the enrolling district using a format prescribed by the  
7.10 commissioner to identify the state academic standards embedded in an online course, the  
7.11 course content outline, required course assessments, expectations for actual teacher contact  
7.12 time and other student-to-teacher communications, and the academic support available to  
7.13 the online learning student.

7.14 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

7.15 Sec. 11. Minnesota Statutes 2020, section 124D.095, subdivision 3, is amended to read:

7.16 Subd. 3. **Authorization; notice; limitations on enrollment.** (a) An enrolling district  
7.17 may offer digital learning, blended learning, or online learning as instructional modalities  
7.18 to enrolled students. Digital learning, blended learning, or online learning do not generate  
7.19 online learning funds under this section. An enrolling district that offers digital learning,  
7.20 blended learning, or online learning only to its enrolled students is not subject to the reporting  
7.21 requirements or review criteria under subdivision 7, unless the enrolling district is a  
7.22 supplemental online learning provider. A teacher providing instruction via digital learning,  
7.23 blended learning, or online learning must hold the appropriate Minnesota license as defined  
7.24 in section 124D.095, subdivision 2, paragraph (h). Digital learning, blended learning, and  
7.25 online learning courses must be reported and identified in the Minnesota Common Course  
7.26 Catalog.

7.27 ~~(a)~~ (b) Any student may apply for ~~full-time~~ supplemental online enrollment in an  
7.28 approved supplemental online learning program ~~under section 124D.03 or 124D.08 or~~  
7.29 ~~chapter 124E. Notwithstanding sections 124D.03 and 124D.08 and chapter 124E, procedures~~  
7.30 ~~for enrolling in supplemental online learning are as provided in this subdivision.~~ A student  
7.31 age 17 or younger must have the written consent of a parent or guardian to apply. ~~No school~~  
7.32 ~~district or charter school may prohibit a student from applying to enroll in online learning.~~  
7.33 In order to enroll in online learning, the student and the student's parents must submit an

8.1 application to the supplemental online learning provider ~~and identify the student's reason~~  
8.2 ~~for enrolling.~~ ~~An~~ A supplemental online learning provider that accepts a student under this  
8.3 section must notify the student and the enrolling district in writing within ten days if the  
8.4 enrolling district is not the supplemental online learning provider. The student and the  
8.5 student's parent must notify the supplemental online learning provider of the student's intent  
8.6 to enroll in online learning within ten days of being accepted, at which time the student and  
8.7 the student's parent must sign a statement indicating that they have reviewed the online  
8.8 course or program and understand the expectations of enrolling in online learning. The  
8.9 supplemental online learning provider must use a form provided by the department to notify  
8.10 the enrolling district of the student's application to enroll in online learning.

8.11 ~~(b)~~ (c) The supplemental online learning notice to the enrolling district when a student  
8.12 applies to the supplemental online learning provider ~~will~~ must include the courses or program,  
8.13 credits to be awarded, and the start date of the online course or program. ~~An~~ A supplemental  
8.14 online learning provider must make available the supplemental online course syllabus to  
8.15 the enrolling district. ~~Within 15 days after the online learning provider makes information~~  
8.16 ~~in this paragraph available to the enrolling district, the enrolling district must notify the~~  
8.17 ~~online provider whether the student, the student's parent, and the enrolling district agree or~~  
8.18 ~~disagree that the course meets the enrolling district's graduation requirements.~~ A supplemental  
8.19 online learning provider that accepts a student under this section must notify the student  
8.20 and the enrolling district in writing within ten days if the enrolling district is not the  
8.21 supplemental online learning provider. A student may enroll in a supplemental online  
8.22 learning course up to the midpoint of the enrolling district's term. The enrolling district may  
8.23 waive this requirement for special circumstances and with the agreement of the online  
8.24 provider. ~~An online learning course or program that meets or exceeds a graduation standard~~  
8.25 ~~or the grade progression requirement of the enrolling district as described in the provider's~~  
8.26 ~~online course syllabus meets the corresponding graduation requirements applicable to the~~  
8.27 ~~student in the enrolling district. If the enrolling district does not agree that the course or~~  
8.28 ~~program meets its graduation requirements, then:~~

8.29 ~~(1) the enrolling district must make available an explanation of its decision to the student,~~  
8.30 ~~the student's parent, and the online provider; and~~

8.31 ~~(2) the online provider may make available a response to the enrolling district, showing~~  
8.32 ~~how the course or program meets the graduation requirements of the enrolling district.~~

8.33 ~~(e) An online learning provider must notify the commissioner that it is delivering online~~  
8.34 ~~learning and report the number of online learning students it accepts and the online learning~~  
8.35 ~~courses and programs it delivers.~~



9.1 ~~(d) An online learning provider may limit enrollment if the provider's school board or~~  
9.2 ~~board of directors adopts by resolution specific standards for accepting and rejecting students'~~  
9.3 ~~applications.~~

9.4 ~~(e) An enrolling district may reduce an online learning student's regular classroom~~  
9.5 ~~instructional membership in proportion to the student's membership in online learning~~  
9.6 ~~courses.~~

9.7 ~~(f) The online provider must report or make available information on an individual~~  
9.8 ~~student's progress and accumulated credit to the student, the student's parent, and the enrolling~~  
9.9 ~~district in a manner specified by the commissioner unless the enrolling district and the online~~  
9.10 ~~provider agree to a different form of notice and notify the commissioner. The enrolling~~  
9.11 ~~district must designate a contact person to help facilitate and monitor the student's academic~~  
9.12 ~~progress and accumulated credits towards graduation.~~

9.13 (d) A school district or charter school must allow an enrolled student to apply to enroll  
9.14 in supplemental online learning. A supplemental online learning provider must notify the  
9.15 enrolling district that the student has been accepted into the supplemental online learning  
9.16 program. Within 15 days of receiving the notification from the supplemental online learning  
9.17 program, the enrolling district must notify the supplemental online provider whether the  
9.18 student, the student's parent, and the enrolling district agree or disagree that the proposed  
9.19 course meets the enrolling district's graduation requirements.

9.20 (e) The enrolling district must communicate a student's individualized education program  
9.21 to the supplemental online provider upon accepting the enrollment and must coordinate  
9.22 services for students with disabilities unless a written agreement exists between the enrolling  
9.23 district and the supplemental online provider.

9.24 (f) An online learning course or program that meets or exceeds a graduation standard  
9.25 or the grade progression requirement of the enrolling district as described in the supplemental  
9.26 online provider's online course syllabus meets the corresponding graduation requirements  
9.27 applicable to the student in the enrolling district. The enrolling district must use the same  
9.28 criteria for accepting online learning credits or courses as it does for accepting credits or  
9.29 courses for transfer students under section 124D.03, subdivision 9. If the enrolling district  
9.30 does not agree that the course or program meets its graduation requirements, then:

9.31 (1) the enrolling district must make available an explanation of its decision to the student,  
9.32 the student's parent, and the supplemental online provider; and

10.1 (2) the supplemental online provider may make available a response to the enrolling  
 10.2 district showing how the course or program meets the graduation requirements of the  
 10.3 enrolling district.

10.4 (g) An enrolling district may reduce a supplemental online learning student's regular  
 10.5 classroom instructional enrollment in proportion to the student's enrollment in online learning  
 10.6 courses.

10.7 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

10.8 Sec. 12. Minnesota Statutes 2020, section 124D.095, subdivision 4, is amended to read:

10.9 Subd. 4. **Online learning parameters.** (a) ~~An~~ A supplemental online learning student  
 10.10 must receive academic credit for completing the requirements of an online learning course  
 10.11 or program. Secondary credits granted to ~~an~~ a supplemental online learning student count  
 10.12 toward the graduation and credit requirements of the enrolling district. ~~The enrolling district~~  
 10.13 ~~must apply the same graduation requirements to all students, including online learning~~  
 10.14 ~~students, and must continue to provide nonacademic services to online learning students.~~

10.15 If a student completes an online learning course or program that meets or exceeds a  
 10.16 graduation standard or the grade progression requirement at the enrolling district, that  
 10.17 standard or requirement is met. ~~The enrolling district must use the same criteria for accepting~~  
 10.18 ~~online learning credits or courses as it does for accepting credits or courses for transfer~~  
 10.19 ~~students under section 124D.03, subdivision 9. The enrolling district may reduce the course~~  
 10.20 ~~schedule of an online learning student in proportion to the number of online learning courses~~  
 10.21 ~~the student takes from an online learning provider that is not the enrolling district.~~

10.22 (b) ~~An~~ A supplemental online learning student may:

10.23 (1) enroll in supplemental online learning courses equal to a maximum of 50 percent of  
 10.24 the student's full schedule of courses per term during a single school year and the student  
 10.25 may exceed the supplemental online learning registration limit if the enrolling district permits  
 10.26 supplemental online learning enrollment above the limit, or if the enrolling district and the  
 10.27 supplemental online learning provider agree to the instructional services;

10.28 (2) complete course work at a grade level that is different from the student's current  
 10.29 grade level; and

10.30 (3) enroll in additional supplemental courses with the online learning provider under a  
 10.31 separate agreement that includes terms for paying any tuition or course fees.

10.32 (c) An online learning student has the same access to ~~the~~ computer hardware and  
 10.33 education software available in a school as all other students in the enrolling district. ~~An~~

11.1 ~~online learning provider must assist an online learning student whose family qualifies for~~  
11.2 ~~the education tax credit under section 290.0674 to acquire computer hardware and educational~~  
11.3 ~~software for online learning purposes.~~ Supplemental online learning students may use the  
11.4 enrolling district's computer hardware and educational software to access supplemental  
11.5 online courses. Supplemental online learning students may participate in supplemental  
11.6 online courses from a scheduled study hall or other suitable location in the district in which  
11.7 the student is enrolled if the enrolling district is able to provide a space and supervision.

11.8 ~~(d) An enrolling district may offer digital learning to its enrolled students. Such digital~~  
11.9 ~~learning does not generate online learning funds under this section. An enrolling district~~  
11.10 ~~that offers digital learning only to its enrolled students is not subject to the reporting~~  
11.11 ~~requirements or review criteria under subdivision 7, unless the enrolling district is a full-time~~  
11.12 ~~online learning provider. A teacher with a Minnesota license must assemble and deliver~~  
11.13 ~~instruction to enrolled students receiving online learning from an enrolling district. The~~  
11.14 ~~delivery of instruction occurs when the student interacts with the computer or the teacher~~  
11.15 ~~and receives ongoing assistance and assessment of learning. The instruction may include~~  
11.16 ~~curriculum developed by persons other than a teacher holding a Minnesota license.~~

11.17 (d) A supplemental online learning provider must assist a supplemental online learning  
11.18 student whose family qualifies for the education tax credit under section 290.0674 to acquire  
11.19 computer hardware and educational software for online learning purposes and must provide  
11.20 information about broadband connectivity options and programs.

11.21 (e) A supplemental online learning provider may limit enrollment if the provider's school  
11.22 board or board of directors adopts by resolution specific standards for accepting and rejecting  
11.23 students' applications.

11.24 (f) A supplemental online learning provider must report or make available information  
11.25 on an individual student's progress and accumulated credit to the student, the student's  
11.26 parent, and the enrolling district in a manner specified by the commissioner unless the  
11.27 enrolling district and the supplemental online learning provider agree to a different form of  
11.28 reporting and notify the commissioner.

11.29 (g) An enrolling district must apply the same graduation requirements to all students,  
11.30 including supplemental online learning students, and must continue to provide nonacademic  
11.31 services to supplemental online learning students. An enrolling district must designate a  
11.32 contact person to help facilitate and monitor the academic progress and accumulated credits  
11.33 toward graduation for each supplemental online learning student enrolled in the district.

12.1 ~~(e) Both full-time and~~ (h) Supplemental online learning providers are subject to the  
 12.2 reporting requirements and review criteria under subdivision 7. ~~A teacher holding a~~  
 12.3 ~~Minnesota license must assemble and deliver instruction to online learning students. The~~  
 12.4 ~~delivery of instruction occurs when the student interacts with the computer or the teacher~~  
 12.5 ~~and receives ongoing assistance and assessment of learning. The instruction may include~~  
 12.6 ~~curriculum developed by persons other than a teacher holding a Minnesota license. A teacher~~  
 12.7 providing instruction via supplemental online learning must use a curriculum aligned with  
 12.8 standards as described in section 120B.021 and must hold the appropriate Minnesota license  
 12.9 as defined in section 124D.095, subdivision 2, paragraph (h).

12.10 (i) Unless the commissioner grants a waiver, a teacher providing online learning  
 12.11 instruction must not instruct more than 40 students in any one online learning course or  
 12.12 program.

12.13 ~~(f) To enroll in more than 50 percent of the student's full schedule of courses per term~~  
 12.14 ~~in online learning, the student must qualify to exceed the supplemental online learning~~  
 12.15 ~~registration limit under paragraph (b) or apply to enroll in an approved full-time online~~  
 12.16 ~~learning program, consistent with subdivision 3, paragraph (a). Full-time online learning~~  
 12.17 ~~students may enroll in classes at a local school under a contract for instructional services~~  
 12.18 ~~between the online learning provider and the school district.~~

12.19 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

12.20 Sec. 13. Minnesota Statutes 2020, section 124D.095, subdivision 7, is amended to read:

12.21 Subd. 7. **Department of Education.** (a) The department must review and approve or  
 12.22 disapprove supplemental online learning providers applications within 90 calendar days of  
 12.23 receiving ~~an~~ a supplemental online learning provider's completed application. The  
 12.24 commissioner, using research-based standards of quality for online learning programs, must  
 12.25 review all approved supplemental online learning providers on a cyclical three-year basis.  
 12.26 Approved supplemental online learning providers annually must submit program data to,  
 12.27 confirm statements of assurances for, and provide program updates including a current  
 12.28 course list to the commissioner.

12.29 (b) A supplemental online learning provider must notify the commissioner that it is  
 12.30 delivering online learning and must report the number of online learning students it accepts  
 12.31 and the online learning courses and programs it delivers.

12.32 (c) An enrolling district that offers online learning under section 124D.095, subdivision  
 12.33 2, paragraph (c), must create an online site or sites that are classified as online learning sites

13.1 and report student enrollments in the online school site or sites. Online and blended learning  
13.2 courses must be reported in the Minnesota Common Course Catalog.

13.3 ~~(b)~~ (d) The online learning courses and programs must be rigorous, aligned with state  
13.4 academic standards, and contribute to grade progression in a single subject. The supplemental  
13.5 online learning provider, ~~other than a digital learning provider offering digital learning to~~  
13.6 ~~its enrolled students only under subdivision 4, paragraph (d)~~, must give the commissioner  
13.7 written assurance that: (1) all courses meet state academic standards; and (2) the online  
13.8 learning curriculum, instruction, and assessment, expectations for actual teacher-contact  
13.9 time or other student-to-teacher communication, and academic support meet nationally  
13.10 recognized professional standards and are described as such in an online learning course  
13.11 syllabus that meets the commissioner's requirements. Once ~~an~~ a supplemental online learning  
13.12 provider is approved under this paragraph, all of its online learning course offerings are  
13.13 eligible for payment under this section unless a course is successfully challenged by an  
13.14 enrolling district or the department under paragraph ~~(e)~~ (e).

13.15 ~~(e)~~ (e) An enrolling district may challenge the validity of a course offered by ~~an~~ a  
13.16 supplemental online learning provider. The department must review such challenges based  
13.17 on the approval procedures under paragraph ~~(b)~~ (d). The department may initiate its own  
13.18 review of the validity of an online learning course offered by ~~an~~ a supplemental online  
13.19 learning provider.

13.20 ~~(d)~~ (f) The department may collect a fee not to exceed \$250 for approving online learning  
13.21 providers or \$50 per course for reviewing a challenge by an enrolling district.

13.22 ~~(e)~~ (g) The department must develop, publish, and maintain a list of supplemental online  
13.23 learning providers that it has reviewed and approved.

13.24 ~~(f)~~ (h) The department may review a complaint about ~~an~~ a supplemental online learning  
13.25 provider, or a complaint about a provider based on the provider's response to notice of a  
13.26 violation. If the department determines that ~~an~~ a supplemental online learning provider  
13.27 violated a law or rule, the department may:

13.28 (1) create a compliance plan for the provider; or

13.29 (2) withhold funds from the provider under sections 124D.095, 124E.25, and 127A.42.  
13.30 The department must notify ~~an~~ a supplemental online learning provider in writing about  
13.31 withholding funds and provide detailed calculations.

13.32 **EFFECTIVE DATE.** This section is effective for the 2023-2024 school year and later.

14.1 Sec. 14. Minnesota Statutes 2020, section 124D.095, subdivision 8, is amended to read:

14.2 Subd. 8. **Financial arrangements.** (a) For a student enrolled in an online learning course,  
14.3 the department must calculate average daily membership and make payments according to  
14.4 this subdivision.

14.5 (b) The initial online learning average daily membership equals 1/12 for each semester  
14.6 course or a proportionate amount for courses of different lengths. The adjusted online  
14.7 learning average daily membership equals the initial online learning average daily  
14.8 membership times .88.

14.9 (c) No online learning average daily membership shall be generated if: (1) the student  
14.10 does not complete the online learning course, or (2) the student is enrolled in online learning  
14.11 provided by the enrolling district.

14.12 (d) Online learning average daily membership under this subdivision for a student  
14.13 currently enrolled in a Minnesota public school or in a Tribal contract or grant school  
14.14 authorized to receive aid under section 124D.83 shall be used only for computing average  
14.15 daily membership according to section 126C.05, subdivision 19, paragraph (a), clause (2),  
14.16 and for computing online learning aid according to section 124D.096.

14.17 Sec. 15. Minnesota Statutes 2020, section 124D.095, is amended by adding a subdivision  
14.18 to read:

14.19 Subd. 11. **Crisis online learning.** (a) "Crisis online learning" means online learning  
14.20 under this section as the primary mode of instruction for all students in a school building  
14.21 during a crisis learning period.

14.22 (b) "Crisis learning period" means a period of time that is the result of an unforeseeable  
14.23 incident or situation such as a natural disaster, pandemic, or other catastrophic event that  
14.24 creates an unsafe or untenable in-person learning environment as declared by a school  
14.25 district or charter school.

14.26 (c) "Crisis online learning plan" means a plan adopted by a school board or board of  
14.27 directors that describes the implementation of crisis online learning and how critical  
14.28 components of education are provided during the crisis learning period. Critical components  
14.29 of education include but are not limited to nutrition services in accordance with United  
14.30 States Department of Agriculture regulations, how teachers will be accessible online and  
14.31 by telephone during regular school hours each crisis online learning day to assist students,  
14.32 accommodations for students without Internet access or insufficient digital device access  
14.33 in a household, and accessible options for students with disabilities under chapter 125A and

15.1 the Individuals with Disabilities Education Act. A crisis online learning plan may only be  
15.2 adopted by a school district after consulting with the exclusive representative of the teachers  
15.3 or by a charter school after consulting with its teachers, and may include up to one  
15.4 instructional day to prepare for crisis online learning and one instructional day upon the  
15.5 conclusion of the crisis online learning period, not to exceed four days per school year  
15.6 without approval from the commissioner. Students and families must be notified of the  
15.7 crisis online learning plan before the beginning of the school year. Consistent with applicable  
15.8 labor agreements, districts must utilize available staff who are able to work during the crisis  
15.9 online learning period.

15.10 (d) Upon declaring a crisis learning period and providing notice to students and families  
15.11 at least one day prior to the regular school start time, a school district or charter school may  
15.12 implement the crisis online learning plan.

15.13 **EFFECTIVE DATE.** This section is effective the day following final enactment. For  
15.14 school year 2021-2022 the student and family notification requirement in subdivision 11,  
15.15 paragraph (c), does not apply.

15.16 Sec. 16. Minnesota Statutes 2020, section 124D.095, is amended by adding a subdivision  
15.17 to read:

15.18 Subd. 12. **Asynchronous learning.** Any approved online learning provider offering an  
15.19 asynchronous course as part of its online learning program and which has done so for three  
15.20 or more years prior to the effective date of this act, may continue to offer asynchronous  
15.21 online learning courses.

15.22 Sec. 17. Minnesota Statutes 2020, section 124D.4531, subdivision 1, is amended to read:

15.23 Subdivision 1. **Career and technical revenue.** (a) A district with a career and technical  
15.24 program approved under this section for the fiscal year in which the levy is certified is  
15.25 eligible for career and technical revenue equal to 35 percent of approved expenditures in  
15.26 the fiscal year in which the levy is certified for the following:

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

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

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

16.6 (4) necessary travel between instructional sites by licensed career and technical education  
 16.7 personnel and district-encumbered student travel between instructional and placement sites  
 16.8 in state-approved work-based learning programs;

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

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

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

16.16 (8) specialized ~~vocational~~ career and technical education instructional supplies.

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

16.19 ~~(c) The amount of the revenue calculated under this subdivision may not exceed~~  
 16.20 ~~\$17,850,000 for taxes payable in 2012, \$15,520,000 for taxes payable in 2013, and~~  
 16.21 ~~\$20,657,000 for taxes payable in 2014.~~

16.22 ~~(d) If the estimated revenue exceeds the amount in paragraph (c), the commissioner must~~  
 16.23 ~~reduce the percentage in paragraph (a) until the estimated revenue no longer exceeds the~~  
 16.24 ~~limit in paragraph (c).~~

16.25 Sec. 18. Minnesota Statutes 2020, section 124D.4531, subdivision 1a, is amended to read:

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

16.31 ~~(b) For fiscal year 2015 and later,~~ A district may levy an amount not more than the  
 16.32 product of its career and technical revenue times the lesser of one or the ratio of its adjusted



17.1 net tax capacity per adjusted pupil unit in the fiscal year in which the levy is certified to the  
17.2 career and technical revenue equalizing factor. The career and technical revenue equalizing  
17.3 factor ~~for fiscal year 2015 and later~~ equals \$7,612.

17.4 Sec. 19. Minnesota Statutes 2020, section 124D.4531, subdivision 1b, is amended to read:

17.5 Subd. 1b. **Career and technical aid.** ~~For fiscal year 2014 and later,~~ A district's career  
17.6 and technical aid equals its career and technical revenue less its career and technical levy.  
17.7 If the district levy is less than the permitted levy, the district's career and technical aid shall  
17.8 be reduced proportionately.

17.9 Sec. 20. **[124D.4532] CAREER AND TECHNICAL STUDENT TRANSPORTATION**  
17.10 **AID.**

17.11 A district that provides student travel between instructional and placement sites in  
17.12 state-approved work-based learning programs is eligible for state aid to reimburse the  
17.13 additional costs of transportation during the preceding fiscal year.

17.14 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

17.15 Sec. 21. Minnesota Statutes 2020, section 124D.59, subdivision 2, is amended to read:

17.16 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through  
17.17 grade 12; an early childhood special education student under Part B, section 619 of the  
17.18 Individuals with Disabilities Education Act, United States Code, title 20, section 1419; or  
17.19 a prekindergarten student enrolled in an approved voluntary prekindergarten program under  
17.20 section 124D.151 or a school readiness plus program who meets the requirements under  
17.21 subdivision 2a or the following requirements:

17.22 (1) the pupil, as declared by a parent or guardian first learned a language other than  
17.23 English, comes from a home where the language usually spoken is other than English, or  
17.24 usually speaks a language other than English; and

17.25 (2) the pupil is determined by a valid assessment measuring the pupil's English language  
17.26 proficiency and by developmentally appropriate measures, which might include observations,  
17.27 teacher judgment, parent recommendations, or developmentally appropriate assessment  
17.28 instruments, to lack the necessary English skills to participate fully in academic classes  
17.29 taught in English.

17.30 (b) A pupil enrolled in a Minnesota public school in any grade 4 through 12 who in the  
17.31 previous school year took a commissioner-provided assessment measuring the pupil's

18.1 emerging academic English, shall be counted as an English learner in calculating English  
 18.2 learner pupil units under section 126C.05, subdivision 17, and shall generate state English  
 18.3 learner aid under section 124D.65, subdivision 5, if the pupil scored below the state cutoff  
 18.4 score or is otherwise counted as a nonproficient participant on the assessment measuring  
 18.5 the pupil's emerging academic English, or, in the judgment of the pupil's classroom teachers,  
 18.6 consistent with section 124D.61, clause (1), the pupil is unable to demonstrate academic  
 18.7 language proficiency in English, including oral academic language, sufficient to successfully  
 18.8 and fully participate in the general core curriculum in the regular classroom.

18.9 (c) Notwithstanding paragraphs (a) and (b), a pupil in early childhood special education  
 18.10 or prekindergarten under section 124D.151, through grade 12 shall not be counted as an  
 18.11 English learner in calculating English learner pupil units under section 126C.05, subdivision  
 18.12 17, and shall not generate state English learner aid under section 124D.65, subdivision 5,  
 18.13 if:

18.14 (1) the pupil is not enrolled during the current fiscal year in an educational program for  
 18.15 English learners under sections 124D.58 to 124D.64; or

18.16 (2) the pupil has generated seven or more years of average daily membership in Minnesota  
 18.17 public schools since July 1, 1996.

18.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

18.19 Sec. 22. Minnesota Statutes 2020, section 124D.59, subdivision 2a, is amended to read:

18.20 Subd. 2a. **English learner; limited or interrupted formal education.** Consistent with  
 18.21 subdivision 2, an English learner ~~includes~~ with limited or interrupted formal education is  
 18.22 an English learner ~~with an interrupted formal education who meets three of the following~~  
 18.23 ~~five requirements:~~ defined by subdivision 2 who has at least two years less schooling than  
 18.24 the English learner's peers when entering school in the United States.

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

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

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

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

18.30 **and**

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

19.1 Sec. 23. Minnesota Statutes 2020, section 124D.65, subdivision 5, is amended to read:

19.2 Subd. 5. **School district EL revenue.** (a) The English learner programs initial allowance  
19.3 equals \$704 for fiscal years 2021 and 2022. The English learner programs initial allowance  
19.4 equals \$1,000 for fiscal year 2023. The English learner programs initial allowance for fiscal  
19.5 year 2024 and later equals the product of \$1,000 times the ratio of the formula allowance  
19.6 under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance  
19.7 under section 126C.10, subdivision 2, for fiscal year 2023.

19.8 (b) The English learner programs concentration allowance equals \$250 for fiscal years  
19.9 2021 and 2022. The English learner programs concentration allowance for fiscal year 2023  
19.10 and later equals the product of \$250 times the ratio of the formula allowance under section  
19.11 126C.10, subdivision 2, for the current fiscal year to the formula allowance under section  
19.12 126C.10, subdivision 2, for fiscal year 2023.

19.13 ~~(a)~~ (c) A district's English learner programs initial revenue equals the product of (1)  
19.14 \$704 the English learner programs initial allowance times (2) the greater of 20 or the adjusted  
19.15 average daily membership of eligible English learners enrolled in the district during the  
19.16 current fiscal year.

19.17 (d) A district's English learner programs concentration revenue equals the product of  
19.18 the English learner programs concentration allowance times the English learner pupil units  
19.19 under section 126C.05, subdivision 17.

19.20 (e) A district's English learner cross subsidy aid equals:

19.21 (1) 40 percent of the district's English learner cross subsidy for fiscal year 2023;

19.22 (2) 50 percent of the district's English learner cross subsidy for fiscal year 2024;

19.23 (3) 75 percent of the district's English learner cross subsidy for fiscal year 2025; and

19.24 (4) 100 percent of the district's English learner cross subsidy for fiscal years 2026 and  
19.25 later.

19.26 (f) A district's English learner programs revenue equals the sum of:

19.27 (1) the initial revenue under paragraph (c);

19.28 (2) the concentration revenue under paragraph (d); and

19.29 (3) a district's English learner cross subsidy aid under paragraph (e).

20.1 (g) A district's English learner cross subsidy equals the greater of zero or the difference  
 20.2 between the district's expenditure for qualifying services for the second previous year and  
 20.3 the district's English learner revenue for the second previous year.

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

20.7 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

20.8 Sec. 24. Minnesota Statutes 2020, section 124D.68, subdivision 2, is amended to read:

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

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

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

20.15 (3) is pregnant or is a parent;

20.16 (4) has been assessed as chemically dependent;

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

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

20.20 ~~(7)~~ (6) is a victim of physical or sexual abuse;

20.21 ~~(8)~~ (7) has experienced mental health problems;

20.22 ~~(9)~~ (8) has experienced homelessness sometime within six months before requesting a  
 20.23 transfer to an eligible program;

20.24 ~~(10)~~ (9) speaks English as a second language or is an English learner;

20.25 ~~(11)~~ (10) has withdrawn from school or has been chronically truant; or

20.26 ~~(12)~~ (11) is being treated in a hospital in the seven-county metropolitan area for cancer  
 20.27 or other life threatening illness or is the sibling of an eligible pupil who is being currently  
 20.28 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary  
 20.29 of the seven-county metropolitan area.

21.1 (b) A pupil ~~otherwise qualifying under paragraph (a) who is at least 21 years of age and~~  
 21.2 ~~not yet 22 years of age, and is an English learner with an interrupted formal education~~  
 21.3 ~~according to section 124D.59, subdivision 2a,~~ is eligible to participate in the graduation  
 21.4 incentives program under section 124D.68 and in concurrent enrollment courses offered  
 21.5 under section 124D.09, subdivision 10, and is funded in the same manner as other pupils  
 21.6 under this section: if the pupil otherwise qualifies under paragraph (a), is at least 21 years  
 21.7 of age and not yet 22 years of age, and:

21.8 (1) is an English learner with a limited or interrupted formal education according to  
 21.9 section 124D.59, subdivision 2a; or

21.10 (2) meets three of the following four requirements:

21.11 (i) comes from a home where the language usually spoken is other than English, or  
 21.12 usually speaks a language other than English;

21.13 (ii) enters school in the United States after grade 6;

21.14 (iii) functions at least two years below expected grade level in reading and mathematics;

21.15 and

21.16 (iv) may be preliterate in the English learner's native language.

21.17 Sec. 25. Minnesota Statutes 2020, section 124D.73, is amended by adding a subdivision  
 21.18 to read:

21.19 Subd. 5. **American Indian student.** "American Indian student" means a student who  
 21.20 identifies as American Indian or Alaska Native, using the state definition in effect on October  
 21.21 1 of the previous school year.

21.22 Sec. 26. Minnesota Statutes 2020, section 124D.79, subdivision 2, is amended to read:

21.23 Subd. 2. **Technical assistance.** The commissioner shall provide technical assistance,  
 21.24 including an annual report of American Indian student data using the state count, to districts,  
 21.25 schools and postsecondary institutions for preservice and in-service training for teachers,  
 21.26 American Indian education teachers and paraprofessionals specifically designed to implement  
 21.27 culturally responsive teaching methods, culturally based curriculum development, testing  
 21.28 and testing mechanisms, and the development of materials for American Indian education  
 21.29 programs.

22.1 Sec. 27. Minnesota Statutes 2020, section 124D.81, subdivision 1, is amended to read:

22.2 Subdivision 1. **Procedures.** A school district, charter school, or American  
22.3 Indian-controlled tribal contract or grant school enrolling at least 20 American Indian  
22.4 students identified by the state count on October 1 of the previous school year and operating  
22.5 an American Indian education program according to section 124D.74 is eligible for American  
22.6 Indian education aid if it meets the requirements of this section. Programs may provide for  
22.7 contracts for the provision of program components by nonsectarian nonpublic, community,  
22.8 tribal, charter, or alternative schools. The commissioner shall prescribe the form and manner  
22.9 of application for aids, and no aid shall be made for a program not complying with the  
22.10 requirements of sections 124D.71 to 124D.82.

22.11 Sec. 28. Minnesota Statutes 2020, section 124D.81, is amended by adding a subdivision  
22.12 to read:

22.13 Subd. 8. **State-identified American Indian.** For the purposes of sections 124D.71 to  
22.14 124D.82, students who identify as American Indian or Alaska Native, as defined by the  
22.15 state of Minnesota on October 1 of the previous school year, will be used to determine the  
22.16 state-identified American Indian student counts for districts, charter schools, and Tribal  
22.17 contract schools for the subsequent school year.

22.18 Sec. 29. Minnesota Statutes 2020, section 124D.83, is amended by adding a subdivision  
22.19 to read:

22.20 Subd. 3a. **Supplemental online learning.** A pupil attending a Tribal contract school  
22.21 under this section may participate in a supplemental online learning program offered by a  
22.22 school district. The serving school district may include the pupil's time spent in the  
22.23 supplemental online learning program in its pupil count.

22.24 Sec. 30. Minnesota Statutes 2020, section 125A.15, is amended to read:

22.25 **125A.15 PLACEMENT IN ANOTHER DISTRICT; RESPONSIBILITY.**

22.26 The responsibility for special instruction and services for a child with a disability  
22.27 temporarily placed in another district for care and treatment shall be determined in the  
22.28 following manner:

22.29 (a) The district of residence of a child shall be the district in which the child's parent  
22.30 resides, if living, or the child's guardian. If there is a dispute between school districts  
22.31 regarding residency, the district of residence is the district designated by the commissioner.

23.1 (b) If a district other than the resident district places a pupil for care and treatment, the  
23.2 district placing the pupil must notify and give the resident district an opportunity to participate  
23.3 in the placement decision. When an immediate emergency placement of a pupil is necessary  
23.4 and time constraints foreclose a resident district from participating in the emergency  
23.5 placement decision, the district in which the pupil is temporarily placed must notify the  
23.6 resident district of the emergency placement within 15 days. The resident district has up to  
23.7 five business days after receiving notice of the emergency placement to request an  
23.8 opportunity to participate in the placement decision, which the placing district must then  
23.9 provide.

23.10 (c) When a child is temporarily placed for care and treatment in a day program located  
23.11 in another district and the child continues to live within the district of residence during the  
23.12 care and treatment, the district of residence is responsible for providing transportation to  
23.13 and from the care and treatment program and an appropriate educational program for the  
23.14 child. The resident district may establish reasonable restrictions on transportation, except  
23.15 if a Minnesota court or agency orders the child placed at a day care and treatment program  
23.16 and the resident district receives a copy of the order, then the resident district must provide  
23.17 transportation to and from the program unless the court or agency orders otherwise.  
23.18 Transportation shall only be provided by the resident district during regular operating hours  
23.19 of the resident district. The resident district may provide the educational program at a school  
23.20 within the district of residence, at the child's residence, or in the district in which the day  
23.21 treatment center is located by paying tuition to that district. A district or charter school may  
23.22 utilize online learning under section 124D.095 to fulfill its educational program responsibility  
23.23 under this chapter if the child, or the child's parent or guardian for a pupil under the age of  
23.24 18, agrees to that form of instruction.

23.25 (d) When a child is temporarily placed in a residential program for care and treatment,  
23.26 the nonresident district in which the child is placed is responsible for providing an appropriate  
23.27 educational program for the child and necessary transportation while the child is attending  
23.28 the educational program; and must bill the district of the child's residence for the actual cost  
23.29 of providing the program, as outlined in section 125A.11, except as provided in paragraph  
23.30 (e). However, the board, lodging, and treatment costs incurred in behalf of a child with a  
23.31 disability placed outside of the school district of residence by the commissioner of human  
23.32 services or the commissioner of corrections or their agents, for reasons other than providing  
23.33 for the child's special educational needs must not become the responsibility of either the  
23.34 district providing the instruction or the district of the child's residence. For the purposes of  
23.35 this section, the state correctional facilities operated on a fee-for-service basis are considered

24.1 to be residential programs for care and treatment. A district or charter school may utilize  
24.2 online learning under section 124D.095 to fulfill its educational program responsibility  
24.3 under this chapter if the child, or the child's parent or guardian for a pupil under the age of  
24.4 18, agrees to that form of instruction.

24.5 (e) A privately owned and operated residential facility may enter into a contract to obtain  
24.6 appropriate educational programs for special education children and services with a joint  
24.7 powers entity. The entity with which the private facility contracts for special education  
24.8 services shall be the district responsible for providing students placed in that facility an  
24.9 appropriate educational program in place of the district in which the facility is located. If a  
24.10 privately owned and operated residential facility does not enter into a contract under this  
24.11 paragraph, then paragraph (d) applies.

24.12 (f) The district of residence shall pay tuition and other program costs, not including  
24.13 transportation costs, to the district providing the instruction and services. The district of  
24.14 residence may claim general education aid for the child as provided by law. Transportation  
24.15 costs must be paid by the district responsible for providing the transportation and the state  
24.16 must pay transportation aid to that district.

24.17 Sec. 31. Minnesota Statutes 2020, section 125A.51, is amended to read:

24.18 **125A.51 PLACEMENT OF CHILDREN WITHOUT DISABILITIES; EDUCATION**  
24.19 **AND TRANSPORTATION.**

24.20 The responsibility for providing instruction and transportation for a pupil without a  
24.21 disability who has a short-term or temporary physical or emotional illness or disability, as  
24.22 determined by the standards of the commissioner, and who is temporarily placed for care  
24.23 and treatment for that illness or disability, must be determined as provided in this section.

24.24 (a) The school district of residence of the pupil is the district in which the pupil's parent  
24.25 or guardian resides. If there is a dispute between school districts regarding residency, the  
24.26 district of residence is the district designated by the commissioner.

24.27 (b) When parental rights have been terminated by court order, the legal residence of a  
24.28 child placed in a residential or foster facility for care and treatment is the district in which  
24.29 the child resides.

24.30 (c) Before the placement of a pupil for care and treatment, the district of residence must  
24.31 be notified and provided an opportunity to participate in the placement decision. When an  
24.32 immediate emergency placement is necessary and time does not permit resident district  
24.33 participation in the placement decision, the district in which the pupil is temporarily placed,



25.1 if different from the district of residence, must notify the district of residence of the  
25.2 emergency placement within 15 days of the placement. When a nonresident district makes  
25.3 an emergency placement without first consulting with the resident district, the resident  
25.4 district has up to five business days after receiving notice of the emergency placement to  
25.5 request an opportunity to participate in the placement decision, which the placing district  
25.6 must then provide.

25.7 (d) When a pupil without a disability is temporarily placed for care and treatment in a  
25.8 day program and the pupil continues to live within the district of residence during the care  
25.9 and treatment, the district of residence must provide instruction and necessary transportation  
25.10 to and from the care and treatment program for the pupil. The resident district may establish  
25.11 reasonable restrictions on transportation, except if a Minnesota court or agency orders the  
25.12 child placed at a day care and treatment program and the resident district receives a copy  
25.13 of the order, then the resident district must provide transportation to and from the program  
25.14 unless the court or agency orders otherwise. Transportation shall only be provided by the  
25.15 resident district during regular operating hours of the resident district. The resident district  
25.16 may provide the instruction at a school within the district of residence, at the pupil's residence,  
25.17 through an online learning program under section 124D.095, provided by the pupil's resident  
25.18 district, district of open enrollment under section 124D.03, or charter school of enrollment  
25.19 under section 124E.11, or in the case of a placement outside of the resident district, in the  
25.20 district in which the day treatment program is located by paying tuition to that district. A  
25.21 district or charter school may provide the instruction through an online learning program  
25.22 if the pupil, or the pupil's parent or guardian for a pupil under the age of 18, agrees to that  
25.23 form of instruction. The district of placement may contract with a facility to provide  
25.24 instruction by teachers licensed by the Professional Educator Licensing and Standards  
25.25 Board.

25.26 (e) When a pupil without a disability is temporarily placed in a residential program for  
25.27 care and treatment, the district in which the pupil is placed must provide instruction for the  
25.28 pupil and necessary transportation while the pupil is receiving instruction, and in the case  
25.29 of a placement outside of the district of residence, the nonresident district must bill the  
25.30 district of residence for the actual cost of providing the instruction for the regular school  
25.31 year and for summer school, excluding transportation costs. A district or charter school may  
25.32 utilize online learning under section 124D.095 to fulfill its educational program responsibility  
25.33 under this chapter if the pupil, or the pupil's parent or guardian for a pupil under the age of  
25.34 18, agrees to that form of instruction.

26.1 (f) Notwithstanding paragraph (e), if the pupil is homeless and placed in a public or  
26.2 private homeless shelter, then the district that enrolls the pupil under section 120A.20,  
26.3 subdivision 2, paragraph (b), shall provide the transportation, unless the district that enrolls  
26.4 the pupil and the district in which the pupil is temporarily placed agree that the district in  
26.5 which the pupil is temporarily placed shall provide transportation. When a pupil without a  
26.6 disability is temporarily placed in a residential program outside the district of residence,  
26.7 the administrator of the court placing the pupil must send timely written notice of the  
26.8 placement to the district of residence. The district of placement may contract with a  
26.9 residential facility to provide instruction by teachers licensed by the Professional Educator  
26.10 Licensing and Standards Board. For purposes of this section, the state correctional facilities  
26.11 operated on a fee-for-service basis are considered to be residential programs for care and  
26.12 treatment.

26.13 (g) The district of residence must include the pupil in its residence count of pupil units  
26.14 and pay tuition as provided in section 123A.488 to the district providing the instruction.  
26.15 Transportation costs must be paid by the district providing the transportation and the state  
26.16 must pay transportation aid to that district. For purposes of computing state transportation  
26.17 aid, pupils governed by this subdivision must be included in the disabled transportation  
26.18 category if the pupils cannot be transported on a regular school bus route without special  
26.19 accommodations.

26.20 Sec. 32. Minnesota Statutes 2020, section 125A.515, subdivision 3, is amended to read:

26.21 Subd. 3. **Responsibilities for providing education.** (a) The district in which the children's  
26.22 residential facility is located must provide education services, including special education  
26.23 if eligible, to all students placed in a facility. If a child's district of residence, district of open  
26.24 enrollment under section 124D.03, or charter school of enrollment under section 124E.11  
26.25 is a state-approved online learning provider under section 124D.095, subdivision 2, paragraph  
26.26 (d), the district in which the children's residential facility is located may utilize that  
26.27 state-approved online learning program in fulfilling its education services responsibility  
26.28 under this section. A district or charter school may provide the instruction through an online  
26.29 learning program if the child or child's parent or guardian, for a child under the age of 18,  
26.30 agrees to that form of instruction.

26.31 (b) For education programs operated by the Department of Corrections, the providing  
26.32 district shall be the Department of Corrections. For students remanded to the commissioner  
26.33 of corrections, the providing and resident district shall be the Department of Corrections.

27.1 Sec. 33. Minnesota Statutes 2020, section 126C.05, subdivision 19, is amended to read:

27.2 Subd. 19. **Online learning students.** (a) The average daily membership for a public  
27.3 school pupil or a pupil enrolled in a school authorized to receive Tribal contract or grant  
27.4 aid under section 124D.83 generating online learning average daily membership according  
27.5 to section 124D.095, subdivision 8, paragraph (b), equals the sum of: (1) the ratio of the  
27.6 sum of the number of instructional hours the pupil is enrolled in a regular classroom setting  
27.7 at the enrolling school to the actual number of instructional hours in the school year at the  
27.8 enrolling school, plus (2) .12 times the initial online learning average daily membership  
27.9 according to section 124D.095, subdivision 8, paragraph (b).

27.10 (b) When the sum of the average daily membership under paragraph (a) and the adjusted  
27.11 online learning average daily membership under section 124D.095, subdivision 8, paragraph  
27.12 (b), exceeds the maximum allowed for the student under subdivision 8 or 15, as applicable,  
27.13 the average daily membership under paragraph (a) shall be reduced by the excess over the  
27.14 maximum, but shall not be reduced below .12. The adjusted online learning average daily  
27.15 membership according to section 124D.095, subdivision 8, paragraph (b), shall be reduced  
27.16 by any remaining excess over the maximum.

27.17 Sec. 34. Minnesota Statutes 2020, section 126C.10, subdivision 2a, is amended to read:

27.18 Subd. 2a. **Extended time revenue.** (a) The extended time allowance is \$5,117 for fiscal  
27.19 years 2022 and 2023. For fiscal year 2024 and later, the extended time allowance equals  
27.20 the product of \$5,117 times the ratio of the formula allowance under subdivision 2 for the  
27.21 current fiscal year to the formula allowance under subdivision 2 for fiscal year 2023.

27.22 ~~(a)~~ (b) A school district's extended time revenue is equal to the product of ~~\$5,117~~ the  
27.23 extended time allowance and the sum of the adjusted pupil units of the district for each pupil  
27.24 in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05,  
27.25 subdivision 8.

27.26 ~~(b)~~ (c) Extended time revenue for pupils placed in an on-site education program at the  
27.27 Prairie Lakes Education Center or the Lake Park School, located within the borders of  
27.28 Independent School District No. 347, Willmar, for instruction provided after the end of the  
27.29 preceding regular school year and before the beginning of the following regular school year  
27.30 equals membership hours divided by the minimum annual instructional hours in section  
27.31 126C.05, subdivision 15, not to exceed 0.20, times the pupil unit weighting in section  
27.32 126C.05, subdivision 1, times ~~\$5,117~~ the extended time allowance.

28.1 (d) A school district's summer residential care and treatment extended time revenue  
 28.2 equals the product of the extended time allowance times the sum of the resident summer  
 28.3 residential care and treatment extended time average daily membership, times the pupil unit  
 28.4 weighting in section 126C.05, subdivision 1.

28.5 (e) Summer residential care and treatment extended time average daily membership for  
 28.6 resident pupils placed in a residential program for care and treatment, excluding those in  
 28.7 paragraph (b) for instruction after the end of the preceding regular school year and before  
 28.8 the beginning of the following regular school year, equals membership hours divided by  
 28.9 the minimum annual instructional hours in section 126C.05, subdivision 15, not to exceed  
 28.10 0.20.

28.11 (f) For fiscal year 2023 and later, the amount of extended time revenue calculated under  
 28.12 this paragraph may not exceed \$1,000,000 for each fiscal year.

28.13 ~~(e)~~ (g) A school district's extended time revenue may be used for extended day programs,  
 28.14 extended week programs, summer school, vacation break academies such as spring break  
 28.15 academies and summer term academies, and other programming authorized under the  
 28.16 learning year program.

28.17 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

28.18 Sec. 35. Minnesota Statutes 2020, section 126C.10, subdivision 4, is amended to read:

28.19 Subd. 4. **Basic skills revenue.** A school district's basic skills revenue equals the sum  
 28.20 of:

28.21 (1) compensatory revenue under subdivision 3; plus

28.22 (2) English learner revenue under section 124D.65, subdivision 5; ~~plus, paragraph (e).~~

28.23 ~~(3) \$250 times the English learner pupil units under section 126C.05, subdivision 17.~~

28.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

28.25 Sec. 36. Minnesota Statutes 2020, section 126C.10, subdivision 13, is amended to read:

28.26 Subd. 13. **Total operating capital revenue.** (a) Total operating capital revenue for a  
 28.27 district equals the ~~amount determined under paragraph (b) or (c), plus~~ sum of:

28.28 (1) \$79 times the adjusted pupil units for the school year;

28.29 (2) the product of \$109, the district's maintenance cost index, and its adjusted pupil units  
 28.30 for the school year plus the amount computed under paragraph (c); and

29.1 (3) \$2 times the adjusted pupil units for the school year for the purposes of supplying  
 29.2 menstrual products under subdivision 14, clause (26).

29.3 (b) The revenue under this subdivision must be placed in a reserved account in the  
 29.4 general fund and may only be used according to subdivision 14.

29.5 ~~(b) Capital revenue for a district equals \$109 times the district's maintenance cost index~~  
 29.6 ~~times its adjusted pupil units for the school year.~~

29.7 (c) The revenue under paragraph (a), clause (2), for a district that operates a program  
 29.8 under section 124D.128, is increased by an amount equal to \$31 times the number of adjusted  
 29.9 pupil units served at the site where the program is implemented.

29.10 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

29.11 Sec. 37. Minnesota Statutes 2020, section 126C.10, subdivision 13a, is amended to read:

29.12 Subd. 13a. **Operating capital levy.** To obtain operating capital revenue, a district may  
 29.13 levy an amount not more than the product of its operating capital revenue for the fiscal year  
 29.14 times the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to  
 29.15 the operating capital equalizing factor. The operating capital equalizing factor equals ~~\$23,902~~  
 29.16 ~~for fiscal year 2020, \$23,885 for fiscal year 2021, and \$22,912 for fiscal year 2022~~ and  
 29.17 2023 and ..... for fiscal year 2024 and later.

29.18 Sec. 38. Minnesota Statutes 2020, section 126C.10, subdivision 14, is amended to read:

29.19 Subd. 14. **Uses of total operating capital revenue.** Total operating capital revenue may  
 29.20 be used only for the following purposes:

29.21 (1) to acquire land for school purposes;

29.22 (2) to acquire or construct buildings for school purposes;

29.23 (3) to rent or lease buildings, including the costs of building repair or improvement that  
 29.24 are part of a lease agreement;

29.25 (4) to improve and repair school sites and buildings, and equip or reequip school buildings  
 29.26 with permanent attached fixtures, including library media centers;

29.27 (5) for a surplus school building that is used substantially for a public nonschool purpose;

29.28 (6) to eliminate barriers or increase access to school buildings by individuals with a  
 29.29 disability;

- 30.1 (7) to bring school buildings into compliance with the State Fire Code adopted according  
30.2 to chapter 299F;
- 30.3 (8) to remove asbestos from school buildings, encapsulate asbestos, or make  
30.4 asbestos-related repairs;
- 30.5 (9) to clean up and dispose of polychlorinated biphenyls found in school buildings;
- 30.6 (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or  
30.7 transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section  
30.8 296A.01;
- 30.9 (11) for energy audits for school buildings and to modify buildings if the audit indicates  
30.10 the cost of the modification can be recovered within ten years;
- 30.11 (12) to improve buildings that are leased according to section 123B.51, subdivision 4;
- 30.12 (13) to pay special assessments levied against school property but not to pay assessments  
30.13 for service charges;
- 30.14 (14) to pay principal and interest on state loans for energy conservation according to  
30.15 section 216C.37 or loans made under the Douglas J. Johnson Economic Protection Trust  
30.16 Fund Act according to sections 298.292 to ~~298.298~~ 298.297;
- 30.17 (15) to purchase or lease interactive telecommunications equipment;
- 30.18 (16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the  
30.19 amounts needed to meet, when due, principal and interest payments on certain obligations  
30.20 issued according to chapter 475; or (ii) pay principal and interest on debt service loans or  
30.21 capital loans according to section 126C.70;
- 30.22 (17) to pay operating capital-related assessments of any entity formed under a cooperative  
30.23 agreement between two or more districts;
- 30.24 (18) to purchase or lease computers and related hardware, software, and annual licensing  
30.25 fees, copying machines, telecommunications equipment, and other noninstructional  
30.26 equipment;
- 30.27 (19) to purchase or lease assistive technology or equipment for instructional programs;
- 30.28 (20) to purchase textbooks as defined in section 123B.41, subdivision 2;
- 30.29 (21) to purchase new and replacement library media resources or technology;
- 30.30 (22) to lease or purchase vehicles;

31.1 (23) to purchase or lease telecommunications equipment, computers, and related  
31.2 equipment for integrated information management systems for:

31.3 (i) managing and reporting learner outcome information for all students under a  
31.4 results-oriented graduation rule;

31.5 (ii) managing student assessment, services, and achievement information required for  
31.6 students with individualized education programs; and

31.7 (iii) other classroom information management needs;

31.8 (24) to pay personnel costs directly related to the acquisition, operation, and maintenance  
31.9 of telecommunications systems, computers, related equipment, and network and applications  
31.10 software; ~~and~~

31.11 (25) to pay the costs directly associated with closing a school facility, including moving  
31.12 and storage costs; and

31.13 (26) to pay the costs of supplies and equipment necessary to provide access to menstrual  
31.14 products at no charge to students in restrooms and as otherwise needed in school facilities.

31.15 **EFFECTIVE DATE.** This section is effective July 1, 2022.

31.16 Sec. 39. Minnesota Statutes 2020, section 126C.10, subdivision 18a, is amended to read:

31.17 Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special  
31.18 school district's transportation sparsity revenue under subdivision 18 is increased by the  
31.19 greater of zero or ~~18.2~~ 60 percent of the difference between:

31.20 (1) the lesser of the district's total cost for regular and excess pupil transportation under  
31.21 section 123B.92, subdivision 1, paragraph (b), including depreciation, for the previous fiscal  
31.22 year or 105 percent of the district's total cost for the second previous fiscal year; and

31.23 (2) the sum of:

31.24 (i) 4.66 percent of the district's basic revenue for the previous fiscal year;

31.25 (ii) transportation sparsity revenue under subdivision 18 for the previous fiscal year;

31.26 (iii) the district's charter school transportation adjustment for the previous fiscal year;

31.27 **and**

31.28 (iv) the district's reimbursement for transportation provided under section 123B.92,  
31.29 subdivision 1, paragraph (b), clause (1), item (vi).

32.1 (b) A charter school's pupil transportation adjustment equals the school district per pupil  
32.2 adjustment under paragraph (a).

32.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

32.4 Sec. 40. Minnesota Statutes 2020, section 126C.15, subdivision 1, is amended to read:

32.5 Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10,  
32.6 subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll  
32.7 under-prepared to learn and whose progress toward meeting state or local content or  
32.8 performance standards is below the level that is appropriate for learners of their age. Basic  
32.9 skills revenue may also be used for programs designed to prepare children and their families  
32.10 for entry into school whether the student first enrolls in kindergarten or first grade. Any of  
32.11 the following may be provided to meet these learners' needs:

32.12 (1) direct instructional services under the assurance of mastery program according to  
32.13 section 124D.66;

32.14 (2) remedial instruction in reading, language arts, mathematics, other content areas, or  
32.15 study skills to improve the achievement level of these learners;

32.16 (3) additional teachers and teacher aides to provide more individualized instruction to  
32.17 these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;

32.18 (4) a longer school day or week during the regular school year ~~or through a summer~~  
32.19 ~~program that may be offered directly by the site or under a performance-based contract with~~  
32.20 ~~a community-based organization;~~

32.21 (5) comprehensive and ongoing staff development consistent with district and site plans  
32.22 according to section 122A.60 and to implement plans under section 120B.12, subdivision  
32.23 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to  
32.24 identify the needs of these learners and provide appropriate remediation, intervention,  
32.25 accommodations, or modifications;

32.26 (6) instructional materials, digital learning, and technology appropriate for meeting the  
32.27 individual needs of these learners;

32.28 (7) programs to reduce truancy, encourage completion of high school, enhance  
32.29 self-concept, provide health services, provide nutrition services, provide a safe and secure  
32.30 learning environment, provide coordination for pupils receiving services from other  
32.31 governmental agencies, provide psychological services to determine the level of social,



33.1 emotional, cognitive, and intellectual development, and provide counseling services, guidance  
33.2 services, and social work services;

33.3 (8) bilingual programs, bicultural programs, and programs for English learners;

33.4 ~~(9) all-day kindergarten;~~

33.5 ~~(10)~~ (9) early education programs, parent-training programs, school readiness programs,  
33.6 ~~kindergarten~~ voluntary prekindergarten programs for four-year-olds, voluntary home visits  
33.7 under section 124D.13, subdivision 4, and other outreach efforts designed to prepare children  
33.8 for kindergarten;

33.9 ~~(11)~~ (10) extended school day and extended school year programs, including summer  
33.10 programs that may be offered directly by the site or under a performance-based contract  
33.11 with a community-based organization; and

33.12 ~~(12)~~ (11) substantial parent involvement in developing and implementing remedial  
33.13 education or intervention plans for a learner, including learning contracts between the school,  
33.14 the learner, and the parent that establish achievement goals and responsibilities of the learner  
33.15 and the learner's parent or guardian.

33.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

33.17 Sec. 41. Minnesota Statutes 2020, section 126C.15, subdivision 2, is amended to read:

33.18 Subd. 2. **Building allocation.** (a) A district or cooperative must allocate at least 80  
33.19 percent of its compensatory revenue to each school building in the district or cooperative  
33.20 where the children who have generated the revenue are served unless the school district or  
33.21 cooperative has received permission under Laws 2005, First Special Session chapter 5,  
33.22 article 1, section 50, to allocate compensatory revenue according to student performance  
33.23 measures developed by the school board.

33.24 (b) ~~Notwithstanding paragraph (a),~~ A district or cooperative may allocate ~~up to 50~~ no  
33.25 more than 20 percent of the amount of compensatory revenue that the district receives to  
33.26 school sites according to a plan adopted by the school board. The money reallocated under  
33.27 this paragraph must be spent for the purposes listed in subdivision 1, but may be spent on  
33.28 students in any grade, including students attending school readiness or other prekindergarten  
33.29 programs.

33.30 (c) For the purposes of this section and section 126C.05, subdivision 3, "building" means  
33.31 education site as defined in section 123B.04, subdivision 1.

34.1 (d) Notwithstanding section 123A.26, subdivision 1, compensatory revenue generated  
34.2 by students served at a cooperative unit shall be paid to the cooperative unit.

34.3 (e) A district or cooperative with school building openings, school building closings,  
34.4 changes in attendance area boundaries, or other changes in programs or student demographics  
34.5 between the prior year and the current year may reallocate compensatory revenue among  
34.6 sites to reflect these changes. A district or cooperative must report to the department any  
34.7 adjustments it makes according to this paragraph and the department must use the adjusted  
34.8 compensatory revenue allocations in preparing the report required under section 123B.76,  
34.9 subdivision 3, paragraph (c).

34.10 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

34.11 Sec. 42. Minnesota Statutes 2020, section 126C.19, is amended by adding a subdivision  
34.12 to read:

34.13 **Subd. 1a. Supplemental online learning.** A shared time pupil may participate in a  
34.14 school district's supplemental online learning program in the same manner as the student  
34.15 may participate in other shared time programs.

34.16 Sec. 43. Minnesota Statutes 2020, section 127A.45, subdivision 12a, is amended to read:

34.17 Subd. 12a. **Forward shifted aid payments.** One hundred percent of the state aid in  
34.18 fiscal years 2003 and later received under ~~section~~ sections 124D.87 and 124D.4532 must  
34.19 be paid by the state to the recipient school district on August 30 of that year. The recipient  
34.20 school district must recognize this aid in the previous fiscal year.

34.21 Sec. 44. Laws 2021, First Special Session chapter 13, article 1, section 9, is amended to  
34.22 read:

34.23 **Sec. 9. ENGLISH LEARNER CROSS SUBSIDY REDUCTION AID.**

34.24 (a) Notwithstanding Minnesota Statutes, section 124D.65, English learner aid is increased  
34.25 by \$2,000,000 ~~per year~~ for fiscal years year 2022, 2023, 2024, and 2025. The commissioner  
34.26 must allocate the aid to each school district and charter school based on the school district's  
34.27 or charter school's proportionate share of English learner and concentration revenue under  
34.28 Minnesota Statutes, section 126C.10, subdivision 4, clauses (2) and (3), for the preceding  
34.29 fiscal year.

34.30 (b) Revenue under this section must be used and reserved as basic skills revenue  
34.31 according to Minnesota Statutes, section 126C.15.

35.1 Sec. 45. Laws 2021, First Special Session chapter 13, article 1, section 9, the effective  
35.2 date, is amended to read:

35.3 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 ~~and~~  
35.4 ~~expires at the end of fiscal year 2025.~~

35.5 Sec. 46. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 2,  
35.6 is amended to read:

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

35.9 ~~7,569,266,000~~  
35.10 \$ 7,484,917,000 ..... 2022

35.11 ~~7,804,527,000~~  
35.12 \$ 7,858,482,000 ..... 2023

35.13 The 2022 appropriation includes \$717,326,000 for 2021 and ~~\$6,851,940,000~~  
35.14 \$6,767,591,000 for 2022.

35.15 The 2023 appropriation includes ~~\$734,520,000~~ \$725,148,000 for 2022 and  
35.16 ~~\$7,070,007,000~~ \$7,072,634,000 for 2023.

35.17 Sec. 47. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 5,  
35.18 is amended to read:

35.19 Subd. 5. **Consolidation transition aid.** (a) For districts consolidating under Minnesota  
35.20 Statutes, section 123A.485:

35.21 \$ 309,000 ..... 2022

35.22 ~~373,000~~  
35.23 \$ 973,000 ..... 2023

35.24 (b) The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

35.25 (c) The 2023 appropriation includes \$31,000 for 2022 and ~~\$342,000~~ \$973,000 for 2023.

35.26 (d) The 2023 appropriation includes 100 percent of the amount necessary to make the  
35.27 adjustment required under section 1.

35.28 Sec. 48. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 6,  
35.29 is amended to read:

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

36.1            ~~16,991,000~~  
 36.2            \$     16,995,000     ..... 2022  
 36.3            ~~17,450,000~~  
 36.4            \$     20,706,000     ..... 2023

36.5            The 2022 appropriation includes \$1,903,000 for 2021 and ~~\$15,088,000~~ \$15,092,000 for  
 36.6 2022.

36.7            The 2023 appropriation includes \$1,676,000 for 2022 and ~~\$15,774,000~~ \$18,635,000 for  
 36.8 2023.

36.9            Sec. 49. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 7,  
 36.10 is amended to read:

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

36.13            ~~19,770,000~~  
 36.14            \$     19,384,000     ..... 2022  
 36.15            ~~19,906,000~~  
 36.16            \$     19,841,000     ..... 2023

36.17            The 2022 appropriation includes \$1,910,000 for 2021 and ~~\$17,860,000~~ \$17,474,000 for  
 36.18 2022.

36.19            The 2023 appropriation includes ~~\$1,984,000~~ \$1,941,000 for 2022 and ~~\$17,922,000~~  
 36.20 \$17,900,000 for 2023.

36.21            Sec. 50. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 9,  
 36.22 is amended to read:

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

36.25            ~~2,668,000~~  
 36.26            \$     2,582,000     ..... 2022  
 36.27            ~~2,279,000~~  
 36.28            \$     2,553,000     ..... 2023

36.29            The 2022 appropriation includes \$323,000 for 2021 and ~~\$2,345,000~~ \$2,259,000 for  
 36.30 2022.

36.31            The 2023 appropriation includes ~~\$260,000~~ \$251,000 for 2022 and ~~\$2,019,000~~ \$2,302,000  
 36.32 for 2023.

37.1 Sec. 51. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision  
37.2 11, is amended to read:

37.3 Subd. 11. **English learner cross subsidy reduction aid.** ~~(a)~~ For English learner cross  
37.4 subsidy reduction aid under section 9:

37.5 \$ 2,000,000 ..... 2022

37.6 \$ ~~2,000,000~~ ..... ~~2023~~

37.7 ~~(b) The base for English learner cross subsidy reduction aid is \$2,000,000 for fiscal year~~  
37.8 ~~2024, \$2,000,000 for fiscal year 2025, and \$0 for fiscal year 2026 and later.~~

37.9 Sec. 52. LEGISLATIVE WORKING GROUP ON IDENTIFYING THE  
37.10 APPROPRIATE STUDENT ELIGIBILITY METRIC FOR CALCULATING  
37.11 COMPENSATORY REVENUE.

37.12 Subdivision 1. Membership; chair. (a) The legislative working group on compensatory  
37.13 revenue must consist of eight members as follows:

37.14 (1) four members of the house of representatives, two members appointed by the speaker  
37.15 of the house and two members appointed by the house minority leader; and

37.16 (2) four members of the senate, two members appointed by the senate majority leader  
37.17 and two members appointed by the senate minority leader.

37.18 (b) Appointing authorities must make appointments by June 15, 2022.

37.19 (c) If a vacancy occurs, the appointing authority for the vacated position must fill the  
37.20 vacancy.

37.21 (d) The speaker of the house and the senate majority leader must each designate one  
37.22 working group member from each respective body to serve as chair. The chair must rotate  
37.23 after each meeting. The person appointed as chair by the speaker of the house must convene  
37.24 the first meeting of the working group by June 30, 2022.

37.25 (e) The working group is subject to Minnesota Statutes, section 3.055.

37.26 Subd. 2. **Duties.** (a) The working group must study requirements and practices to identify  
37.27 students whose families qualify as low income for purposes of calculating compensatory  
37.28 revenue.

37.29 (b) The working group must solicit input from the state demographer, the Department  
37.30 of Education, the Children's Cabinet, the Department of Human Services, the Department  
37.31 of Revenue, school districts and charter schools, county program managers implementing

38.1 MNBenefits, and other interested stakeholders as to the best methods to provide a direct  
38.2 match for qualifying families.

38.3 (c) For purposes of calculating compensatory revenue, the working group must consider  
38.4 the benefits and disadvantages to the yearly application for free or reduced-price meals and  
38.5 whether eligibility may be determined throughout the school year.

38.6 (d) The working group must examine the effect of the Community Eligibility Provision  
38.7 program participation on students' reported free and reduced-price meal eligibility. The  
38.8 working group must also consider whether a simplified eligibility form could be used by  
38.9 students who attend Community Eligibility Provision program sites.

38.10 Subd. 3. Assistance. (a) To the extent practicable, the Department of Education must  
38.11 provide the working group with data necessary to analyze proposals altering the way that  
38.12 students are counted for purposes of calculating compensatory revenue.

38.13 (b) The Legislative Coordinating Commission must provide technical and administrative  
38.14 assistance to the working group upon request.

38.15 Subd. 4. Recommendations; report. The working group must issue a report to the  
38.16 governor and chairs and ranking minority members of the legislative committees with  
38.17 jurisdiction over kindergarten through grade 12 education by June 30, 2023.

38.18 Subd. 5. Expiration. The working group expires July 1, 2023.

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

38.20 Sec. 53. APPROPRIATION; COMPENSATORY REVENUE LEGISLATIVE  
38.21 WORKING GROUP.

38.22 \$23,000 is appropriated in fiscal year 2023 from the general fund to the director of the  
38.23 legislative coordinating commission for purposes of section 52.

38.24 Sec. 54. APPROPRIATION; DECLINING ENROLLMENT AID.

38.25 (a) \$25,000,000 in fiscal year 2023 is appropriated from the general fund to the  
38.26 commissioner of education for declining enrollment aid.

38.27 (b) A public school's decline in enrollment equals the greater of zero or the difference  
38.28 between the fall 2020 enrollment and the fall 2021 enrollment.

38.29 (c) A public school's declining enrollment aid equals the ratio of the school's decline in  
38.30 enrollment in paragraph (b) to the statewide decline in enrollment times the amount  
38.31 appropriated in paragraph (a).

39.1 (d) For purposes of this section, "public school" means a school district, charter school,  
39.2 or cooperative unit under Minnesota Statutes, section 123A.24, subdivision 2.

39.3 (e) This aid is 100 percent payable in fiscal year 2023.

39.4 Sec. 55. **REPEALER.**

39.5 Minnesota Statutes 2020, section 124D.4531, subdivision 3a, is repealed.

39.6

## ARTICLE 2

39.7

### EDUCATION EXCELLENCE

39.8 Section 1. Minnesota Statutes 2020, section 13.32, subdivision 3, is amended to read:

39.9 Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision  
39.10 5, educational data is private data on individuals and shall not be disclosed except as follows:

39.11 (a) pursuant to section 13.05;

39.12 (b) pursuant to a valid court order;

39.13 (c) pursuant to a statute specifically authorizing access to the private data;

39.14 (d) to disclose information in health, including mental health, and safety emergencies  
39.15 pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code  
39.16 of Federal Regulations, title 34, section 99.36;

39.17 (e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1),  
39.18 (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations,  
39.19 title 34, sections 99.31, 99.32, 99.33, 99.34, 99.35, and 99.39;

39.20 (f) to appropriate health authorities to the extent necessary to administer immunization  
39.21 programs and for bona fide epidemiologic investigations which the commissioner of health  
39.22 determines are necessary to prevent disease or disability to individuals in the public  
39.23 educational agency or institution in which the investigation is being conducted;

39.24 (g) when disclosure is required for institutions that participate in a program under title  
39.25 IV of the Higher Education Act, United States Code, title 20, section 1092;

39.26 (h) to the appropriate school district officials to the extent necessary under subdivision  
39.27 6, annually to indicate the extent and content of remedial instruction, including the results  
39.28 of assessment testing and academic performance at a postsecondary institution during the  
39.29 previous academic year by a student who graduated from a Minnesota school district within  
39.30 two years before receiving the remedial instruction;

40.1 (i) to appropriate authorities as provided in United States Code, title 20, section  
40.2 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the  
40.3 system to effectively serve, prior to adjudication, the student whose records are released;  
40.4 provided that the authorities to whom the data are released submit a written request for the  
40.5 data that certifies that the data will not be disclosed to any other person except as authorized  
40.6 by law without the written consent of the parent of the student and the request and a record  
40.7 of the release are maintained in the student's file;

40.8 (j) to volunteers who are determined to have a legitimate educational interest in the data  
40.9 and who are conducting activities and events sponsored by or endorsed by the educational  
40.10 agency or institution for students or former students;

40.11 (k) to provide student recruiting information, from educational data held by colleges  
40.12 and universities, as required by and subject to Code of Federal Regulations, title 32, section  
40.13 216;

40.14 (l) to the juvenile justice system if information about the behavior of a student who poses  
40.15 a risk of harm is reasonably necessary to protect the health or safety of the student or other  
40.16 individuals;

40.17 (m) with respect to Social Security numbers of students in the adult basic education  
40.18 system, to Minnesota State Colleges and Universities and the Department of Employment  
40.19 and Economic Development for the purpose and in the manner described in section 124D.52,  
40.20 subdivision 7;

40.21 (n) to the commissioner of education for purposes of an assessment or investigation of  
40.22 a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request  
40.23 by the commissioner of education, data that are relevant to a report of maltreatment and are  
40.24 from charter school and school district investigations of alleged maltreatment of a student  
40.25 must be disclosed to the commissioner, including, but not limited to, the following:

40.26 (1) information regarding the student alleged to have been maltreated;

40.27 (2) information regarding student and employee witnesses;

40.28 (3) information regarding the alleged perpetrator; and

40.29 (4) what corrective or protective action was taken, if any, by the school facility in response  
40.30 to a report of maltreatment by an employee or agent of the school or school district;

40.31 (o) when the disclosure is of the final results of a disciplinary proceeding on a charge  
40.32 of a crime of violence or nonforcible sex offense to the extent authorized under United



41.1 States Code, title 20, section 1232g(b)(6)(A) and (B) and Code of Federal Regulations, title  
41.2 34, sections 99.31 (a)(13) and (14);

41.3 (p) when the disclosure is information provided to the institution under United States  
41.4 Code, title 42, section 14071, concerning registered sex offenders to the extent authorized  
41.5 under United States Code, title 20, section 1232g(b)(7); ~~or~~

41.6 (q) when the disclosure is to a parent of a student at an institution of postsecondary  
41.7 education regarding the student's violation of any federal, state, or local law or of any rule  
41.8 or policy of the institution, governing the use or possession of alcohol or of a controlled  
41.9 substance, to the extent authorized under United States Code, title 20, section 1232g(i), and  
41.10 Code of Federal Regulations, title 34, section 99.31 (a)(15), and provided the institution  
41.11 has an information release form signed by the student authorizing disclosure to a parent.  
41.12 The institution must notify parents and students about the purpose and availability of the  
41.13 information release forms. At a minimum, the institution must distribute the information  
41.14 release forms at parent and student orientation meetings; or

41.15 (r) with Tribal Nations about Tribally enrolled or descendant students so that the Tribal  
41.16 Nation and school district or charter school can support the educational attainment of the  
41.17 student.

41.18 Sec. 2. Minnesota Statutes 2020, section 120A.22, subdivision 7, is amended to read:

41.19 Subd. 7. **Education records.** (a) A district, a charter school, or a nonpublic school that  
41.20 receives services or aid under sections 123B.40 to 123B.48 from which a student is  
41.21 transferring must transmit the student's educational records, within ten business days of a  
41.22 request, to the district, the charter school, or the nonpublic school in which the student is  
41.23 enrolling. Districts, charter schools, and nonpublic schools that receive services or aid under  
41.24 sections 123B.40 to 123B.48 must make reasonable efforts to determine the district, the  
41.25 charter school, or the nonpublic school in which a transferring student is next enrolling in  
41.26 order to comply with this subdivision.

41.27 (b) A closed charter school must transfer the student's educational records, within ten  
41.28 business days of the school's closure, to the student's school district of residence where the  
41.29 records must be retained unless the records are otherwise transferred under this subdivision.

41.30 (c) A school district, a charter school, or a nonpublic school that receives services or aid  
41.31 under sections 123B.40 to 123B.48 that transmits a student's educational records to another  
41.32 school district or other educational entity, charter school, or nonpublic school to which the  
41.33 student is transferring must include in the transmitted records information about any formal

42.1 suspension, expulsion, and exclusion disciplinary action, as well as pupil withdrawals, under  
42.2 sections 121A.40 to 121A.56. The transmitted records must include services a pupil needs  
42.3 to prevent the inappropriate behavior from recurring. The district, the charter school, or the  
42.4 nonpublic school that receives services or aid under sections 123B.40 to 123B.48 must  
42.5 provide notice to a student and the student's parent or guardian that formal disciplinary  
42.6 records will be transferred as part of the student's educational record, in accordance with  
42.7 data practices under chapter 13 and the Family Educational Rights and Privacy Act of 1974,  
42.8 United States Code, title 20, section 1232(g).

42.9 (d) Notwithstanding section 138.17, a principal or chief administrative officer must  
42.10 remove from a student's educational record and destroy a probable cause notice received  
42.11 under section 260B.171, subdivision 5, or paragraph (e), if one year has elapsed since the  
42.12 date of the notice and the principal or chief administrative officer has not received a  
42.13 disposition or court order related to the offense described in the notice. This paragraph does  
42.14 not apply if the student no longer attends the school when this one-year period expires.

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

42.19 Sec. 3. Minnesota Statutes 2020, section 120A.22, subdivision 9, is amended to read:

42.20 Subd. 9. **Knowledge and skills.** Instruction must be provided in at least the following  
42.21 subject areas:

42.22 (1) basic communication skills including reading and writing, literature, and fine arts;

42.23 (2) mathematics and science;

42.24 (3) social studies including history, geography, economics, government, and citizenship;

42.25 ~~and~~

42.26 (4) health and physical education; and

42.27 (5) ethnic studies.

42.28 Instruction, textbooks, and materials must be in the English language. Another language  
42.29 may be used pursuant to sections 124D.59 to 124D.61.

43.1 Sec. 4. Minnesota Statutes 2020, section 120B.018, subdivision 6, is amended to read:

43.2 Subd. 6. **Required standard.** "Required standard" means (1) a statewide adopted  
43.3 expectation for student learning in the content areas of language arts, mathematics, science,  
43.4 social studies, physical education, and the arts, or (2) a locally adopted expectation for  
43.5 student learning in health ~~or the arts~~.

43.6 Sec. 5. Minnesota Statutes 2020, section 120B.021, subdivision 1, is amended to read:

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

43.9 (1) language arts;

43.10 (2) mathematics;

43.11 (3) science;

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

43.14 (5) physical education;

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

43.16 (7) the arts, ~~for which statewide or locally developed academic standards apply, as~~  
43.17 ~~determined by the school district.~~ Public elementary and middle schools must offer at least  
43.18 three and require at least two of the following ~~four~~ five arts areas: media arts, dance, music,  
43.19 theater, and visual arts. Public high schools must offer at least three and require at least  
43.20 one of the following five arts areas: media arts, dance, music, theater, and visual arts.

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

43.27 (c) The department must adopt the most recent SHAPE America (Society of Health and  
43.28 Physical Educators) kindergarten through grade 12 standards and benchmarks for physical  
43.29 education as the required physical education academic standards. The department may  
43.30 modify and adapt the national standards to accommodate state interest. The modification  
43.31 and adaptations must maintain the purpose and integrity of the national standards. The  
43.32 department must make available sample assessments, which school districts may use as an

44.1 alternative to local assessments, to assess students' mastery of the physical education  
44.2 standards beginning in the 2018-2019 school year.

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

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

44.14 Sec. 6. Minnesota Statutes 2020, section 120B.021, subdivision 2, is amended to read:

44.15 Subd. 2. **Standards development.** (a) The commissioner must consider advice from at  
44.16 least the following stakeholders in developing statewide rigorous core academic standards  
44.17 in language arts, mathematics, science, social studies, including history, geography,  
44.18 economics, government and citizenship, and the arts:

44.19 (1) parents of school-age children and members of the public throughout the state;

44.20 (2) teachers throughout the state currently licensed and providing instruction in language  
44.21 arts, mathematics, science, social studies, or the arts and licensed elementary and secondary  
44.22 school principals throughout the state currently administering a school site;

44.23 (3) currently serving members of local school boards and charter school boards throughout  
44.24 the state;

44.25 (4) faculty teaching core subjects at postsecondary institutions in Minnesota; ~~and~~

44.26 (5) representatives of the Minnesota business community;

44.27 (6) representatives from the Tribal Nations Education Committee and Minnesota's Tribal  
44.28 Nations and communities, including both Anishinaabe and Dakota;

44.29 (7) youth currently enrolled in kindergarten through grade 12 school districts and charter  
44.30 schools in Minnesota; and

45.1 (8) other stakeholders that represent the ethnic, racial, and geographic diversity of  
45.2 Minnesota, including diversity of gender and sexual orientation, immigrant status, and  
45.3 religious and linguistic background.

45.4 (b) Academic standards must:

45.5 (1) be clear, concise, objective, measurable, and grade-level appropriate;

45.6 (2) not require a specific teaching methodology or curriculum; and

45.7 (3) be consistent with the Constitutions of the United States and the state of Minnesota.

45.8 Sec. 7. Minnesota Statutes 2020, section 120B.021, subdivision 3, is amended to read:

45.9 Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of this section  
45.10 and section 120B.022, must adopt statewide rules under section 14.389 for implementing  
45.11 statewide rigorous core academic standards in language arts, mathematics, science, social  
45.12 studies, physical education, and the arts. After the rules authorized under this subdivision  
45.13 are initially adopted, the commissioner may not amend or repeal these rules nor adopt new  
45.14 rules on the same topic without specific legislative authorization unless done pursuant to  
45.15 subdivision 4.

45.16 Sec. 8. Minnesota Statutes 2020, section 120B.021, subdivision 4, is amended to read:

45.17 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must  
45.18 revise and ~~appropriately~~ embed Indigenous education standards that include the contributions  
45.19 of American Indian Tribes and communities into the state's academic standards and  
45.20 graduation requirements. These standards must be consistent with recommendations from  
45.21 the Tribal Nations Education Committee.

45.22 (b) The commissioner of education must revise and embed technology and information  
45.23 literacy standards consistent with recommendations from school media specialists into the  
45.24 state's academic standards and graduation requirements and implement a ten-year cycle to  
45.25 review and, consistent with the review, revise state academic standards and related  
45.26 benchmarks, consistent with this subdivision. During each ten-year review and revision  
45.27 cycle, the commissioner also must examine the alignment of each required academic standard  
45.28 and related benchmark with the knowledge and skills students need for career and college  
45.29 readiness and advanced work in the particular subject area.

45.30 (c) The commissioner must include the contributions of Minnesota American Indian  
45.31 tribes and communities as related to the embed ethnic studies into the state's academic  
45.32 standards during the review and revision of the required academic standards.

46.1 ~~(b)~~ (d) The commissioner must ensure that the statewide mathematics assessments  
46.2 administered to students in grades 3 through 8 and 11 are aligned with the state academic  
46.3 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).  
46.4 The commissioner must implement a review of the academic standards and related  
46.5 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years  
46.6 thereafter.

46.7 ~~(e)~~ (e) The commissioner must implement a review of the academic standards and related  
46.8 benchmarks in arts beginning in the 2017-2018 school year and every ten years thereafter.

46.9 ~~(d)~~ (f) The commissioner must implement a review of the academic standards and related  
46.10 benchmarks in science beginning in the 2018-2019 school year and every ten years thereafter.

46.11 ~~(e)~~ (g) The commissioner must implement a review of the academic standards and related  
46.12 benchmarks in language arts beginning in the 2019-2020 school year and every ten years  
46.13 thereafter.

46.14 ~~(f)~~ (h) The commissioner must implement a review of the academic standards and related  
46.15 benchmarks in social studies beginning in the 2020-2021 school year and every ten years  
46.16 thereafter.

46.17 ~~(g)~~ (i) The commissioner must implement a review of the academic standards and related  
46.18 benchmarks in physical education beginning in the ~~2022-2023~~ 2026-2027 school year and  
46.19 every ten years thereafter.

46.20 ~~(h)~~ (j) School districts and charter schools must revise and align local academic standards  
46.21 and high school graduation requirements in health, world languages, and career and technical  
46.22 education to require students to complete the revised standards beginning in a school year  
46.23 determined by the school district or charter school. School districts and charter schools must  
46.24 formally establish a periodic review cycle for the academic standards and related benchmarks  
46.25 in health, world languages, and career and technical education.

46.26 Sec. 9. Minnesota Statutes 2020, section 120B.022, subdivision 1, is amended to read:

46.27 Subdivision 1. **Elective standards.** A district must establish and regularly review its  
46.28 own standards ~~in~~ for career and technical education programs. Standards must align with  
46.29 Minnesota career and technical education frameworks, standards developed by national  
46.30 career and technical education organizations, or recognized industry standards. A district  
46.31 must use the current world languages standards developed by the American Council on the  
46.32 Teaching of Foreign Languages. A school district must offer courses in all elective subject  
46.33 areas.

47.1 Sec. 10. Minnesota Statutes 2020, section 120B.024, subdivision 1, is amended to read:

47.2 Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the~~  
47.3 ~~2011-2012 school year and later~~ must successfully complete the following high school level  
47.4 credits for graduation:

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

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

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

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

47.15 (5) three and one-half credits of social studies, including credit for a course in government  
47.16 and citizenship in either 11th or 12th grade for students beginning 9th grade in the 2023-2024  
47.17 school year and later or an advanced placement, international baccalaureate, or other rigorous  
47.18 course on government and citizenship under section 120B.021, subdivision 1a, and a  
47.19 combination of other credits encompassing at least United States history, geography, ethnic  
47.20 studies, government and citizenship, world history, and economics sufficient to satisfy all  
47.21 of the academic standards in social studies;

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

47.24 (7) a minimum of seven elective credits.

47.25 (b) A school district is encouraged to offer a course for credit in government and  
47.26 citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year  
47.27 and later, that satisfies the government and citizenship requirement in paragraph (a), clause  
47.28 (5). A school district must offer the course starting in the 2023-2024 school year.

47.29 (c) A student beginning 9th grade in the 2023-2024 school year and later must  
47.30 successfully complete a personal finance course for one-half credit during the student's  
47.31 senior year of high school. The course must include but is not limited to the following topics:  
47.32 creating a household budget; taking out loans and accruing debt, including how interest  
47.33 works; home mortgages; how to file taxes; the impact of student loan debt; and how to read

48.1 a paycheck and payroll deductions. A district may provide a personal finance course through  
48.2 in-person instruction, distance instruction, or a combination of in-person and distance  
48.3 instruction. The personal finance course may satisfy a social studies requirement, a career  
48.4 and technical education requirement in accordance with local standards, or other credit  
48.5 requirement, as determined by the school board.

48.6 **EFFECTIVE DATE.** This section is effective July 1, 2022. The addition of ethnic  
48.7 studies to the social studies credit requirement is effective for students entering grade 9 in  
48.8 the 2024-2025 school year.

48.9 Sec. 11. Minnesota Statutes 2020, section 120B.024, subdivision 2, is amended to read:

48.10 Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a school's  
48.11 ~~agriculture~~ agricultural, food, and natural resources education or business ~~department~~  
48.12 education program may fulfill a one-half credit in social studies under subdivision 1, clause  
48.13 (5), if the credit is sufficient to satisfy all of the academic standards in economics.

48.14 (b) An agriculture science or career and technical education credit may fulfill the elective  
48.15 science credit required under subdivision 1, clause (4), if the credit meets the state physical  
48.16 science, life science, earth and space science, chemistry, or physics academic standards or  
48.17 a combination of these academic standards as approved by the district. An agriculture or  
48.18 career and technical education credit may fulfill the credit in chemistry or physics required  
48.19 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic  
48.20 standards as approved by the district. A student must satisfy either all of the chemistry  
48.21 academic standards or all of the physics academic standards prior to graduation. An  
48.22 agriculture science or career and technical education credit may not fulfill the required  
48.23 biology credit under subdivision 1, clause (4).

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

48.26 (d) An ~~agriculture~~ agricultural, food, and natural resources education teacher is not  
48.27 required to meet the requirements of Minnesota Rules, part 3505.1150, subpart ~~1~~ 2, item  
48.28 B, to meet the credit equivalency requirements of paragraph (b) above.

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

48.31 (f) A Project Lead the Way credit may fulfill a science or mathematics credit requirement  
48.32 under subdivision 1, clause (2) or (4), if the credit meets the state academic standards in  
48.33 science or mathematics.



49.1 Sec. 12. **[120B.025] ETHNIC STUDIES CURRICULUM.**

49.2 (a) "Ethnic studies" means the critical and interdisciplinary study of race, ethnicity, and  
49.3 indigeneity with a focus on the experiences and perspectives of people of color within and  
49.4 beyond the United States. Ethnic studies analyzes the ways in which race and racism have  
49.5 been and continue to be powerful social, cultural, and political forces, and the connections  
49.6 of race to the stratification of other groups, including stratification based on gender, class,  
49.7 sexual orientation, gender identity, disability, and legal status.

49.8 (b) Ethnic studies curriculum may be integrated into existing curricular opportunities  
49.9 or provided through additional curricular offerings.

49.10 Sec. 13. **[120B.0251] ETHNIC STUDIES.**

49.11 Subdivision 1. **Definition.** "Ethnic studies" has the meaning provided in section 120B.025.

49.12 Subd. 2. **Requirements.** (a) A student beginning grade 9 in the 2024-2025 school year  
49.13 and later must successfully complete a semester-long ethnic studies course to graduate from  
49.14 high school. The course must meet the minimum requirements of the model curriculum  
49.15 under subdivision 6. A district or charter school must offer an ethnic studies course that  
49.16 fulfills the requirements of this paragraph without increasing the number of credits required  
49.17 for graduation under section 120B.024.

49.18 (b) School districts and charter schools must provide ethnic studies instruction in  
49.19 elementary schools and middle schools by the 2025-2026 school year in accordance with  
49.20 Department of Education rules on ethnic studies.

49.21 (c) Ethnic studies instruction must meet statewide academic standards for ethnic studies  
49.22 curriculum.

49.23 (d) An ethnic studies course may focus specifically on a particular group of national or  
49.24 ethnic origin, including Hmong Studies or Somali Studies.

49.25 Subd. 3. **Rulemaking.** The commissioner of education must adopt rules for statewide  
49.26 academic standards for ethnic studies curriculum to be required for all kindergarten through  
49.27 grade 12 students. The rules must include a process for implementing standards statewide.

49.28 Subd. 4. **School needs assessment.** (a) A school district or charter school must conduct  
49.29 an ethnic studies school needs assessment with students, parents or guardians, and community  
49.30 members to determine the priorities for course selection, implementation, and timeline. The  
49.31 ethnic studies school needs assessment must include qualitative and quantitative components.  
49.32 Qualitative priorities must include a schoolwide listening session or feedback forum with

50.1 students, parents or guardians, and community members. Quantitative priorities must include  
50.2 a school survey.

50.3 (b) A school district or charter school must annually evaluate the implementation of  
50.4 ethnic studies instruction by seeking feedback from students, parents or guardians, and  
50.5 community members. A school district or charter school must report to the commissioner  
50.6 of education in the form and manner determined by the commissioner on plans to modify  
50.7 implementation based on the annual evaluation.

50.8 Subd. 5. **Department of Education.** (a) The Department of Education must hire dedicated  
50.9 ethnic studies staff sufficient to fulfill the following department duties:

50.10 (1) monitor school district and charter school implementation of ethnic studies courses  
50.11 that fulfill ethnic studies standards;

50.12 (2) support school districts and charter schools in providing training for teachers and  
50.13 school district staff to successfully implement ethnic studies standards;

50.14 (3) require each school district or charter school to annually evaluate the implementation  
50.15 of the ethnic studies requirements by seeking feedback from students, parents or guardians,  
50.16 and community members;

50.17 (4) encourage school districts and charter schools to hire a dedicated coordinator for  
50.18 ethnic studies implementation with support from the Department of Education; and

50.19 (5) make available to school districts and charter schools the following:

50.20 (i) an ethnic studies school survey for each school district and charter school to use as  
50.21 part of a school needs assessment;

50.22 (ii) a list of recommended materials, resources, sample curricula, and pedagogical skills  
50.23 for use in kindergarten through grade 12 that accurately reflect the diversity of the state of  
50.24 Minnesota;

50.25 (iii) training materials for teachers and district and school staff, including an ethnic  
50.26 studies coordinator, to implement ethnic studies requirements, including a school needs  
50.27 assessment; and

50.28 (iv) other resources to assist districts and charter schools in successfully implementing  
50.29 ethnic studies standards.

50.30 (b) The commissioner must review and revise the ethnic studies standards, once adopted,  
50.31 every ten years. Review and revision of the state standards must include robust community  
50.32 engagement and consultation with stakeholders.

51.1 Subd. 6. Model curriculum. (a) The Department of Education must encourage school  
 51.2 districts and charter schools to use the model curriculum identified by the Ethnic Studies  
 51.3 Task Force and to use materials authored by members of the community that is the subject  
 51.4 of the course. The model curriculum must:

51.5 (1) use various forms of pedagogy to meet all students' needs, including participatory  
 51.6 or research-based models for real-world connections to the current society;

51.7 (2) include a power, race, class, and gender analysis as part of the course via literature,  
 51.8 discussion, classwork, and homework as it relates to ethnic studies courses; and

51.9 (3) include an intersectional analysis of climate, health, food, housing, education, and  
 51.10 policy.

51.11 (b) The model ethnic studies curriculum must include the following topics:

51.12 (1) Latinx studies;

51.13 (2) African American studies;

51.14 (3) Asian American studies;

51.15 (4) Indigenous or First Nation studies; or

51.16 (5) introduction to ethnic studies.

51.17 **EFFECTIVE DATE.** This section is effective July 1, 2022, except subdivision 3, which  
 51.18 is effective the day following final enactment.

51.19 Sec. 14. Minnesota Statutes 2020, section 120B.026, is amended to read:

51.20 **120B.026 PHYSICAL EDUCATION; ~~EXCLUSION~~ EXCUSAL FROM CLASS;**  
 51.21 **RECESS.**

51.22 A student may be excused from a physical education class if the student submits written  
 51.23 information signed by a physician stating that physical activity will jeopardize the student's  
 51.24 health. A student may be excused from a physical education class if being excused meets  
 51.25 the child's unique and individualized needs according to the child's individualized education  
 51.26 program, federal 504 plan, or individualized health plan. A student may be excused if a  
 51.27 parent or guardian requests an exemption on religious grounds. A student with a disability  
 51.28 must be provided with modifications or adaptations that allow physical education class to  
 51.29 meet their needs. ~~Schools are strongly encouraged not to exclude students in kindergarten~~  
 51.30 ~~through grade 5 from recess due to punishment or disciplinary action.~~

51.31 **EFFECTIVE DATE.** This section is effective July 1, 2022.

52.1 Sec. 15. Minnesota Statutes 2020, section 120B.11, subdivision 1, is amended to read:

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

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

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

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

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

52.19 (e) "Ethnic studies" has the meaning provided in section 120B.025.

52.20 (f) "Antiracist" means actively working to identify and eliminate racism in all forms so  
52.21 that power and resources are redistributed and shared equitably among racial groups.

52.22 (g) "Culturally sustaining" means integrating content and practices that infuse the culture  
52.23 and language of Black, Indigenous, and People of Color communities who have been and  
52.24 continue to be harmed and erased through schooling.

52.25 (h) "Institutional racism" means structures, policies, and practices within and across  
52.26 institutions that produce outcomes that chronically favor white people and disadvantage  
52.27 those who are Black, Indigenous, and People of Color.

52.28 (i) "On track for graduation" means that at the end of grade 9, a student has earned at  
52.29 least five credits and has received no more than one failing grade in a term in a language  
52.30 arts, mathematics, science, or social studies course that fulfills a credit requirement under  
52.31 section 120B.024. A student is off track for graduation if the student fails to meet either of  
52.32 these criteria.

53.1 Sec. 16. Minnesota Statutes 2020, section 120B.11, subdivision 1a, is amended to read:

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

53.4 (1) the size of the academic achievement gap, rigorous course taking under section  
53.5 120B.35, subdivision 3, paragraph (c), clause (2), participation in honors or gifted and  
53.6 talented programming, and enrichment experiences by student subgroup;

53.7 (2) student performance on the Minnesota Comprehensive Assessments;

53.8 (3) high school graduation rates; ~~and~~

53.9 (4) career and college readiness under section 120B.30, subdivision 1; and

53.10 (5) the number and percentage of students, by student subgroup, who are on track for  
53.11 graduation.

53.12 (b) A school district that offers advanced placement, international baccalaureate, or dual  
53.13 enrollment programs must report on the following performance measures starting in the  
53.14 2023-2024 school year:

53.15 (1) participation in postsecondary enrollment options and concurrent enrollment programs;

53.16 (2) the number of students who took an advanced placement exam and the number of  
53.17 students who passed the exam; and

53.18 (3) the number of students who took the international baccalaureate exam and the number  
53.19 of students who passed the exam.

53.20 (c) Performance measures under this subdivision must be reported for all student  
53.21 subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2).

53.22 **EFFECTIVE DATE.** This section is effective July 1, 2022.

53.23 Sec. 17. Minnesota Statutes 2020, section 120B.11, subdivision 2, is amended to read:

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

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

54.1 (2) a process to: assess and evaluate each student's progress toward meeting state and  
54.2 local academic standards; assess and identify students to participate in gifted and talented  
54.3 programs and accelerate their instruction, ~~and~~; adopt early-admission procedures consistent  
54.4 with section 120B.15; assess ethnic studies curriculum needs to determine priorities for  
54.5 integrating ethnic studies into existing courses or developing new courses; and ~~identifying~~  
54.6 identify the strengths and weaknesses of instruction in pursuit of student and school success  
54.7 and curriculum affecting students' progress and growth toward career and college readiness  
54.8 and leading to the world's best workforce;

54.9 (3) a system to periodically review and evaluate the effectiveness of all instruction and  
54.10 curriculum, including ethnic studies curriculum, taking into account strategies and best  
54.11 practices, student outcomes, school principal evaluations under section 123B.147, subdivision  
54.12 3, students' access to effective teachers who are members of populations underrepresented  
54.13 among the licensed teachers in the district or school and who reflect the diversity of enrolled  
54.14 students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher  
54.15 evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

54.16 (4) strategies for improving instruction, curriculum, and student achievement, including:

54.17 (i) the English and, where practicable, the native language development and the academic  
54.18 achievement of English learners; and

54.19 (ii) access to ethnic studies curriculum using culturally responsive methodologies for  
54.20 all learners;

54.21 (5) a process to examine the equitable distribution of teachers and strategies to ensure  
54.22 children in low-income and minority families, children in families of people of color, and  
54.23 children in American Indian families are not taught at higher rates than other children by  
54.24 inexperienced, ineffective, or out-of-field teachers;

54.25 (6) education effectiveness practices that:

54.26 (i) integrate high-quality instruction, ~~rigorous curriculum~~, technology, and curriculum  
54.27 that is rigorous, accurate, antiracist, and culturally sustaining;

54.28 (ii) ensure learning and work environments validate, affirm, embrace, and integrate  
54.29 cultural and community strengths for all students, families, and employees; and

54.30 (iii) provide a collaborative professional culture that develops and supports seeks to  
54.31 retain qualified, racially and ethnically diverse staff effective at working with diverse students  
54.32 while developing and supporting teacher quality, performance, and effectiveness; and

54.33 (7) an annual budget for continuing to implement the district plan; and

55.1 (8) identifying a list of suggested and required materials, resources, sample curricula,  
55.2 and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the  
55.3 diversity of the state of Minnesota.

55.4 **EFFECTIVE DATE.** This section is effective for all strategic plans reviewed and  
55.5 updated after June 30, 2023.

55.6 Sec. 18. Minnesota Statutes 2020, section 120B.11, subdivision 3, is amended to read:

55.7 Subd. 3. **District advisory committee.** Each school board ~~shall~~ must establish an advisory  
55.8 committee to ensure active community participation in all phases of planning and improving  
55.9 the instruction and curriculum affecting state and district academic standards, consistent  
55.10 with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~ must reflect  
55.11 the diversity of the district and its school sites, include teachers, parents, support staff,  
55.12 students, and other community residents, and provide translation to the extent appropriate  
55.13 and practicable. The district advisory committee ~~shall~~ must pursue community support to  
55.14 accelerate the academic and native literacy and achievement of English learners with varied  
55.15 needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and  
55.16 2a. The district may establish site teams as subcommittees of the district advisory committee  
55.17 under subdivision 4. The district advisory committee ~~shall~~ must recommend to the school  
55.18 board: rigorous academic standards; student achievement goals and measures consistent  
55.19 with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district  
55.20 assessments; means to improve students' equitable access to effective and more diverse  
55.21 teachers; strategies to ensure the curriculum is rigorous, accurate, antiracist, and culturally  
55.22 sustaining; strategies to ensure that curriculum and learning and work environments validate,  
55.23 affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic  
55.24 groups; and program evaluations. School sites may expand upon district evaluations of  
55.25 instruction, curriculum, assessments, or programs. Whenever possible, parents and other  
55.26 community residents shall must comprise at least two-thirds of advisory committee members.

55.27 Sec. 19. **[120B.113] CLOSING EDUCATIONAL OPPORTUNITY GAPS GRANTS.**

55.28 Subdivision 1. **Grant program established.** The commissioner of education must  
55.29 establish a grant program to support implementation of world's best workforce strategies  
55.30 under section 120B.11, subdivision 2, clauses (4) and (6), and collaborative efforts that  
55.31 address opportunity gaps resulting from curricular, environmental, and structural inequities  
55.32 in schools experienced by students, families, and staff who are of color or who are American  
55.33 Indian.

56.1 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the  
56.2 meanings given.

56.3 (b) "Antiracist" means actively working to identify and eliminate racism in all forms so  
56.4 that power and resources are redistributed and shared equitably among racial groups.

56.5 (c) "Curricular" means curriculum resources used and content taught as well as access  
56.6 to levels of coursework or types of learning opportunities.

56.7 (d) "Environmental" means relating to the climate and culture of a school.

56.8 (e) "Equitable" means fairness by providing curriculum, instruction, support, and other  
56.9 resources for learning based on the needs of individual students and groups of students to  
56.10 succeed at school rather than treating all students the same despite the students having  
56.11 different needs.

56.12 (f) "Institutional racism" means policies and practices within and across institutions that  
56.13 produce outcomes that chronically favor white people and disadvantage those who are  
56.14 Black, Indigenous, and People of Color.

56.15 (g) "Opportunity gap" means the inequitable distribution of resources that impacts  
56.16 inequitable opportunities that contribute to or perpetuate learning gaps for certain groups  
56.17 of students.

56.18 (h) "Structural" means relating to the organization and systems of a school that have  
56.19 been created to manage a school.

56.20 Subd. 3. **Applications and grant awards.** The commissioner must determine application  
56.21 procedures and deadlines, select districts and charter schools to participate in the grant  
56.22 program, and determine the award amount and payment process of the grants. To the extent  
56.23 that there are sufficient applications, the commissioner must award an approximately equal  
56.24 number of grants between districts in greater Minnesota and those in the Twin Cities  
56.25 metropolitan area. If there are an insufficient number of applications received for either  
56.26 geographic area, then the commissioner may award grants to meet the requests for funds  
56.27 wherever a district is located.

56.28 Subd. 4. **Description.** The grant program must provide funding that supports collaborative  
56.29 efforts that close opportunity gaps by:

56.30 (1) ensuring school environments and curriculum validate, affirm, embrace, and integrate  
56.31 cultural and community strengths of students, families, and employees from all racial and  
56.32 ethnic backgrounds; and



57.1 (2) addressing institutional racism with equitable school policies, structures, practices,  
57.2 and curricular offerings, consistent with the requirements for long-term plans under section  
57.3 124D.861, subdivision 2, paragraph (c).

57.4 Subd. 5. **Report.** Grant recipients must annually report to the commissioner by a date  
57.5 and in a form and manner determined by the commissioner on efforts planned and  
57.6 implemented that engaged students, families, educators, and community members of diverse  
57.7 racial and ethnic backgrounds in making improvements to school climate and curriculum.  
57.8 The report must assess the impact of those efforts as perceived by racially and ethnically  
57.9 diverse stakeholders, and must identify any areas needed for further continuous improvement.  
57.10 The commissioner must publish a report for the public summarizing the activities of grant  
57.11 recipients and what was done to promote sharing of effective practices among grant recipients  
57.12 and potential grant applicants.

57.13 **EFFECTIVE DATE.** This section is effective July 1, 2022.

57.14 Sec. 20. Minnesota Statutes 2020, section 120B.12, is amended to read:

57.15 **120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE**  
57.16 **3.**

57.17 Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or  
57.18 above grade level beginning in kindergarten and no later than the end of grade 3, including  
57.19 English learners, and that teachers provide ~~comprehensive, scientifically based~~  
57.20 evidence-based reading instruction through a multitiered system of support and based in  
57.21 the science of reading by 2027. Instruction must focus on student mastery of the foundational  
57.22 reading skills of phonemic awareness, phonics, and fluency, as well as the development of  
57.23 oral language and vocabulary and reading comprehension skills. Students must receive  
57.24 evidenced-based instruction based in the science of reading that is proven to effectively  
57.25 teach children to read consistent with section 122A.06, subdivision 4.

57.26 Subd. 2. **Identification; report.** (a) Each school district must identify before the end of  
57.27 kindergarten, grade 1, and grade 2 all students who are not ~~reading at grade level~~  
57.28 demonstrating mastery of foundational reading skills, including phonemic awareness,  
57.29 phonics, decoding, and fluency, using a screening tool approved by the Department of  
57.30 Education. Students identified as not ~~reading at grade level~~ demonstrating mastery of  
57.31 foundational reading skills by the end of kindergarten, grade 1, and grade 2 must be screened,  
57.32 in a locally determined manner using a tool approved by the Department of Education, for  
57.33 characteristics of dyslexia and screening data must be submitted to the Department of  
57.34 Education in the form and manner prescribed by the commissioner.

58.1 (b) Students in grade 3 or higher who demonstrate a reading difficulty to a classroom  
58.2 teacher must be screened, ~~in a locally determined manner~~ using a tool approved by the  
58.3 Department of Education, for deficits in foundational reading skills and characteristics of  
58.4 dyslexia, unless a different reason for the reading difficulty has been identified.

58.5 (c) Reading assessments in English, and in the predominant languages of district students  
58.6 where practicable, must identify and evaluate students' areas of academic need related to  
58.7 literacy. The district also must monitor the progress and provide reading instruction  
58.8 appropriate to the specific needs of English learners. The district must use ~~a locally adopted,~~  
58.9 tools approved by the Department of Education that are developmentally appropriate, and  
58.10 culturally responsive assessment assessments and annually report summary assessment  
58.11 results to the commissioner by July 1.

58.12 (d) The district also must annually report to the commissioner by December 15 and July  
58.13 1 a summary of the district's efforts to screen and identify students who demonstrate  
58.14 characteristics of dyslexia using screening tools approved by the Department of Education  
58.15 such as those recommended by the department's dyslexia specialist. With respect to students  
58.16 screened or identified under paragraph (a), the report must include:

58.17 (1) a summary of the district's efforts to screen for dyslexia;

58.18 (2) the number of students screened for that reporting year; and

58.19 (3) the number of students demonstrating characteristics of dyslexia for that year.

58.20 (e) A student identified under this subdivision must be provided with alternate instruction  
58.21 under section 125A.56, subdivision 1.

58.22 Subd. 2a. **Parent notification and involvement.** Schools, ~~at least annually~~ on a quarterly  
58.23 basis, must give the parent of each student who is not reading at or above grade level timely  
58.24 information about:

58.25 (1) the student's reading proficiency, including student performance on foundational  
58.26 reading skills and whether the student has been identified as demonstrating characteristics  
58.27 of dyslexia, as measured by a ~~locally adopted assessment~~ tool approved by the Department  
58.28 of Education;

58.29 (2) reading-related services currently being provided within a multitiered system of  
58.30 support framework to the student, specific curricula being used, the training and licensure  
58.31 of the teacher providing these services, how these services address identified skill deficits,  
58.32 and how the student's progress will be monitored; and

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

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

59.5 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district  
59.6 shall provide reading intervention to accelerate student growth and reach the goal of reading  
59.7 at or above grade level by the end of the current grade and school year. If a student does  
59.8 not read at or above grade level by the end of ~~grade 3~~ the current school year, the district  
59.9 must continue to provide reading intervention until the student reads at grade level. District  
59.10 intervention methods ~~shall encourage~~ must include family engagement and, where possible,  
59.11 collaboration with appropriate school and community programs that specialize in  
59.12 evidence-based instructional practices based in the science of reading and emphasis on  
59.13 mastery of foundational reading skills, including phonemic awareness, phonics, decoding,  
59.14 and fluency. Intervention methods must be taught by a certified or licensed reading specialist  
59.15 and may include, but are not limited to, requiring attendance in summer school, intensified  
59.16 reading instruction that may require that the student be removed from the regular classroom  
59.17 for part of the school day, extended-day programs, or programs that strengthen students'  
59.18 cultural connections.

59.19 (b) A school district or charter school ~~is strongly encouraged to~~ must provide a personal  
59.20 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured  
59.21 by ~~the statewide reading assessment in grade 3~~ state-approved progress monitoring tools in  
59.22 kindergarten through grade 3. The district or charter school must determine the format of  
59.23 the personal learning plan in collaboration with the student's educators and other appropriate  
59.24 professionals. The school must develop the learning plan in consultation with the student's  
59.25 parent or guardian. The personal learning plan must address knowledge gaps and skill  
59.26 deficiencies through strategies such as specific exercises and practices during and outside  
59.27 of the regular school day, periodic assessments, and reasonable timelines. ~~The personal~~  
59.28 ~~learning plan may include grade retention, if it is in the student's best interest.~~ A school  
59.29 must maintain and regularly update and modify the personal learning plan until the student  
59.30 reads at grade level. This paragraph does not apply to a student under an individualized  
59.31 education program.

59.32 Subd. 4. **Staff development.** Each district shall use the data under subdivision 2 to  
59.33 identify the staff development needs so that:

60.1 (1) elementary teachers and early childhood educators, where appropriate, are able to  
60.2 implement comprehensive, scientifically based reading and oral language instruction based  
60.3 in the science of reading. Instruction provided by elementary teachers must include explicit,  
60.4 systematic instruction in the five reading areas of phonemic awareness, phonics, fluency,  
60.5 vocabulary, and comprehension as defined in section 122A.06, subdivision 4, and other  
60.6 literacy-related areas including writing until the student achieves grade-level reading  
60.7 proficiency. Instruction provided by early childhood educators must include explicit,  
60.8 systematic instruction in phonological and phonemic awareness, oral language, including  
60.9 listening comprehension and vocabulary, and letter-sound correspondence;

60.10 (2) elementary teachers and early childhood educators, where appropriate, have sufficient  
60.11 training to provide comprehensive, scientifically based reading and oral language instruction  
60.12 based in the science of reading that meets students' developmental, linguistic, and literacy  
60.13 needs, including foundational reading skills, using the intervention methods or programs  
60.14 selected by the district for the identified students;

60.15 (3) ~~licensed teachers employed by the district have regular opportunities to improve~~  
60.16 ~~reading and writing instruction~~ by July 1, 2027, all public school kindergarten through grade  
60.17 3 teachers and support staff employed by the school district must be offered training and  
60.18 provided ongoing coaching in the science of reading using a training program approved by  
60.19 the Department of Education and must be funded with literacy incentive aid received annually  
60.20 by districts under section 124D.98;

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

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

60.28 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must  
60.29 ~~adopt~~ submit a local literacy plan using the template provided by the Department of  
60.30 Education, to have every child in kindergarten through grade 3 developing early literacy  
60.31 skills and reading at or above grade level no later than the end of grade 3, including English  
60.32 learners. The plan must be consistent with section 122A.06, subdivision 4, and include the  
60.33 following:

61.1 (1) a process within a multitiered system of support framework to assess students' level  
 61.2 of reading proficiency and ~~data to support the effectiveness of an assessment used to screen~~  
 61.3 ~~and identify a student's level of reading proficiency~~ foundational reading skills that are  
 61.4 characteristic of dyslexia;

61.5 (2) a process to notify and ~~involve~~ partner with parents to promote developmentally  
 61.6 appropriate and culturally relevant language and literacy support at home;

61.7 (3) a description of the data-based decision-making process within the multitiered system  
 61.8 of support framework for how schools in the district will determine the proper appropriate  
 61.9 reading instruction and intervention strategy for a student to meet the identified student's  
 61.10 needs and the progress monitoring process for intensifying or modifying the reading strategy  
 61.11 instruction and intervention in order to obtain measurable reading progress;

61.12 (4) a process within a multitiered system of support framework to implement explicit,  
 61.13 systematic, evidence-based intervention methods based in the science of reading for students  
 61.14 who demonstrate foundational reading skills deficits or are not reading at or above grade  
 61.15 level and progress monitoring to provide information on the effectiveness of the intervention.  
 61.16 Intervention methods may not include the three-cueing system. Progress monitoring must  
 61.17 be completed to provide information on the effectiveness of the intervention; and

61.18 (5) a process to screen and identify students with characteristics of dyslexia as required  
 61.19 by section 120B.12; and

61.20 ~~(5)~~ (6) identification of staff development needs, including a program plan to meet those  
 61.21 needs.

61.22 (b) The district must post its literacy plan on the official school district website.

61.23 Subd. 5. **Commissioner.** The commissioner shall ~~recommend to districts multiple~~  
 61.24 ~~assessment tools~~ provide a menu of state-approved assessment tools that are aligned to the  
 61.25 English language arts state academic standards and to early childhood indicators of progress  
 61.26 to assist districts and teachers with identifying students under subdivision 2. The  
 61.27 commissioner shall also make available examples of nationally recognized and research-based  
 61.28 instructional methods or programs to districts to provide opportunities for teachers to be  
 61.29 trained in the science of reading in order to ensure the instruction being provided is  
 61.30 comprehensive, scientifically based reading instruction and intervention under this section.

62.1 Sec. 21. Minnesota Statutes 2020, section 120B.15, is amended to read:

62.2 **120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS AND SERVICES.**

62.3 (a) School districts may identify students, locally develop programs and services  
62.4 addressing instructional and affective needs, provide staff development, and evaluate  
62.5 programs and services to provide gifted and talented students with challenging and  
62.6 appropriate educational programs and services.

62.7 (b) School districts must adopt guidelines for assessing and identifying students for  
62.8 participation in gifted and talented programs and services consistent with section 120B.11,  
62.9 subdivision 2, clause (2). The guidelines should include the use of:

62.10 (1) multiple and objective criteria; and

62.11 (2) assessments and procedures that are valid and reliable, fair, and based on current  
62.12 theory and research. Assessments and procedures ~~should~~ must be sensitive and equitable  
62.13 to underrepresented groups, including, but not limited to, low-income students, ~~minority~~  
62.14 students of color and American Indian students, twice-exceptional students, students with  
62.15 504 plans, and English learners. Assessments and procedures must be coordinated to allow  
62.16 for optimal identification of programs or services for underrepresented groups.

62.17 (c) School districts must adopt procedures for the academic acceleration of gifted and  
62.18 talented students consistent with section 120B.11, subdivision 2, clause (2). These procedures  
62.19 must include how the district will:

62.20 (1) assess a student's readiness and motivation for acceleration; and

62.21 (2) match the level, complexity, and pace of the curriculum to a student to achieve the  
62.22 best type of academic acceleration for that student.

62.23 (d) School districts must adopt procedures consistent with section 124D.02, subdivision  
62.24 1, for early admission to kindergarten or first grade of gifted and talented learners consistent  
62.25 with section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to  
62.26 underrepresented groups.

62.27 Sec. 22. Minnesota Statutes 2020, section 120B.30, subdivision 1, is amended to read:

62.28 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with  
62.29 appropriate technical qualifications and experience and stakeholders, consistent with  
62.30 subdivision 1a, must include in the comprehensive assessment system, for each grade level  
62.31 to be tested, state-constructed tests developed as computer-adaptive reading and mathematics  
62.32 assessments for students that are aligned with the state's required academic standards under

63.1 section 120B.021, include multiple choice questions, and are administered annually to all  
63.2 students in grades 3 through 8. State-developed high school tests aligned with the state's  
63.3 required academic standards under section 120B.021 and administered to all high school  
63.4 students in a subject other than writing must include multiple choice questions. The  
63.5 commissioner must establish a testing period as late as possible each school year during  
63.6 which schools must administer the Minnesota Comprehensive Assessments to students. The  
63.7 commissioner must publish the testing schedule at least two years before the beginning of  
63.8 the testing period.

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

63.11 (1) mathematics;

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

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

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

63.16 (3) language arts and reading; grades 3 through 8 and high school level beginning in the  
63.17 2012-2013 school year.

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

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

63.30 (2) consistent with this paragraph and section 120B.125, age-appropriate exploration  
63.31 and planning activities and career assessments to encourage students to identify personally  
63.32 relevant career interests and aptitudes and help students and their families develop a regularly

64.1 reexamined transition plan for postsecondary education or employment without need for  
64.2 postsecondary remediation.

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

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

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

64.19 (e) Though not a high school graduation requirement, students are encouraged to  
64.20 participate in a nationally recognized college entrance exam. To the extent state funding  
64.21 for college entrance exam fees is available, a district must pay the cost, one time, for an  
64.22 interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take  
64.23 a nationally recognized college entrance exam before graduating. A student must be able  
64.24 to take the exam under this paragraph at the student's high school during the school day and  
64.25 at any one of the multiple exam administrations available to students in the district. A district  
64.26 may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph.  
64.27 If the district administers only one of these two tests and a free or reduced-price meal eligible  
64.28 student opts not to take that test and chooses instead to take the other of the two tests, the  
64.29 student may take the other test at a different time or location and remains eligible for the  
64.30 examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school  
64.31 district may require a student that is not eligible for a free or reduced-price meal to pay the  
64.32 cost of taking a nationally recognized college entrance exam. The district must waive the  
64.33 cost for a student unable to pay.



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

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

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

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

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

66.1 remediation. The commissioner, in consultation with local school officials and educators,  
66.2 and Minnesota's public postsecondary institutions must ensure that the foundational  
66.3 knowledge and skills for students' successful performance in postsecondary employment  
66.4 or education and an articulated series of possible targeted interventions are clearly identified  
66.5 and satisfy Minnesota's postsecondary admissions requirements.

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

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

66.13 (m) The 3rd through 8th grade computer-adaptive assessment results and high school  
66.14 test results must be available to districts for diagnostic purposes affecting student learning  
66.15 and district instruction and curriculum, and for establishing educational accountability. The  
66.16 commissioner, in consultation with the chancellor of the Minnesota State Colleges and  
66.17 Universities, must establish empirically derived benchmarks on the high school tests that  
66.18 reveal a trajectory toward career and college readiness consistent with section 136F.302,  
66.19 subdivision 1a. The commissioner must disseminate to the public the computer-adaptive  
66.20 assessments and high school test results upon receiving those results.

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

66.25 (o) The commissioner must include the following components in the statewide public  
66.26 reporting system:

66.27 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through  
66.28 8 and testing at the high school levels that provides appropriate, technically sound  
66.29 accommodations or alternate assessments;

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

66.33 (3) state results on the ~~American College Test~~ ACT test; and

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

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

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

67.15 Sec. 23. Minnesota Statutes 2020, section 120B.30, subdivision 1a, is amended to read:

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

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

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

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

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

67.29 ~~(5) "Below-grade level" test items contain subject area content that is below the grade~~  
67.30 ~~level of the student taking the test and is considered aligned with state academic standards~~  
67.31 ~~to the extent it is aligned with content represented in state academic standards below the~~  
67.32 ~~student's current grade level. Notwithstanding the student's grade level, administering~~

68.1 ~~below-grade level test items to a student does not violate the requirement that state~~  
68.2 ~~assessments must be aligned with state standards.~~

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

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

68.13 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through  
68.14 8, and high school reading, writing, and mathematics tests; and

68.15 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades  
68.16 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the  
68.17 commissioner must not require students to achieve a passing score on high school science  
68.18 assessments as a condition of receiving a high school diploma.

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

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

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

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

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

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

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

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

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

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

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

69.12 ~~(h)~~ (f) A school, school district, and charter school must administer statewide assessments  
69.13 under this section, as the assessments become available, to evaluate student progress toward  
69.14 career and college readiness in the context of the state's academic standards. A school,  
69.15 school district, or charter school may use a student's performance on a statewide assessment  
69.16 as one of multiple criteria to determine grade promotion or retention. A school, school  
69.17 district, or charter school may use a high school student's performance on a statewide  
69.18 assessment as a percentage of the student's final grade in a course, or place a student's  
69.19 assessment score on the student's transcript.

69.20 Sec. 24. Minnesota Statutes 2020, section 120B.301, is amended to read:

69.21 **120B.301 LIMITS ON LOCAL TESTING.**

69.22 (a) For students in grades 1 through 6, the cumulative total amount of time spent taking  
69.23 locally adopted districtwide or schoolwide assessments must not exceed ten hours per school  
69.24 year. For students in grades 7 through 12, the cumulative total amount of time spent taking  
69.25 locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school  
69.26 year. For purposes of this paragraph, international baccalaureate and advanced placement  
69.27 exams are not considered locally adopted assessments.

69.28 (b) A district or charter school is exempt from the requirements of paragraph (a), if the  
69.29 district or charter school, in consultation with the exclusive representative of the teachers  
69.30 or other teachers if there is no exclusive representative of the teachers, decides to exceed a  
69.31 time limit in paragraph (a) and includes the information in the report required under section  
69.32 120B.11, subdivision 5.

70.1 (c) A district or charter school, ~~before the first day of each school year,~~ must publish on  
70.2 its website a comprehensive calendar of standardized tests to be administered in the district  
70.3 or charter school during that school year. The calendar must provide the rationale for  
70.4 administering each assessment and indicate whether the assessment is a local option or  
70.5 required by state or federal law. The calendar must be published at least one week prior to  
70.6 any eligible assessments being administered and no later than October 1.

70.7 Sec. 25. Minnesota Statutes 2020, section 120B.35, subdivision 3, is amended to read:

70.8 Subd. 3. **State growth target measures; other state measures.** (a)(1) The state's  
70.9 educational assessment system measuring individual students' educational growth is based  
70.10 on indicators of current achievement growth that show growth from an individual student's  
70.11 prior achievement. Indicators of achievement and prior achievement must be based on highly  
70.12 reliable statewide or districtwide assessments. Indicators that take into account a student's  
70.13 prior achievement must not be used to disregard a school's low achievement or to exclude  
70.14 a school from a program to improve low-achievement levels.

70.15 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and  
70.16 report, as soon as practicable, separate categories of information using the student categories  
70.17 identified under the federal Elementary and Secondary Education Act, as most recently  
70.18 reauthorized, and, in addition to "other" for each race and ethnicity, and the Karen  
70.19 community, seven of the most populous Asian ~~and Pacific Islander~~ groups, three of the most  
70.20 populous Native groups, seven of the most populous Hispanic/Latino groups, and five of  
70.21 the most populous Black and African Heritage groups ~~as determined by the total Minnesota~~  
70.22 ~~population based on the most recent American Community Survey;~~ These groups must be  
70.23 determined by a ten-year cycle using the American Community Survey of the total Minnesota  
70.24 population. The determination must be based on the most recent five-year dataset starting  
70.25 with the 2021-2025 dataset. Additional categories must include English learners under  
70.26 section 124D.59; home language; free or reduced-price ~~lunch~~ meals; and all students enrolled  
70.27 in a Minnesota public school who are currently or were previously in foster care, except  
70.28 that such disaggregation and cross tabulation is not required if the number of students in a  
70.29 category is insufficient to yield statistically reliable information or the results would reveal  
70.30 personally identifiable information about an individual student.

70.31 (b) The commissioner, in consultation with a stakeholder group that includes assessment  
70.32 and evaluation directors, district staff, experts in culturally responsive teaching, and  
70.33 researchers, must implement a an appropriate growth model that compares the difference  
70.34 in students' achievement scores over time, and includes criteria for identifying schools and

71.1 school districts that demonstrate academic progress or progress toward English language  
71.2 proficiency. The model may be used to advance educators' professional development and  
71.3 replicate programs that succeed in meeting students' diverse learning needs. Data on  
71.4 individual teachers generated under the model are personnel data under section 13.43. The  
71.5 model must allow users to:

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

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

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

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

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

71.28 (2) a rigorous coursework measure indicating the number and percentage of high school  
71.29 graduates in the most recent school year who successfully completed one or more  
71.30 college-level advanced placement, international baccalaureate, postsecondary enrollment  
71.31 options including concurrent enrollment, other rigorous courses of study under section  
71.32 120B.021, subdivision 1a, or industry certification courses or programs.

71.33 When reporting the core measures under clauses (1) and (2), the commissioner must also  
71.34 analyze and report separate categories of information using the student categories identified

72.1 under the federal Elementary and Secondary Education Act, as most recently reauthorized,  
72.2 and other student categories under paragraph (a), clause (2).

72.3 (d) When reporting student performance under section 120B.36, subdivision 1, the  
72.4 commissioner annually, beginning July 1, 2014, must report summary data on school safety  
72.5 and students' engagement and connection at school, consistent with the student categories  
72.6 identified under paragraph (a), clause (2). The summary data under this paragraph are  
72.7 separate from and must not be used for any purpose related to measuring or evaluating the  
72.8 performance of classroom teachers. The commissioner, in consultation with qualified experts  
72.9 on student engagement and connection and classroom teachers, must identify highly reliable  
72.10 variables that generate summary data under this paragraph. The summary data may be used  
72.11 at school, district, and state levels only. Any data on individuals received, collected, or  
72.12 created that are used to generate the summary data under this paragraph are nonpublic data  
72.13 under section 13.02, subdivision 9.

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

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

72.20 (2) the percent of students under this paragraph whose progress and performance levels  
72.21 are meeting career and college readiness benchmarks under section 120B.30, subdivision  
72.22 1; and

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

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

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

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

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

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

72.31 (f) The commissioner, in consultation with recognized experts with knowledge and  
72.32 experience in assessing the language proficiency and academic performance of all English



73.1 learners enrolled in a Minnesota public school course or program who are currently or were  
73.2 previously counted as an English learner under section 124D.59, must identify and report  
73.3 appropriate and effective measures to improve current categories of language difficulty and  
73.4 assessments, and monitor and report data on students' English proficiency levels, program  
73.5 placement, and academic language development, including oral academic language.

73.6 (g) When reporting four- and six-year graduation rates, the commissioner or school  
73.7 district must disaggregate the data by student categories according to paragraph (a), clause  
73.8 (2).

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

73.14 **EFFECTIVE DATE.** This section is effective the day following final enactment. The  
73.15 next update to the data used to determine the most populous groups must be implemented  
73.16 in 2026 using the 2021-2025 dataset.

73.17 Sec. 26. Minnesota Statutes 2020, section 120B.36, subdivision 2, is amended to read:

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

73.24 (b) Districts must provide parents sufficiently detailed summary data to permit parents  
73.25 to appeal under the most recently reauthorized federal Elementary and Secondary Education  
73.26 Act. The commissioner shall annually post federal expectations and state student growth,  
73.27 learning, and outcome data to the department's public website no later than September 1,  
73.28 except that in years when data or federal expectations reflect new performance standards,  
73.29 the commissioner shall post data on federal expectations and state student growth data no  
73.30 later than October 1.

74.1 **Sec. 27. [121A.041] AMERICAN INDIAN MASCOTS PROHIBITED.**

74.2 Subdivision 1. **Prohibition.** (a) A public school may not have or adopt a name, symbol,  
74.3 or image that depicts or refers to an American Indian Tribe, individual, custom, or tradition  
74.4 to be used as a mascot, nickname, logo, letterhead, or team name of the district or school  
74.5 within the district.

74.6 (b) A public school may seek an exemption to paragraph (a) by submitting a request in  
74.7 writing to the Tribal Nations Education Committee and the Indian Affairs Council, which  
74.8 jointly shall have discretion to grant such an exemption. A public school that has a mascot  
74.9 prohibited by this section must request an exemption by January 1, 2023.

74.10 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the  
74.11 meanings given.

74.12 (b) "American Indian" means an individual who is:

74.13 (1) a member of an Indian Tribe or Band, as membership is defined by the Tribe or  
74.14 Band, including:

74.15 (i) any Tribe or Band terminated since 1940; and

74.16 (ii) any Tribe or Band recognized by the state in which the Tribe or Band resides;

74.17 (2) a descendant, in the first or second degree, of an individual described in clause (1);

74.18 (3) considered by the Secretary of the Interior to be an Indian for any purpose;

74.19 (4) an Eskimo, Aleut, or other Alaska Native; or

74.20 (5) a member of an organized Indian group that received a grant under the Indian  
74.21 Education Act of 1988 as in effect the day preceding October 20, 1994.

74.22 (c) "District" means a district under section 120A.05, subdivision 8.

74.23 (d) "Mascot" means any human, nonhuman animal, or object used to represent a school  
74.24 and its population.

74.25 (e) "Public school" or "school" means a public school under section 120A.05, subdivisions  
74.26 9, 11, 13, and 17, and a charter school under chapter 124E.

74.27 **Sec. 28. [121A.201] MULTI-TIERED SYSTEM OF SUPPORT.**

74.28 The Minnesota Multi-Tiered System of Supports (MnMTSS) is a systemic, continuous  
74.29 improvement framework for ensuring positive social, emotional, behavioral, developmental,  
74.30 and academic outcomes for every student. MnMTSS provides access to layered tiers of

75.1 culturally and linguistically responsive, evidence-based practices. The MnMTSS framework  
75.2 relies on the understanding and belief that every student can learn and thrive, and it engages  
75.3 an anti-racist approach to examining policies and practices and ensuring equitable distribution  
75.4 of resources and opportunity. This systemic framework requires:

75.5 (1) design and delivery of culturally and linguistically responsive, effective,  
75.6 standards-based core instruction in safe, supportive environments inclusive of every student  
75.7 as a necessary foundation for tiered supports;

75.8 (2) layered tiers of culturally and linguistically responsive supplemental and intensive  
75.9 supports to meet each student's needs;

75.10 (3) developing collective knowledge and experience through engagement in representative  
75.11 partnerships with students, education professionals, families, and communities;

75.12 (4) multidisciplinary teams of education professionals that review and use data to prevent  
75.13 and solve problems, inform instruction and supports, and ensure effective implementation  
75.14 in partnership with students and families;

75.15 (5) effective and timely use of meaningful, culturally relevant data disaggregated by  
75.16 student groups identified in section 121A.031 that includes but is not limited to universal  
75.17 screening, frequent progress monitoring, implementation fidelity, and multiple qualitative  
75.18 and quantitative sources; and

75.19 (6) ongoing professional learning on the MnMTSS systemic framework using anti-racist  
75.20 approaches to training and coaching.

75.21 Sec. 29. Minnesota Statutes 2020, section 121A.41, subdivision 2, is amended to read:

75.22 Subd. 2. **Dismissal.** "Dismissal" means the denial of the current educational program to  
75.23 any pupil, including exclusion, expulsion, and out-of-school suspension. ~~It~~ Dismissal does  
75.24 not include removal from class.

75.25 Sec. 30. Minnesota Statutes 2020, section 121A.41, subdivision 10, is amended to read:

75.26 Subd. 10. **In-school suspension; out-of-school suspension.** (a) "In-school suspension"  
75.27 means an instance in which a pupil is temporarily removed from the pupil's regular classroom  
75.28 for at least half a day for disciplinary purposes, but remains under the direct supervision of  
75.29 school personnel. For purposes of this paragraph, "direct supervision" means school personnel  
75.30 are physically in the same location as students under supervision.

76.1 (b) "Out-of-school suspension" means an action by the school administration, under  
76.2 rules promulgated by the school board, prohibiting a pupil from attending school for a period  
76.3 of no more than ten school days. If a suspension is longer than five days, the suspending  
76.4 administrator must provide the superintendent with a reason for the longer suspension. This  
76.5 definition does not apply to dismissal from school for ~~one school day or less~~ than one school  
76.6 day, except as provided in federal law for a student with a disability. Each suspension action  
76.7 may include a readmission plan. The readmission plan shall include, where appropriate, a  
76.8 provision for implementing alternative educational services upon readmission and may not  
76.9 be used to extend the current suspension. Consistent with section 125A.091, subdivision 5,  
76.10 the readmission plan must not obligate a parent to provide a sympathomimetic medication  
76.11 for the parent's child as a condition of readmission. The school administration may not  
76.12 impose consecutive suspensions against the same pupil for the same course of conduct, or  
76.13 incident of misconduct, except where the pupil will create an immediate and substantial  
76.14 danger to self or to surrounding persons or property, or where the district is in the process  
76.15 of initiating an expulsion, in which case the school administration may extend the suspension  
76.16 to a total of 15 school days.

76.17 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

76.18 Sec. 31. Minnesota Statutes 2020, section 121A.41, is amended by adding a subdivision  
76.19 to read:

76.20 **Subd. 12. Nonexclusionary disciplinary policies and practices; alternatives to pupil**  
76.21 **removal and dismissal.** "Nonexclusionary disciplinary policies and practices" means  
76.22 policies and practices that are alternatives to removing a pupil from class or dismissing a  
76.23 pupil from school, including evidence-based positive behavior interventions and supports,  
76.24 social and emotional services, school-linked mental health services, counseling services,  
76.25 social work services, referrals for special education or 504 evaluations, academic screening  
76.26 for Title 1 services or reading interventions, and alternative education services.  
76.27 Nonexclusionary disciplinary policies and practices require school officials to intervene in,  
76.28 redirect, and support a pupil's behavior before removing a pupil from class or beginning  
76.29 dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are  
76.30 not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and  
76.31 (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph  
76.32 (r); and 122A.627, clause (3).

76.33 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

77.1 Sec. 32. Minnesota Statutes 2020, section 121A.41, is amended by adding a subdivision  
77.2 to read:

77.3 Subd. 13. **Pupil withdrawal agreement.** "Pupil withdrawal agreement" means a verbal  
77.4 or written agreement between a school administrator or district administrator and a pupil's  
77.5 parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal  
77.6 proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month  
77.7 period.

77.8 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

77.9 Sec. 33. Minnesota Statutes 2020, section 121A.425, is amended to read:

77.10 **121A.425 FULL AND EQUITABLE PARTICIPATION IN ~~PRESCHOOL AND~~**  
77.11 **PREKINDERGARTEN EARLY LEARNING.**

77.12 Subdivision 1. **Disciplinary dismissals prohibited.** (a) A pupil enrolled in the following  
77.13 is not subject to dismissals under this chapter:

77.14 (1) a preschool or prekindergarten program, including ~~a child participating in~~ early  
77.15 childhood family education, school readiness, school readiness plus, voluntary  
77.16 prekindergarten, Head Start, or other school-based preschool or prekindergarten program;  
77.17 ~~may not be subject to dismissals under this chapter;~~ or

77.18 (2) kindergarten through grade 3.

77.19 (b) Notwithstanding this subdivision, expulsions and exclusions may be used only after  
77.20 resources outlined in subdivision 2 have been exhausted, and only in circumstances where  
77.21 there is an ongoing serious safety threat to the child or others.

77.22 Subd. 2. **Nonexclusionary discipline.** For purposes of this section, nonexclusionary  
77.23 discipline must include at least one of the following:

77.24 (1) collaborating with the pupil's family or guardian, child mental health consultant or  
77.25 provider, education specialist, or other community-based support;

77.26 (2) creating a plan, written with the parent or guardian, that details the action and support  
77.27 needed for the pupil to fully participate in the current educational program, including a  
77.28 preschool or prekindergarten program; or

77.29 (3) providing a referral for needed support services, including parenting education, home  
77.30 visits, other supportive education interventions, or, where appropriate, an evaluation to  
77.31 determine if the pupil is eligible for special education services or section 504 services.

78.1 **EFFECTIVE DATE.** This section is effective July 1, 2022.

78.2 Sec. 34. Minnesota Statutes 2020, section 121A.45, subdivision 1, is amended to read:

78.3 Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil  
78.4 without attempting to ~~provide alternative educational services~~ use nonexclusionary  
78.5 disciplinary policies and practices before dismissal proceedings or pupil withdrawal  
78.6 agreements, except where it appears that the pupil will create an immediate and substantial  
78.7 danger to self or to surrounding persons or property.

78.8 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

78.9 Sec. 35. Minnesota Statutes 2020, section 121A.46, subdivision 4, is amended to read:

78.10 Subd. 4. **Provision of alternative education services; suspension pending expulsion**  
78.11 **or exclusion hearing.** (a) Alternative education services must be provided to a pupil who  
78.12 is suspended for more than five consecutive school days.

78.13 (b) Notwithstanding the provisions of subdivisions 1 and 3, the pupil may be suspended  
78.14 pending the school board's decision in the expulsion or exclusion hearing; provided that  
78.15 alternative educational services are implemented to the extent that suspension exceeds five  
78.16 consecutive school days.

78.17 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

78.18 Sec. 36. Minnesota Statutes 2020, section 121A.46, is amended by adding a subdivision  
78.19 to read:

78.20 Subd. 5. **Minimum education services.** School administration must allow a suspended  
78.21 pupil the opportunity to complete all school work assigned during the period of the pupil's  
78.22 suspension and to receive full credit for satisfactorily completing the assignments. The  
78.23 school principal or other person having administrative control of the school building or  
78.24 program is encouraged to designate a district or school employee as a liaison to work with  
78.25 the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and  
78.26 other information, and (2) complete daily and weekly assignments and receive teachers'  
78.27 feedback.

78.28 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

78.29 Sec. 37. Minnesota Statutes 2020, section 121A.47, subdivision 2, is amended to read:

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

- 79.1 (a) be served upon the pupil and the pupil's parent or guardian personally or by mail;
- 79.2 (b) contain a complete statement of the facts, a list of the witnesses and a description of  
79.3 their testimony;
- 79.4 (c) state the date, time, and place of the hearing;
- 79.5 (d) be accompanied by a copy of sections 121A.40 to 121A.56;
- 79.6 (e) describe ~~alternative educational services~~ the nonexclusionary disciplinary practices  
79.7 accorded the pupil in an attempt to avoid the expulsion proceedings; and
- 79.8 (f) inform the pupil and parent or guardian of the right to:
- 79.9 (1) have a representative of the pupil's own choosing, including legal counsel, at the  
79.10 hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost  
79.11 legal assistance may be available and that a legal assistance resource list is available from  
79.12 the Department of Education and is posted on their website;
- 79.13 (2) examine the pupil's records before the hearing;
- 79.14 (3) present evidence; and
- 79.15 (4) confront and cross-examine witnesses.

79.16 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

79.17 Sec. 38. Minnesota Statutes 2020, section 121A.47, subdivision 14, is amended to read:

79.18 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare  
79.19 and enforce an admission or readmission plan for any pupil who is excluded or expelled  
79.20 from school. The plan ~~may~~ must include measures to improve the pupil's behavior, ~~including~~  
79.21 which may include completing a character education program, consistent with section  
79.22 120B.232, subdivision 1, ~~and~~ social and emotional learning, counseling, social work services,  
79.23 mental health services, referrals for special education or 504 evaluation, and evidence-based  
79.24 academic interventions. The plan must require parental involvement in the admission or  
79.25 readmission process, and may indicate the consequences to the pupil of not improving the  
79.26 pupil's behavior.

79.27 (b) The definition of suspension under section 121A.41, subdivision 10, does not apply  
79.28 to a student's dismissal from school for ~~one school day or less~~ less than one school day, except  
79.29 as provided under federal law for a student with a disability. Each suspension action may  
79.30 include a readmission plan. A readmission plan must provide, where appropriate, alternative  
79.31 education services, which must not be used to extend the student's current suspension period.

80.1 Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a  
80.2 parent or guardian to provide psychotropic drugs to their student as a condition of  
80.3 readmission. School officials must not use the refusal of a parent or guardian to consent to  
80.4 the administration of psychotropic drugs to their student or to consent to a psychiatric  
80.5 evaluation, screening or examination of the student as a ground, by itself, to prohibit the  
80.6 student from attending class or participating in a school-related activity, or as a basis of a  
80.7 charge of child abuse, child neglect or medical or educational neglect.

80.8 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

80.9 Sec. 39. Minnesota Statutes 2020, section 121A.53, subdivision 1, is amended to read:

80.10 Subdivision 1. **Exclusions and expulsions; pupil withdrawals; physical**  
80.11 **assaults.** Consistent with subdivision 2, the school board must report through the department  
80.12 electronic reporting system each exclusion or expulsion ~~and,~~ each physical assault of a  
80.13 district employee by a ~~student~~ pupil, and each pupil withdrawal agreement within 30 days  
80.14 of the effective date of the dismissal action, pupil withdrawal, or assault, to the commissioner  
80.15 of education. This report must include a statement of ~~alternative educational services~~  
80.16 nonexclusionary disciplinary practices, or other sanction, intervention, or resolution in  
80.17 response to the assault given the pupil and the reason for, the effective date, and the duration  
80.18 of the exclusion or expulsion or other sanction, intervention, or resolution. The report must  
80.19 also include the ~~student's~~ pupil's age, grade, gender, race, and special education status.

80.20 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

80.21 Sec. 40. Minnesota Statutes 2020, section 121A.55, is amended to read:

80.22 **121A.55 POLICIES TO BE ESTABLISHED.**

80.23 (a) The commissioner of education ~~shall~~ must promulgate guidelines to assist each school  
80.24 board. Each school board ~~shall~~ must establish uniform criteria for dismissal and adopt written  
80.25 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies  
80.26 ~~shall~~ must include nonexclusionary disciplinary policies and practices consistent with section  
80.27 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection  
80.28 of problems ~~and shall~~. The policies must be designed to address students' inappropriate  
80.29 behavior from recurring.

80.30 (b) The policies ~~shall~~ must recognize the continuing responsibility of the school for the  
80.31 education of the pupil during the dismissal period.



81.1 (c) The school is responsible for ensuring that alternative educational services, if the  
 81.2 pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress  
 81.3 towards toward meeting the graduation standards adopted under section 120B.02 and help  
 81.4 prepare the pupil for readmission in accordance with section 121A.46, subdivision 5.

81.5 (d) For expulsion and exclusion dismissals and pupil withdrawal agreements as defined  
 81.6 in section 121A.41, subdivision 13:

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

81.12 (2) a pupil receiving school-based or school-linked mental health services in the district  
 81.13 under section 245.4889 continues to be eligible for those services until the pupil is enrolled  
 81.14 in a new district; and

81.15 (3) a school district must provide to the pupil's parent or guardian information on  
 81.16 accessing mental health services, including any free or sliding fee providers in the  
 81.17 community. The information must also be posted on the district or charter school website.

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

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

81.25 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

81.26 Sec. 41. Minnesota Statutes 2020, section 121A.61, subdivision 1, is amended to read:

81.27 Subdivision 1. **Required policy.** Each school board must adopt a written districtwide  
 81.28 school discipline policy which includes written rules of conduct for students, minimum  
 81.29 consequences for violations of the rules, and grounds and procedures for removal of a student  
 81.30 from class. The policy must contain the discipline complaint procedure that any member  
 81.31 of the school community may use to file a complaint regarding the application of discipline  
 81.32 policies and seek corrective action. The policy must be developed in consultation with  
 81.33 administrators, teachers, employees, pupils, parents, community members, law enforcement

82.1 agencies, county attorney offices, social service agencies, and such other individuals or  
82.2 organizations as the board determines appropriate. A school site council may adopt additional  
82.3 provisions to the policy subject to the approval of the school board.

82.4 Sec. 42. Minnesota Statutes 2020, section 121A.61, subdivision 3, is amended to read:

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

82.6 (a) rules governing student conduct and procedures for informing students of the rules;

82.7 (b) the grounds for removal of a student from a class;

82.8 (c) the authority of the classroom teacher to remove students from the classroom pursuant  
82.9 to procedures and rules established in the district's policy;

82.10 (d) the procedures for removal of a student from a class by a teacher, school administrator,  
82.11 or other school district employee;

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

82.14 (f) provisions relating to the responsibility for and custody of a student removed from  
82.15 a class;

82.16 (g) the procedures for return of a student to the specified class from which the student  
82.17 has been removed;

82.18 (h) the procedures for notifying a student and the student's parents or guardian of  
82.19 violations of the rules of conduct and of resulting disciplinary actions;

82.20 (i) any procedures determined appropriate for encouraging early involvement of parents  
82.21 or guardians in attempts to improve a student's behavior;

82.22 (j) any procedures determined appropriate for encouraging early detection of behavioral  
82.23 problems;

82.24 (k) any procedures determined appropriate for referring a student in need of special  
82.25 education services to those services;

82.26 (l) any procedures determined appropriate for ensuring victims of bullying who respond  
82.27 with behavior not allowed under the school's behavior policies have access to a remedial  
82.28 response, consistent with section 121A.031;

82.29 ~~(l)~~ (m) the procedures for consideration of whether there is a need for a further assessment  
82.30 or of whether there is a need for a review of the adequacy of a current individualized  
82.31 education program of a student with a disability who is removed from class;

83.1 ~~(m)~~ (n) procedures for detecting and addressing chemical abuse problems of a student  
83.2 while on the school premises;

83.3 ~~(n)~~ (o) the minimum consequences for violations of the code of conduct;

83.4 ~~(o)~~ (p) procedures for immediate and appropriate interventions tied to violations of the  
83.5 code;

83.6 ~~(p)~~ (q) a provision that states that a teacher, school employee, school bus driver, or other  
83.7 agent of a district may use reasonable force in compliance with section 121A.582 and other  
83.8 laws;

83.9 ~~(q)~~ (r) an agreement regarding procedures to coordinate crisis services to the extent funds  
83.10 are available with the county board responsible for implementing sections 245.487 to  
83.11 245.4889 for students with a serious emotional disturbance or other students who have an  
83.12 individualized education program whose behavior may be addressed by crisis intervention;  
83.13 ~~and~~

83.14 ~~(r)~~ (s) a provision that states a student must be removed from class immediately if the  
83.15 student engages in assault or violent behavior. For purposes of this paragraph, "assault" has  
83.16 the meaning given it in section 609.02, subdivision 10. The removal shall be for a period  
83.17 of time deemed appropriate by the principal, in consultation with the teacher;

83.18 (t) a prohibition on the use of exclusionary practices for early learners as defined in  
83.19 section 121A.425; and

83.20 (u) a prohibition on the use of exclusionary practices to address attendance and truancy  
83.21 issues.

83.22 Sec. 43. Minnesota Statutes 2020, section 121A.61, is amended by adding a subdivision  
83.23 to read:

83.24 Subd. 4. **Discipline complaint procedure.** The discipline policy must contain procedures  
83.25 for students, parents and other guardians, and school staff to file a complaint and seek  
83.26 corrective action when the requirements of sections 121A.40 to 121A.61, including the  
83.27 implementation of the local behavior and discipline policies, are not being implemented  
83.28 appropriately or are being discriminately applied. Each district and school policy implemented  
83.29 under this section must, at a minimum:

83.30 (1) provide procedures for communicating this policy including the ability for a parent  
83.31 to appeal a decision under section 121A.49 that contains explicit instructions for filing the  
83.32 complaint;

84.1 (2) provide an opportunity for involved parties to submit additional information related  
84.2 to the complaint;

84.3 (3) provide a procedure to begin to investigate complaints within three school days of  
84.4 receipt, and identify personnel who will manage the investigation and any resulting record  
84.5 and are responsible for keeping and regulating access to any record;

84.6 (4) provide procedures for issuing a written determination to the complainant that  
84.7 addresses each allegation and contains findings and conclusions;

84.8 (5) if the investigation finds the requirements of sections 121A.40 to 121A.61, including  
84.9 any local policies that were not implemented appropriately, contain procedures that require  
84.10 a corrective action plan to correct a student's record and provide relevant staff with training,  
84.11 coaching, or other accountability practices to ensure appropriate compliance with policies  
84.12 in the future; and

84.13 (6) prohibit reprisals or retaliation against any person who asserts, alleges, or reports a  
84.14 complaint, and provide procedures for applying appropriate consequences for a person who  
84.15 engages in reprisal or retaliation.

84.16 **Sec. 44. [121A.611] RECESS AND OTHER BREAKS.**

84.17 (a) "Recess detention" as used in this chapter means excluding or excessively delaying  
84.18 a student from participating in a scheduled recess period as a consequence for student  
84.19 behavior. Recess detention does not include, among other things, providing alternative  
84.20 recess at the student's choice.

84.21 (b) A school district or charter school is encouraged to ensure student access to structured  
84.22 breaks from the demands of school, and to support teachers, principals, and other school  
84.23 staff in their efforts to use evidence-based approaches to reduce exclusionary forms of  
84.24 discipline.

84.25 (c) A school district or charter school must not use recess detention unless:

84.26 (1) a student causes or is likely to cause serious physical harm to other students or staff;

84.27 (2) the student's parent or guardian specifically consents to the use of recess detention;  
84.28 or

84.29 (3) for students receiving special education services, the student's individualized education  
84.30 program team has determined that withholding recess is appropriate based on the  
84.31 individualized needs of the student.

85.1 (d) A school district or charter school must require school staff to make a reasonable  
85.2 attempt to notify a parent or guardian within 24 hours of using recess detention.

85.3 (e) A school district or charter school must compile information on each recess detention  
85.4 at the end of each school year, including the student's age, grade, gender, race or ethnicity,  
85.5 and special education status. A school district or charter school is encouraged to use the  
85.6 data in professional development promoting the use of nonexclusionary discipline. This  
85.7 information must be available to the public upon request.

85.8 (f) A school district must not withhold or excessively delay a student's participation in  
85.9 scheduled mealtimes. This section does not alter a district's existing responsibilities under  
85.10 section 124D.111 or other state or federal law.

85.11 Sec. 45. Minnesota Statutes 2020, section 122A.06, subdivision 4, is amended to read:

85.12 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive,  
85.13 scientifically based reading instruction" includes a program or collection of instructional  
85.14 practices that is based on valid, replicable evidence showing that when these programs or  
85.15 practices are used, students can be expected to achieve, at a minimum, satisfactory reading  
85.16 progress. The program or collection of practices must include, at a minimum, effective,  
85.17 ~~balanced~~ explicit, systematic instruction based in the science of reading with instruction in  
85.18 all five areas of reading: phonemic awareness, phonics, fluency, vocabulary development,  
85.19 and reading comprehension.

85.20 Comprehensive, scientifically based reading instruction also occurs within a multitiered  
85.21 system of support framework. A multitiered system of support includes and integrates  
85.22 instructional strategies for continuously assessing, evaluating, and communicating the  
85.23 student's reading progress and needs in order to design and implement ongoing instruction  
85.24 and interventions based in the science of reading so that students of all ages and proficiency  
85.25 levels can read and comprehend text, write, and apply higher level thinking skills. Instruction  
85.26 within a multitiered system of support framework includes core, supplemental, and intensive  
85.27 reading instruction used at each grade level, including prekindergarten through third grade,  
85.28 and must be designed around teaching the five foundational reading skills based in the  
85.29 science of reading. For English learners developing literacy skills, districts are encouraged  
85.30 to use strategies that teach reading and writing in the students' native language and English  
85.31 at the same time.

85.32 (b) For the purposes of this subdivision, the following terms have the meanings given:

86.1 ~~(b)~~ (1) "Fluency" ~~is~~ means the ability of students to read text with speed, accuracy, and  
86.2 proper expression.

86.3 ~~(c)~~ (2) "Phonemic awareness" ~~is~~ means the ability of students to notice, think about, and  
86.4 manipulate individual sounds in spoken syllables and words.

86.5 (3) "Phonics instruction" means the explicit, systematic, and direct instruction of the  
86.6 relationships between letters and the sounds they represent and the application of this  
86.7 knowledge in reading and spelling.

86.8 ~~(d)~~ (4) "Phonics" ~~is~~ means the understanding that there are systematic and predictable  
86.9 relationships between written letters and spoken words. Phonics instruction is a way of  
86.10 teaching reading that stresses learning how letters correspond to sounds and how to apply  
86.11 this knowledge in reading and spelling.

86.12 ~~(e)~~ (5) "Reading comprehension" ~~is~~ means an active process that requires intentional  
86.13 thinking during which meaning is constructed through interactions between text and reader.  
86.14 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and  
86.15 implementing specific cognitive strategies to help beginning readers derive meaning through  
86.16 intentional, problem-solving thinking processes.

86.17 ~~(f)~~ (6) "Vocabulary development" ~~is~~ means the process of teaching vocabulary both  
86.18 directly and indirectly, with repetition and multiple exposures to vocabulary items. Learning  
86.19 in rich contexts, incidental learning, and use of computer technology enhance the acquiring  
86.20 of vocabulary.

86.21 (7) "Foundational reading skills" means phonological and phonemic awareness, phonics  
86.22 or decoding, and fluency. Foundational reading skills appropriate to each grade level must  
86.23 be mastered in kindergarten, grade 1, and grade 2. Struggling readers in grade 3 and higher  
86.24 who demonstrate deficits in foundational reading skills may require explicit, systematic  
86.25 instruction to reach mastery.

86.26 (8) A "multitiered system of support" means a systematic preventative approach that  
86.27 addresses the academic, behavioral, and social-emotional needs of all students at the core  
86.28 (universal), targeted (Tier I), and intensive (Tier II) levels. Through a multitiered system  
86.29 of support a teacher must provide high quality, scientifically based or evidence-based  
86.30 instruction and intervention that is matched to a student's needs; uses a method monitoring  
86.31 progress frequently to inform decisions about instruction and goals; and applies data literacy  
86.32 skills to educational decision making.

87.1 (c) Beginning in the 2022-2023 school year, a public school district or charter school  
87.2 must transition away from a program of instruction for students in kindergarten through  
87.3 grade 2 that is based in any practice or intervention program that uses:

87.4 (1) visual memory as the primary basis for teaching word recognition; or

87.5 (2) the three-cueing system model of reading based on meaning, structure and syntax,  
87.6 and visual, which is also known as "MSV."

87.7 ~~(g)~~ (d) Nothing in this subdivision limits the authority of a school district to select a  
87.8 school's reading program or curriculum.

87.9 Sec. 46. Minnesota Statutes 2020, section 124D.09, subdivision 3, is amended to read:

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

87.12 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,  
87.13 nonprofit two-year trade and technical school granting associate degrees, an opportunities  
87.14 industrialization center accredited by an accreditor recognized by the United States  
87.15 Department of Education, or a private, residential, two-year or four-year, liberal arts,  
87.16 degree-granting college or university located in Minnesota. An eligible institution cannot  
87.17 require a faith statement during the application process or base any part of the admission  
87.18 decision on a student's race, creed, ethnicity, disability, gender, or sexual orientation or  
87.19 religious beliefs or affiliations.

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

87.21 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under  
87.22 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by  
87.23 a secondary teacher or a postsecondary faculty member, and are offered at a high school  
87.24 for which the district is eligible to receive concurrent enrollment program aid under section  
87.25 124D.091.

87.26 Sec. 47. Minnesota Statutes 2020, section 124D.09, subdivision 9, is amended to read:

87.27 Subd. 9. **Enrollment priority.** (a) A postsecondary institution must give priority to its  
87.28 postsecondary students when enrolling pupils in grades 10, 11, and 12 in its courses. A  
87.29 postsecondary institution may provide information about its programs to a secondary school  
87.30 or to a pupil or parent and it may advertise or otherwise recruit or solicit a secondary pupil  
87.31 to enroll in its programs ~~on educational and programmatic grounds only except,~~  
87.32 ~~notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020 school~~

88.1 ~~years only, an eligible postsecondary institution may advertise or otherwise recruit or solicit~~  
88.2 ~~a secondary pupil residing in a school district with 700 students or more in grades 10, 11,~~  
88.3 ~~and 12, to enroll in its programs on educational, programmatic, or financial grounds.~~

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

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

88.14 (d) If a postsecondary institution enrolls a secondary school pupil in a course under this  
88.15 section, the postsecondary institution also must enroll in the same course an otherwise  
88.16 enrolled and qualified postsecondary student who qualifies as a veteran under section  
88.17 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's  
88.18 established enrollment timelines were not practicable for that student.

88.19 (e) A postsecondary institution must allow secondary pupils to enroll in online courses  
88.20 under this section consistent with the institution's policy regarding postsecondary pupil  
88.21 enrollment in online courses.

88.22 Sec. 48. Minnesota Statutes 2020, section 124D.09, subdivision 10, is amended to read:

88.23 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to  
88.24 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a  
88.25 postsecondary faculty member and offered at a secondary school, or another location,  
88.26 according to an agreement between a public school board and the governing body of an  
88.27 eligible public postsecondary system or an eligible private postsecondary institution, as  
88.28 defined in subdivision 3. All provisions of this section apply to a pupil, public school board,  
88.29 district, and the governing body of a postsecondary institution, except as otherwise provided.  
88.30 A secondary school or a postsecondary institution that enrolls eligible pupils in courses  
88.31 according to agreements must annually report to the commissioner the participation rates  
88.32 of pupils enrolled in courses according to agreements, including the number of pupils  
88.33 enrolled and the number of courses taken for postsecondary credit.



89.1 (b) To encourage students, especially American Indian students and students of color,  
89.2 to consider teaching as a profession, participating schools, school districts, and postsecondary  
89.3 institutions are encouraged to develop and offer an "Introduction to Teaching" or  
89.4 "Introduction to Education" course under this subdivision. For the purpose of applying for  
89.5 grants under this paragraph, "eligible institution" includes schools and districts that partner  
89.6 with an accredited college or university in addition to postsecondary institutions identified  
89.7 in subdivision 3, paragraph (a). Grant recipients under this paragraph must annually report  
89.8 to the commissioner in a form and manner determined by the commissioner on the  
89.9 participation rates of students in courses under this paragraph, including the number of  
89.10 students who apply for admission to colleges or universities with teacher preparation  
89.11 programs and the number of students of color and American Indian students who earned  
89.12 postsecondary credit. Grant recipients must also describe recruiting efforts intended to  
89.13 ensure that the percentage of participating students who are of color or American Indian  
89.14 meets or exceeds the overall percentage of students of color or American Indian students  
89.15 in the school.

89.16 Sec. 49. Minnesota Statutes 2020, section 124D.09, subdivision 12, is amended to read:

89.17 Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit  
89.18 a course under this section.

89.19 (b) A district shall grant academic credit to a pupil enrolled in a course for secondary  
89.20 credit if the pupil successfully completes the course. Seven quarter or four semester college  
89.21 credits equal at least one full year of high school credit. Fewer college credits may be  
89.22 prorated. A district must also grant academic credit to a pupil enrolled in a course for  
89.23 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is  
89.24 offered by the district, the district must, as soon as possible, notify the commissioner, who  
89.25 shall determine the number of credits that shall be granted to a pupil who successfully  
89.26 completes a course. If a comparable course is offered by the district, the school board shall  
89.27 grant a comparable number of credits to the pupil. If there is a dispute between the district  
89.28 and the pupil regarding the number of credits granted for a particular course, the pupil may  
89.29 appeal the board's decision to the commissioner. The commissioner's decision regarding  
89.30 the number of credits shall be final.

89.31 (c) A school board must adopt a policy regarding weighted grade point averages for any  
89.32 high school or dual enrollment course. A school board must adopt an identical policy  
89.33 regarding weighted grade point averages for credits earned via postsecondary coursework  
89.34 as it gives to credits earned via concurrent enrollment coursework. The policy must state

90.1 whether the district offers weighted grades. A school board must annually publish on its  
90.2 website a list of courses for which a student may earn a weighted grade.

90.3 (d) The secondary credits granted to a pupil must be counted toward the graduation  
90.4 requirements and subject area requirements of the district. Evidence of successful completion  
90.5 of each course and secondary credits granted must be included in the pupil's secondary  
90.6 school record. A pupil shall provide the school with a copy of the pupil's grade in each  
90.7 course taken for secondary credit under this section. Upon the request of a pupil, the pupil's  
90.8 secondary school record must also include evidence of successful completion and credits  
90.9 granted for a course taken for postsecondary credit. In either case, the record must indicate  
90.10 that the credits were earned at a postsecondary institution.

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

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

90.29 Sec. 50. Minnesota Statutes 2020, section 124D.09, subdivision 13, is amended to read:

90.30 Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this section,  
90.31 the department must make payments according to this subdivision for courses that were  
90.32 taken for secondary credit.

90.33 The department must not make payments to a school district or postsecondary institution  
90.34 for a course taken for postsecondary credit only. The department must not make payments

91.1 to a postsecondary institution for a course from which a student officially withdraws during  
 91.2 the first ~~14~~ ten business days of the postsecondary institution's quarter or semester or who  
 91.3 has been absent from the postsecondary institution for the first ~~15 consecutive school~~ ten  
 91.4 business days of the postsecondary institution's quarter or semester and is not receiving  
 91.5 instruction in the home or hospital.

91.6 A postsecondary institution shall receive the following:

91.7 (1) for an institution granting quarter credit, the reimbursement per credit hour shall be  
 91.8 an amount equal to 88 percent of the product of the formula allowance minus \$425, multiplied  
 91.9 by 1.2, and divided by 45; or

91.10 (2) for an institution granting semester credit, the reimbursement per credit hour shall  
 91.11 be an amount equal to 88 percent of the product of the general revenue formula allowance  
 91.12 minus \$425, multiplied by 1.2, and divided by 30.

91.13 The department must pay to each postsecondary institution 100 percent of the amount  
 91.14 in clause (1) or (2) within 45 days of receiving initial enrollment information each quarter  
 91.15 or semester. If changes in enrollment occur during a quarter or semester, the change shall  
 91.16 be reported by the postsecondary institution at the time the enrollment information for the  
 91.17 succeeding quarter or semester is submitted. At any time the department notifies a  
 91.18 postsecondary institution that an overpayment has been made, the institution shall promptly  
 91.19 remit the amount due.

91.20 Sec. 51. Minnesota Statutes 2020, section 124D.095, subdivision 7, is amended to read:

91.21 Subd. 7. **Department of Education.** (a) The department must review and approve or  
 91.22 disapprove online learning providers within 90 calendar days of receiving an online learning  
 91.23 provider's completed application. The commissioner, using research-based standards of  
 91.24 quality for online learning programs, must review all approved online learning providers  
 91.25 on a cyclical three-year basis. Approved online learning providers annually must submit  
 91.26 program data to, confirm statements of assurances for, and provide program updates including  
 91.27 a current course list to the commissioner.

91.28 (b) The online learning courses and programs must be rigorous, aligned with state  
 91.29 academic standards, and contribute to grade progression in a single subject. The online  
 91.30 learning provider, other than a digital learning provider offering digital learning to its enrolled  
 91.31 students only under subdivision 4, paragraph (d), must give the commissioner written  
 91.32 assurance that: (1) all courses meet state academic standards; and (2) the online learning  
 91.33 curriculum, instruction, and assessment, expectations for actual teacher-contact time or

92.1 other student-to-teacher communication, and academic support meet nationally recognized  
 92.2 professional standards and are described as such in an online learning course syllabus that  
 92.3 meets the commissioner's requirements. Once an online learning provider is approved under  
 92.4 this paragraph, all of its online learning course offerings are eligible for payment under this  
 92.5 section unless a course is successfully challenged by an enrolling district or the department  
 92.6 under paragraph (c).

92.7 (c) An enrolling district may challenge the validity of a course offered by an online  
 92.8 learning provider. The department must review such challenges based on the approval  
 92.9 procedures under paragraph (b). The department may initiate its own review of the validity  
 92.10 of an online learning course offered by an online learning provider.

92.11 (d) The department may collect a fee not to exceed \$250 for approving online learning  
 92.12 providers or \$50 per course for reviewing a challenge by an enrolling district.

92.13 (e) The department must develop, publish, and maintain a list of online learning providers  
 92.14 that it has reviewed and approved.

92.15 (f) The department may review a complaint about an online learning provider, or a  
 92.16 complaint about a provider based on the provider's response to notice of a violation. If the  
 92.17 department determines that an online learning provider violated a law or rule, the department  
 92.18 may:

92.19 (1) create a compliance plan for the provider; or

92.20 (2) withhold funds from the provider under sections 124D.095, 124E.25, and 127A.42.  
 92.21 The department must notify an online learning provider in writing about withholding funds  
 92.22 and provide detailed calculations.

92.23 (g) An online learning program fee administration account is created in the special  
 92.24 revenue fund. Funds retained under paragraph (d) shall be deposited in the account. Money  
 92.25 in the account is appropriated to the commissioner for costs associated with administering  
 92.26 and monitoring online and digital learning programs.

92.27 Sec. 52. Minnesota Statutes 2020, section 124D.128, subdivision 1, is amended to read:

92.28 Subdivision 1. **Program established.** A learning year program provides instruction  
 92.29 throughout the year on an extended year calendar, extended school day calendar, or both.  
 92.30 ~~A pupil may participate in the program and accelerate attainment of grade level requirements~~  
 92.31 ~~or graduation requirements.~~ A learning year program may begin after the close of the regular  
 92.32 school year in June. The program may be for students in one or more grade levels from  
 92.33 kindergarten through grade 12.

93.1 Sec. 53. Minnesota Statutes 2020, section 124D.2211, is amended to read:

93.2 **124D.2211 AFTER-SCHOOL COMMUNITY LEARNING PROGRAMS.**

93.3 Subdivision 1. **Establishment.** A competitive statewide after-school community learning  
 93.4 grant program is established to provide grants to ~~community or nonprofit organizations,~~  
 93.5 ~~political subdivisions, for-profit or nonprofit child care centers, or school-based programs~~  
 93.6 ~~that serve youth after school or during nonschool hours~~ organizations that offer academic  
 93.7 and enrichment activities for elementary and secondary school students during nonschool  
 93.8 hours. Grants must be used to offer a broad array of enrichment activities that promote  
 93.9 positive after-school activities, including art, music, community engagement, literacy,  
 93.10 science, technology, engineering, math, health, and recreation programs. The commissioner  
 93.11 ~~shall~~ must develop criteria for after-school community learning programs. The commissioner  
 93.12 may award grants under this section to community or nonprofit organizations, Minnesota  
 93.13 Tribal governments, political subdivisions, public libraries, for-profit or nonprofit child care  
 93.14 centers, or school-based programs that serve youth after school or during nonschool hours.

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

- 93.17 ~~(1) school connectedness of participants;~~  
 93.18 ~~(2) academic achievement of participating students in one or more core academic areas;~~  
 93.19 ~~(3) the capacity of participants to become productive adults; and~~  
 93.20 ~~(4) prevent truancy from school and prevent juvenile crime.~~

93.21 (1) increase access to protective factors that build young people's capacity to become  
 93.22 productive adults, such as through connections to a caring adult in order to promote healthy  
 93.23 behavior, attitudes, and relationships;

93.24 (2) develop skills and behaviors necessary to succeed in postsecondary education or  
 93.25 career opportunities;

93.26 (3) encourage school attendance and improve academic performance in accordance with  
 93.27 the state's world's best workforce goals under section 120B.11; and

93.28 (4) expand program access in underserved communities.

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

- 93.31 (1) collaboration with and leverage of existing community resources that have  
 93.32 demonstrated effectiveness;

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

94.2 ~~(3) involvement of local governments, including park and recreation boards or schools,~~  
 94.3 ~~unless no government agency is appropriate.~~

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

94.5 (3) an explanation of how the proposal will support the objectives identified in subdivision  
 94.6 2; and

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

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

94.10 (1) primarily serve low-income and underserved students; and

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

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

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

94.17 Subd. 4. **Technical assistance and continuous improvement.** (a) The commissioner  
 94.18 must monitor and evaluate the performance of grant recipients to assess the effectiveness  
 94.19 of after-school community learning programs in meeting the objectives identified in  
 94.20 subdivision 2.

94.21 (b) The commissioner must contract with a nonprofit organization serving as the statewide  
 94.22 after-school network to provide capacity building, professional development, and continuous  
 94.23 program improvement supports to grant recipients, including guidance on effective practices  
 94.24 for after-school programs.

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

94.26 Sec. 54. Minnesota Statutes 2020, section 124D.74, subdivision 1, is amended to read:

94.27 Subdivision 1. **Program described.** American Indian education programs are programs  
 94.28 in public elementary and secondary schools, nonsectarian nonpublic, community, Tribal,  
 94.29 charter, or alternative schools enrolling American Indian children designed to:

94.30 (1) support postsecondary preparation for American Indian pupils;

- 95.1 (2) support the academic achievement of American Indian ~~students~~ pupils;
- 95.2 (3) make the curriculum relevant to the needs, interests, and cultural heritage of American
- 95.3 Indian pupils;
- 95.4 (4) provide positive reinforcement of the self-image of American Indian pupils;
- 95.5 (5) develop intercultural awareness among pupils, parents, and staff; and
- 95.6 (6) supplement, not supplant, state and federal educational and cocurricular programs.

95.7 Program services designed to increase completion and graduation rates of American Indian

95.8 students must emphasize academic achievement, retention, and attendance; development

95.9 of support services for staff, including in-service training and technical assistance in methods

95.10 of teaching American Indian pupils; research projects, including innovative teaching

95.11 approaches and evaluation of methods of relating to American Indian pupils; provision of

95.12 career counseling to American Indian pupils; modification of curriculum, instructional

95.13 methods, and administrative procedures to meet the needs of American Indian pupils; and

95.14 ~~supplemental~~ instruction in American Indian language, literature, history, and culture.

95.15 Districts offering programs may make contracts for the provision of program services by

95.16 establishing cooperative liaisons with Tribal programs and American Indian social service

95.17 agencies. These programs may also be provided as components of early childhood and

95.18 family education programs.

95.19 Sec. 55. Minnesota Statutes 2020, section 124D.74, subdivision 3, is amended to read:

95.20 Subd. 3. **Enrollment of other children; shared time enrollment.** To the extent ~~it is~~

95.21 ~~economically feasible~~ that the unique educational and culturally related academic needs of

95.22 American Indian people are met and American Indian student accountability factors are the

95.23 same or higher than their non-American Indian peers, a district or participating school may

95.24 make provision for the voluntary enrollment of non-American Indian children in the

95.25 instructional components of an American Indian education program in order that they may

95.26 acquire an understanding of the cultural heritage of the American Indian children for whom

95.27 that particular program is designed. However, in determining eligibility to participate in a

95.28 program, priority must be given to American Indian children. American Indian children

95.29 ~~and other children~~ enrolled in an existing nonpublic school system may be enrolled on a

95.30 shared time basis in American Indian education programs.

96.1 Sec. 56. Minnesota Statutes 2020, section 124D.74, subdivision 4, is amended to read:

96.2 Subd. 4. **Location of programs.** American Indian education programs must be located  
 96.3 in ~~facilities~~ educational settings in which regular classes in a variety of subjects are offered  
 96.4 on a daily basis, including district schools, charter schools, and Tribal contract schools that  
 96.5 offer virtual learning environments. Programs may operate on an extended day or extended  
 96.6 year basis.

96.7 Sec. 57. Minnesota Statutes 2020, section 124D.74, is amended by adding a subdivision  
 96.8 to read:

96.9 Subd. 7. **American Indian culture and language classes.** Any district or participating  
 96.10 school that conducts American Indian education programs pursuant to sections 124D.71 to  
 96.11 124D.82 and serves 100 or more state-identified American Indian students enrolled in the  
 96.12 district must provide American Indian culture and language classes.

96.13 Sec. 58. Minnesota Statutes 2020, section 124D.76, is amended to read:

96.14 ~~**124D.76 COMMUNITY COORDINATORS, INDIAN HOME/SCHOOL LIAISONS**~~  
 96.15 ~~**AMERICAN INDIAN EDUCATION PROGRAM COORDINATORS,**~~  
 96.16 ~~**PARAPROFESSIONALS.**~~

96.17 In addition to employing American Indian language and culture education teachers, each  
 96.18 district or participating school providing programs pursuant to sections 124D.71 to 124D.82  
 96.19 may employ paraprofessionals. Paraprofessionals must not be employed for the purpose of  
 96.20 supplanting American Indian language and culture education teachers.

96.21 Any district or participating school ~~which~~ that conducts American Indian education  
 96.22 programs pursuant to sections 124D.71 to 124D.82 must employ one or more full-time or  
 96.23 part-time ~~community coordinators or Indian home/school liaisons if there are~~ dedicated  
 96.24 American Indian education program coordinators in a district with 100 or more  
 96.25 state-identified American Indian students enrolled in the district. ~~Community coordinators~~  
 96.26 ~~shall~~ A dedicated American Indian education program coordinator must promote  
 96.27 communication, understanding, and cooperation between the schools and the community  
 96.28 and ~~shall~~ must visit the homes of children who are to be enrolled in an American Indian  
 96.29 education program in order to convey information about the program.



97.1 Sec. 59. Minnesota Statutes 2020, section 124D.78, is amended to read:

97.2 **124D.78 PARENT AND COMMUNITY PARTICIPATION.**

97.3 Subdivision 1. **Parent committee.** School districts, charter schools, Tribal contract  
 97.4 schools, and their respective school boards and American Indian schools must provide for  
 97.5 the maximum involvement of parents of American Indian children enrolled in American  
 97.6 Indian education programs, programs for elementary and secondary grades, special education  
 97.7 programs, and support services. Accordingly, ~~the board of a school district~~ districts, charter  
 97.8 schools, and Tribal contract schools in which there are ten or more state-identified American  
 97.9 Indian students enrolled ~~and each American Indian school~~ must establish an American  
 97.10 Indian ~~education~~ Parent Advisory Committee. If a committee whose membership consists  
 97.11 of a majority of parents of American Indian children has been or is established according  
 97.12 to federal, tribal, or other state law, that committee may serve as the committee required by  
 97.13 this section and is subject to, at least, the requirements of this subdivision and subdivision  
 97.14 2.

97.15 The American Indian ~~education~~ Parent Advisory Committee must develop its  
 97.16 recommendations in consultation with the curriculum advisory committee required by  
 97.17 section 120B.11, subdivision 3. This committee must afford parents the necessary information  
 97.18 and the opportunity effectively to express their views concerning all aspects of American  
 97.19 Indian education and the educational needs of the American Indian children enrolled in the  
 97.20 school or program. ~~The school board or American Indian school~~ Districts, charter schools,  
 97.21 and Tribal contract schools must ensure that programs are planned, operated, and evaluated  
 97.22 with the involvement of and in consultation with parents of the American Indian students  
 97.23 served by the programs.

97.24 Subd. 2. ~~Resolution of concurrence~~ **Annual compliance.** Prior to March 1 of each  
 97.25 year, ~~the school board or American Indian school~~ must submit to the department a copy of  
 97.26 ~~a resolution adopted by the American Indian education~~ Parent Advisory Committee. ~~The~~  
 97.27 ~~copy must be signed by the chair of the committee and must state whether the committee~~  
 97.28 ~~concurs with the educational programs for American Indian students offered by the school~~  
 97.29 ~~board or American Indian school. If the committee does not concur with the educational~~  
 97.30 ~~programs, the reasons for nonconcurrence and recommendations shall be submitted directly~~  
 97.31 ~~to the school board with the resolution. By resolution, the board must respond in writing~~  
 97.32 ~~within 60 days, in cases of nonconcurrence, to each recommendation made by the committee~~  
 97.33 ~~and state its reasons for not implementing the recommendations.~~ must meet to discuss  
 97.34 whether or not they concur with the educational offerings that have been extended by the  
 97.35 district to American Indian students. If the committee finds that the district, charter school,

98.1 Tribal contract school, and the school board have been meeting the needs of American  
 98.2 Indian students, the committee must issue a vote and resolution of concurrence. If the  
 98.3 committee finds that the needs of American Indian students are not being met, the committee  
 98.4 must issue a vote and resolution of nonconcurrence. The vote and resolution must be  
 98.5 presented to the school board by one or more members of the American Indian Parent  
 98.6 Advisory Committee. The vote must be formally reflected on documentation provided by  
 98.7 the Department of Education and must be submitted annually on March 1. If the vote is one  
 98.8 of nonconcurrence, the committee must provide written recommendations for improvement  
 98.9 to the school board at the time of the presentation. In the case of nonconcurrence, the school  
 98.10 board is given 60 days in which to respond, in writing, to the committee's recommendations.  
 98.11 The board response must be signed by the entire school board and submitted to both the  
 98.12 American Indian Parent Advisory Committee and to the Department of Education.

98.13 Subd. 3. **Membership.** The American Indian ~~education~~ Parent Advisory Committee  
 98.14 must be composed of parents or guardians of American Indian children eligible to be enrolled  
 98.15 in American Indian education programs; American Indian secondary students ~~eligible to~~  
 98.16 ~~be served~~; American Indian family members of students eligible to be enrolled in American  
 98.17 Indian education programs; American Indian language and culture education teachers and  
 98.18 paraprofessionals; American Indian teachers; American Indian district employees; American  
 98.19 Indian counselors; adult American Indian people enrolled in educational programs; and  
 98.20 ~~representatives from community groups~~ American Indian community members. ~~A~~ The  
 98.21 majority of each committee must be parents or guardians of American Indian children  
 98.22 enrolled or eligible to be enrolled in the programs. ~~The number of parents of American~~  
 98.23 ~~Indian and non-American Indian children shall reflect approximately the proportion of~~  
 98.24 ~~children of those groups enrolled in the programs.~~

98.25 Subd. 4. **Alternate committee.** If the organizational membership or the board of directors  
 98.26 ~~of an American Indian~~ a Tribal contract school consists of parents of children attending the  
 98.27 school, that membership or board may serve also as the American Indian ~~education~~ Parent  
 98.28 Advisory Committee.

98.29 Subd. 5. **State-identified American Indian.** For the purposes of sections 124D.71 to  
 98.30 124D.82, students who identify as American Indian or Alaska Native, using the state  
 98.31 definition in effect on October 1 of the previous school year, will be used to determine the  
 98.32 state-identified American Indian student counts for districts, charter schools, and Tribal  
 98.33 contract schools for the subsequent school year.

99.1 Sec. 60. Minnesota Statutes 2020, section 124D.791, subdivision 4, is amended to read:

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

99.3 (1) ~~serve as the liaison for the department~~ work collaboratively and in conjunction with  
99.4 the Tribal Liaison, the Tribal Nations Education Committee, the 11 Tribal communities  
99.5 Nations in Minnesota, the Minnesota Chippewa Tribe, and the Minnesota Indian Affairs  
99.6 Council;

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

99.8 (3) engage the tribal bodies, community groups, parents of children eligible to be served  
99.9 by American Indian education programs, American Indian administrators and teachers,  
99.10 persons experienced in the training of teachers for American Indian education programs,  
99.11 the tribally controlled schools, and other persons knowledgeable in the field of American  
99.12 Indian education and seek their advice on policies that can improve the quality of American  
99.13 Indian education;

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

99.15 (i) issues facing American Indian students;

99.16 (ii) policies for American Indian education;

99.17 (iii) awarding scholarships to eligible American Indian students and in administering  
99.18 the commissioner's duties regarding awarding of American Indian education grants to school  
99.19 districts; and

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

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

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

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

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

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

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

100.2 (v) increase American Indian student placement in postsecondary programs and the  
100.3 workforce; and

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

100.6 Sec. 61. **[124D.792] GRADUATION CEREMONIES; TRIBAL REGALIA AND**  
100.7 **OBJECTS OF CULTURAL SIGNIFICANCE.**

100.8 A school district or charter school must not prohibit an American Indian student from  
100.9 wearing American Indian regalia, Tribal regalia, or objects of cultural significance at  
100.10 graduation ceremonies.

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

100.12 Sec. 62. Minnesota Statutes 2020, section 124D.81, subdivision 1, is amended to read:

100.13 Subdivision 1. **Procedures.** A school district, charter school, or American  
100.14 Indian-controlled Tribal contract or grant school enrolling at least 20 American Indian  
100.15 students on October 1 of the previous school year ~~and operating an American Indian~~  
100.16 ~~education program according to section 124D.74~~ is eligible for American Indian education  
100.17 aid if it meets the requirements of this section. Programs may provide for contracts for the  
100.18 provision of program components by nonsectarian nonpublic, community, Tribal, charter,  
100.19 or alternative schools. The commissioner shall prescribe the form and manner of application  
100.20 for aids, and no aid shall be made for a program not complying with the requirements of  
100.21 sections 124D.71 to 124D.82.

100.22 Sec. 63. Minnesota Statutes 2020, section 124D.81, subdivision 2, is amended to read:

100.23 Subd. 2. **Plans.** To ~~qualify for~~ receive aid, an eligible district, charter school, or Tribal  
100.24 contract school must develop and submit a plan for approval by the Indian education director  
100.25 that shall:

100.26 (a) Identify the measures to be used to meet the requirements of sections 124D.71 to  
100.27 124D.82;

100.28 (b) Identify the activities, methods and programs to meet the identified educational needs  
100.29 of the children to be enrolled in the program;

100.30 (c) Describe how district goals and objectives as well as the objectives of sections  
100.31 124D.71 to 124D.82 are to be achieved;

101.1 (d) Demonstrate that required and elective courses as structured do not have a  
101.2 discriminatory effect within the meaning of section 124D.74, subdivision 5;

101.3 (e) Describe how each school program will be organized, staffed, coordinated, and  
101.4 monitored; and

101.5 (f) Project expenditures for programs under sections 124D.71 to 124D.82.

101.6 Sec. 64. Minnesota Statutes 2020, section 124D.81, subdivision 2a, is amended to read:

101.7 Subd. 2a. **American Indian education aid.** (a) The American Indian education aid  
101.8 allowance equals \$358 for fiscal years 2022 and 2023. The American Indian education aid  
101.9 allowance for fiscal year 2024 and later equals the product of \$358 times the ratio of the  
101.10 formula allowance under section 126C.10, subdivision 2, for the current fiscal year to the  
101.11 formula allowance under section 126C.10, subdivision 2, for fiscal year 2023.

101.12 (b) The American Indian education aid minimum equals \$20,000 for fiscal years 2022.  
101.13 The American Indian education aid minimum equals \$40,000 for fiscal year 2023. The  
101.14 American Indian education aid minimum for fiscal year 2024 and later equals the product  
101.15 of \$40,000 times the ratio of the formula allowance under section 126C.10, subdivision 2,  
101.16 for the current fiscal year to the formula allowance under section 126C.10, subdivision 2,  
101.17 for fiscal year 2023.

101.18 ~~(a)~~ (c) The American Indian education aid for an eligible district, charter school, or  
101.19 Tribal contract school equals the greater of (1) the sum of ~~\$20,000~~ the American Indian  
101.20 education aid minimum plus the product of ~~\$358~~ the American Indian education aid  
101.21 allowance times the difference between the number of American Indian students enrolled  
101.22 on October 1 of the previous school year and 20; or (2) if the district or school received a  
101.23 grant under this section for fiscal year 2015, the amount of the grant for fiscal year 2015.

101.24 ~~(b)~~ (d) Notwithstanding paragraph ~~(a)~~ (c), the American Indian education aid must not  
101.25 exceed the district, charter school, or Tribal contract school's actual expenditure according  
101.26 to the approved plan under subdivision 2.

101.27 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

101.28 Sec. 65. Minnesota Statutes 2020, section 124D.81, subdivision 5, is amended to read:

101.29 Subd. 5. **Records.** Participating schools and districts must keep records and afford access  
101.30 to them as the commissioner finds necessary to ensure that American Indian education  
101.31 programs are implemented in conformity with sections 124D.71 to 124D.82. Each school  
101.32 district or participating school must keep accurate, detailed, and separate revenue and

102.1 expenditure accounts for ~~pilot~~ American Indian education programs funded under this  
102.2 section.

102.3 Sec. 66. Minnesota Statutes 2020, section 124D.83, subdivision 2, is amended to read:

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

102.8 (1) multiplying the formula allowance under section 126C.10, subdivision 2, ~~less \$170,~~  
102.9 times the difference between (i) the resident pupil units as defined in section 126C.05,  
102.10 subdivision 6, in average daily membership, excluding section 126C.05, subdivision 13,  
102.11 and (ii) the number of pupils for the current school year, weighted according to section  
102.12 126C.05, subdivision 1, receiving benefits under section 123B.42 or 123B.44 or for which  
102.13 the school is receiving reimbursement under section 124D.69;

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

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

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

102.29 (5) multiplying the sum of the resident pupil units, including section 126C.05, subdivision  
102.30 13, in average daily membership plus the tribal contract compensation revenue pupil units  
102.31 by the lesser of ~~\$3,230 for fiscal year 2019~~ and 51.17 percent of the formula allowance for  
102.32 fiscal year years 2020, 2021, and 2022, and 52 percent of the formula allowance for fiscal  
102.33 year 2023 and later or the result in clause (4).

103.1 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2023 and  
 103.2 later.

103.3 Sec. 67. Minnesota Statutes 2020, section 124D.861, subdivision 2, is amended to read:

103.4 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible  
 103.5 district must formally develop and implement a long-term plan under this section. The plan  
 103.6 must be incorporated into the district's comprehensive strategic plan under section 120B.11.  
 103.7 ~~Plan components may include: innovative and integrated prekindergarten through grade 12~~  
 103.8 ~~learning environments that offer students school enrollment choices; family engagement~~  
 103.9 ~~initiatives that involve families in their students' academic life and success; professional~~  
 103.10 ~~development opportunities for teachers and administrators focused on improving the academic~~  
 103.11 ~~achievement of all students, including teachers and administrators who are members of~~  
 103.12 ~~populations underrepresented among the licensed teachers or administrators in the district~~  
 103.13 ~~or school and who reflect the diversity of students under section 120B.35, subdivision 3,~~  
 103.14 ~~paragraph (b), clause (2), who are enrolled in the district or school; increased programmatic~~  
 103.15 ~~opportunities and effective and more diverse instructors focused on rigor and college and~~  
 103.16 ~~career readiness for underserved students, including students enrolled in alternative learning~~  
 103.17 ~~centers under section 123A.05, public alternative programs under section 126C.05,~~  
 103.18 ~~subdivision 15, and contract alternative programs under section 124D.69, among other~~  
 103.19 ~~underserved students; or recruitment and retention of teachers and administrators with~~  
 103.20 ~~diverse racial and ethnic backgrounds.~~

103.21 (b) The plan must contain goals for:

103.22 (1) reducing the disparities in academic achievement and in equitable access to effective  
 103.23 and more diverse teachers among all students and specific categories of students under  
 103.24 section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender,  
 103.25 disability, and English learners; and

103.26 (2) increasing racial and economic diversity and integration in schools and districts.

103.27 (c) The plan must include strategies to validate, affirm, embrace, and integrate cultural  
 103.28 and community strengths of all students, families, and employees in the district's curriculum  
 103.29 as well as learning and work environments. The plan must address issues of institutional  
 103.30 racism as defined in section 120B.11, subdivision 1, in schools that create opportunity and  
 103.31 achievement gaps for students, families, and staff who are of color or who are American  
 103.32 Indian. Examples of institutional racism experienced by students who are of color or who  
 103.33 are American Indian include policies and practices that intentionally or unintentionally  
 103.34 result in disparate discipline referrals and suspension, inequitable access to advanced

104.1 coursework, overrepresentation in lower-level coursework, inequitable participation in  
104.2 coextrricular activities, inequitable parent involvement, and lack of equitable access to  
104.3 racially and ethnically diverse teachers who reflect the racial or ethnic diversity of students  
104.4 because it has not been a priority to hire or retain such teachers.

104.5 (d) School districts must use local data, to the extent practicable, to develop plan  
104.6 components and strategies. Plans may include:

104.7 (1) innovative and integrated prekindergarten through grade 12 learning environments  
104.8 that offer students school enrollment choices;

104.9 (2) family engagement initiatives that involve families in their students' academic life  
104.10 and success and improve relations between home and school;

104.11 (3) opportunities for students, families, staff, and community members who are of color  
104.12 or American Indian to share their experiences in the school setting with school staff and  
104.13 administration and to inform the development of specific proposals for making school  
104.14 environments more validating, affirming, embracing, and integrating of their cultural and  
104.15 community strengths;

104.16 (4) professional development opportunities for teachers and administrators focused on  
104.17 improving the academic achievement of all students, including knowledge, skills, and  
104.18 dispositions needed to be antiracist and culturally sustaining as defined in section 120B.11,  
104.19 subdivision 1, for serving students who are from racially and ethnically diverse backgrounds;

104.20 (5) recruitment and retention of teachers, administrators, cultural and family liaisons,  
104.21 paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented  
104.22 in the student population to strengthen relationships with all students, families, and other  
104.23 members of the community;

104.24 (6) collection, examination, and evaluation of academic and discipline data for  
104.25 institutional racism as defined in section 120B.11, subdivision 1, in structures, policies, and  
104.26 practices that result in the education disparities, in order to propose antiracist changes as  
104.27 defined in section 120B.11, subdivision 1, that increase access, meaningful participation,  
104.28 representation, and positive outcomes for students of color and American Indian students;

104.29 (7) increased programmatic opportunities and effective and more diverse instructors  
104.30 focused on rigor and college and career readiness for students who are impacted by racial,  
104.31 gender, linguistic, and economic disparities, including students enrolled in area learning  
104.32 centers or alternative learning programs under section 123A.05, state-approved alternative



105.1 programs under section 126C.05, subdivision 15, and contract alternative programs under  
105.2 section 124D.69, among other underserved students;

105.3 (8) ethnic studies curriculum as defined in section 120B.11, subdivision 1, to provide  
105.4 all students with opportunities to learn about their own and others' cultures and historical  
105.5 experiences; or

105.6 (9) examination and revision of district curricula in all subjects to be inclusive of diverse  
105.7 racial and ethnic groups while meeting state academic standards and being culturally  
105.8 sustaining as defined in section 120B.11, subdivision 1, ensuring content being studied  
105.9 about any group is accurate and based in knowledge from that group.

105.10 ~~(b)~~ (e) Among other requirements, an eligible district must implement effective,  
105.11 research-based interventions that include formative multiple measures of assessment practices  
105.12 and engagement in order to reduce the eliminate academic disparities in student academic  
105.13 performance among the specific categories of students as measured by student progress and  
105.14 growth on state reading and math assessments and for students impacted by racial, gender,  
105.15 linguistic, and economic inequities as aligned with section 120B.11.

105.16 ~~(e)~~ (f) Eligible districts must create efficiencies and eliminate duplicative programs and  
105.17 services under this section, which may include forming collaborations or a single,  
105.18 seven-county metropolitan areawide partnership of eligible districts for this purpose.

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

105.21 Sec. 68. Minnesota Statutes 2020, section 124D.98, is amended by adding a subdivision  
105.22 to read:

105.23 **Subd. 5. Literacy incentive aid uses.** Beginning July 1, 2022, literacy incentive aid  
105.24 must be used to support comprehensive literacy reform efforts in public schools as follows:

105.25 (1) for public school prekindergarten through grade 3 teachers and support staff to be  
105.26 trained in the science of reading using a training program approved by the Department of  
105.27 Education no later than July 1, 2027, unless the commissioner of education grants an  
105.28 extension;

105.29 (2) to hire a licensed reading and dyslexia specialist who is trained in the science of  
105.30 reading as determined by the commissioner of education and oversees a school district's or  
105.31 charter school's implementation of required components under section 120B.12 no later  
105.32 than July 1, 2027, unless the commissioner of education grants an extension;

106.1 (3) for the most underperforming schools, defined as those at 25 percent or below  
106.2 proficiency on grade 3 reading on the Minnesota Comprehensive Assessments, to hire  
106.3 literacy coaches trained in the science of reading to support teachers and multitiered systems  
106.4 of support implementation; and

106.5 (4) to provide materials, training, and ongoing coaching to ensure alternate instruction  
106.6 under section 125A.56, subdivision 1, is based in the science of reading.

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

106.8 Sec. 69. Minnesota Statutes 2020, section 125A.094, is amended to read:

106.9 **125A.094 RESTRICTIVE PROCEDURES FOR CHILDREN WITH**  
106.10 **DISABILITIES.**

106.11 The use of restrictive procedures ~~for children with disabilities~~ for all pupils attending  
106.12 public school is governed by sections 125A.0941 and 125A.0942.

106.13 Sec. 70. Minnesota Statutes 2020, section 125A.0942, subdivision 1, is amended to read:

106.14 Subdivision 1. **Restrictive procedures plan.** (a) Schools that intend to use restrictive  
106.15 procedures shall maintain and make publicly accessible in an electronic format on a school  
106.16 or district website or make a paper copy available upon request describing a restrictive  
106.17 procedures plan for children with disabilities that at least:

106.18 (1) lists the restrictive procedures the school intends to use;

106.19 (2) describes how the school will implement a range of positive behavior strategies and  
106.20 provide links to mental health services;

106.21 (3) describes how the school will provide training on de-escalation techniques, consistent  
106.22 with section 122A.187, subdivision 4;

106.23 (4) describes how the school will monitor and review the use of restrictive procedures,  
106.24 including:

106.25 (i) conducting post-use debriefings, consistent with subdivision 3, paragraph (a), clause  
106.26 (5); and

106.27 (ii) convening an oversight committee to undertake a quarterly review of the use of  
106.28 restrictive procedures based on patterns or problems indicated by similarities in the time of  
106.29 day, day of the week, duration of the use of a procedure, the individuals involved, or other  
106.30 factors associated with the use of restrictive procedures; the number of times a restrictive  
106.31 procedure is used schoolwide and for individual children; the number and types of injuries,

107.1 if any, resulting from the use of restrictive procedures; whether restrictive procedures are  
107.2 used in nonemergency situations; the need for additional staff training; the use of restrictive  
107.3 procedures for disproportionality, racial disparities, in the usage of restrictive procedures;  
107.4 the usage of school resource officer's handling of the behaviors; student documentation to  
107.5 determine if the staff followed the standards for using restrictive procedures and if there is  
107.6 updated information about whether the restrictive procedures are contraindicated for the  
107.7 particular student; and proposed actions to minimize the use of restrictive procedures; and

107.8 (5) includes a written description and documentation of the training staff completed  
107.9 under subdivision 5.

107.10 (b) Schools annually must publicly identify oversight committee members who must at  
107.11 least include:

107.12 (1) a mental health professional, school psychologist, or school social worker;

107.13 (2) an expert in positive behavior strategies;

107.14 (3) a special education administrator; and

107.15 (4) a general education administrator.

107.16 Sec. 71. Minnesota Statutes 2020, section 125A.0942, subdivision 2, is amended to read:

107.17 Subd. 2. **Restrictive procedures.** (a) Restrictive procedures may be used only by a  
107.18 licensed special education teacher, school social worker, school psychologist, behavior  
107.19 analyst certified by the National Behavior Analyst Certification Board, a person with a  
107.20 master's degree in behavior analysis, other licensed education professional, paraprofessional  
107.21 under section 120B.363, or mental health professional under section 245.4871, subdivision  
107.22 27, who has completed the training program under subdivision 5.

107.23 (b) A school shall make reasonable efforts to notify the parent on the same day a  
107.24 restrictive procedure is used on the child, or if the school is unable to provide same-day  
107.25 notice, notice is sent within two days by written or electronic means or as otherwise indicated  
107.26 by the child's parent under paragraph (f).

107.27 (c) The district must hold a meeting of the individualized education program team, if  
107.28 the student is a student with a disability, or a meeting of relevant members of the student's  
107.29 team, including the parent, if the student is not a student with a disability, conduct or review  
107.30 a functional behavioral analysis, review data, consider developing additional or revised  
107.31 positive behavioral interventions and supports, consider actions to reduce the use of restrictive  
107.32 procedures, and modify the individualized education program or behavior intervention plan

108.1 as appropriate. The district must hold the meeting: within ten calendar days after district  
108.2 staff use restrictive procedures on two separate school days within 30 calendar days or a  
108.3 pattern of use emerges and the child's individualized education program or behavior  
108.4 intervention plan does not provide for using restrictive procedures in an emergency; or at  
108.5 the request of a parent or the district after restrictive procedures are used. The district must  
108.6 review use of restrictive procedures at a child's annual individualized education program  
108.7 meeting when the child's individualized education program provides for using restrictive  
108.8 procedures in an emergency.

108.9 (d) If the ~~individualized education program~~ meeting team under paragraph (c) determines  
108.10 that existing interventions and supports are ineffective in reducing the use of restrictive  
108.11 procedures or the district uses restrictive procedures on a child on ten or more school days  
108.12 during the same school year, the team, as appropriate, either must consult with other  
108.13 professionals working with the child; consult with experts in behavior analysis, mental  
108.14 health, communication, or autism; consult with culturally competent professionals; review  
108.15 existing evaluations, resources, and successful strategies; or consider whether to reevaluate  
108.16 the child.

108.17 (e) At the ~~individualized education program~~ meeting under paragraph (c), the team must  
108.18 review any known medical or psychological limitations, including any medical information  
108.19 the parent provides voluntarily, that contraindicate the use of a restrictive procedure, consider  
108.20 whether to prohibit that restrictive procedure, and document any prohibition in the  
108.21 individualized education program or behavior intervention plan.

108.22 (f) An individualized education program team may plan for using restrictive procedures  
108.23 and may include these procedures in a child's individualized education program or behavior  
108.24 intervention plan; however, the restrictive procedures may be used only in response to  
108.25 behavior that constitutes an emergency, consistent with this section. The individualized  
108.26 education program or behavior intervention plan shall indicate how the parent wants to be  
108.27 notified when a restrictive procedure is used.

108.28 Sec. 72. Minnesota Statutes 2020, section 125A.0942, subdivision 3, is amended to read:

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

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

- 109.1 (2) physical holding or seclusion is not used to discipline a noncompliant child;
- 109.2 (3) physical holding or seclusion ends when the threat of harm ends and the staff  
109.3 determines the child can safely return to the classroom or activity;
- 109.4 (4) staff directly observes the child while physical holding or seclusion is being used;
- 109.5 (5) each time physical holding or seclusion is used, the staff person who implements or  
109.6 oversees the physical holding or seclusion documents, as soon as possible after the incident  
109.7 concludes, the following information:
- 109.8 (i) a description of the incident that led to the physical holding or seclusion;
- 109.9 (ii) why a less restrictive measure failed or was determined by staff to be inappropriate  
109.10 or impractical;
- 109.11 (iii) the time the physical holding or seclusion began and the time the child was released;  
109.12 ~~and~~
- 109.13 (iv) a brief record of the child's behavioral and physical status; and
- 109.14 (v) a brief description of the post-use debriefing process that occurred following the use  
109.15 of the restrictive procedure;
- 109.16 (6) the room used for seclusion must:
- 109.17 (i) be at least six feet by five feet;
- 109.18 (ii) be well lit, well ventilated, adequately heated, and clean;
- 109.19 (iii) have a window that allows staff to directly observe a child in seclusion;
- 109.20 (iv) have tamperproof fixtures, electrical switches located immediately outside the door,  
109.21 and secure ceilings;
- 109.22 (v) have doors that open out and are unlocked, locked with keyless locks that have  
109.23 immediate release mechanisms, or locked with locks that have immediate release mechanisms  
109.24 connected with a fire and emergency system; and
- 109.25 (vi) not contain objects that a child may use to injure the child or others; and
- 109.26 (7) before using a room for seclusion, a school must:
- 109.27 (i) receive written notice from local authorities that the room and the locking mechanisms  
109.28 comply with applicable building, fire, and safety codes; and
- 109.29 (ii) register the room with the commissioner, who may view that room.

110.1 (b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary,  
110.2 recommend to the commissioner specific and measurable implementation and outcome  
110.3 goals for reducing the use of restrictive procedures and the commissioner must submit to  
110.4 the legislature a report on districts' progress in reducing the use of restrictive procedures  
110.5 that recommends how to further reduce these procedures and eliminate the use of seclusion.  
110.6 The statewide plan includes the following components: measurable goals; the resources,  
110.7 training, technical assistance, mental health services, and collaborative efforts needed to  
110.8 significantly reduce districts' use of seclusion; and recommendations to clarify and improve  
110.9 the law governing districts' use of restrictive procedures. The commissioner must consult  
110.10 with interested stakeholders when preparing the report, including representatives of advocacy  
110.11 organizations, special education directors, teachers, paraprofessionals, intermediate school  
110.12 districts, school boards, day treatment providers, county social services, state human services  
110.13 department staff, mental health professionals, and autism experts. Beginning with the  
110.14 2016-2017 school year, in a form and manner determined by the commissioner, districts  
110.15 must report data quarterly to the department by January 15, April 15, July 15, and October  
110.16 15 about individual students who have been secluded. By July 15 each year, districts must  
110.17 report summary data on their use of restrictive procedures to the department for the prior  
110.18 school year, July 1 through June 30, in a form and manner determined by the commissioner.  
110.19 The summary data must include information about the use of restrictive procedures, including  
110.20 use of reasonable force under section 121A.582.

110.21 Sec. 73. Minnesota Statutes 2020, section 144.4165, is amended to read:

110.22 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

110.23 (a) No person shall at any time smoke, chew, or otherwise ingest tobacco, or carry or  
110.24 use an activated electronic delivery device as defined in section 609.685, subdivision 1, in  
110.25 a public school, as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter  
110.26 school governed by chapter 124E. This prohibition extends to all facilities, whether owned,  
110.27 rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or  
110.28 controls.

110.29 (b) Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of  
110.30 a traditional Indian spiritual or cultural ceremony. An American Indian student may carry  
110.31 a medicine pouch containing loose tobacco intended in observance of traditional spiritual  
110.32 or cultural practices. For purposes of this section, an American Indian is a person ~~who is a~~  
110.33 ~~member of an Indian tribe as defined in section 260.755, subdivision 12~~ having origins in

111.1 any of the original peoples of North America who maintain cultural identification through  
 111.2 Tribal affiliation or community recognition.

111.3 Sec. 74. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 2,  
 111.4 is amended to read:

111.5 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under  
 111.6 Minnesota Statutes, section 124D.862:

111.7		<del>84,057,000</del>		
111.8	\$	<u>80,310,000</u>	.....	2022
111.9		<del>83,431,000</del>		
111.10	\$	<u>82,432,000</u>	.....	2023

111.11 The 2022 appropriation includes \$8,868,000 for 2021 and ~~\$75,189,000~~ \$71,442,000 for  
 111.12 2022.

111.13 The 2023 appropriation includes ~~\$8,353,000~~ \$7,938,000 for 2022 and ~~\$75,078,000~~  
 111.14 \$74,494,000 for 2023.

111.15 Sec. 75. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 3,  
 111.16 is amended to read:

111.17 Subd. 3. **American Indian education aid.** For American Indian education aid under  
 111.18 Minnesota Statutes, section 124D.81, subdivision 2a:

111.19		<del>11,351,000</del>		
111.20	\$	<u>11,436,000</u>	.....	2022
111.21		<del>11,775,000</del>		
111.22	\$	<u>15,009,000</u>	.....	2023

111.23 The 2022 appropriation includes \$1,102,000 for 2021 and ~~\$10,249,000~~ \$10,334,000 for  
 111.24 2022.

111.25 The 2023 appropriation includes ~~\$1,138,000~~ \$1,148,000 for 2022 and ~~\$10,637,000~~  
 111.26 \$13,861,000 for 2023.

111.27 Sec. 76. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 4,  
 111.28 is amended to read:

111.29 Subd. 4. **Charter school building lease aid.** For building lease aid under Minnesota  
 111.30 Statutes, section 124E.22:

112.1            ~~93,547,000~~  
 112.2            \$     89,499,000     ..... 2022  
 112.3            ~~99,819,000~~  
 112.4            \$     96,340,000     ..... 2023

112.5            The 2022 appropriation includes \$8,617,000 for 2021 and ~~\$84,930,000~~ \$80,882,000 for  
 112.6 2022.

112.7            The 2023 appropriation includes ~~\$9,436,000~~ 8,987,000 for 2022 and ~~\$90,383,000~~  
 112.8 \$87,353,000 for 2023.

112.9            Sec. 77. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 7,  
 112.10 is amended to read:

112.11            Subd. 7. **Concurrent enrollment aid.** (a) For concurrent enrollment aid under Minnesota  
 112.12 Statutes, section 124D.091:

112.13            \$     4,000,000     ..... 2022  
 112.14            ~~4,000,000~~  
 112.15            \$     9,000,000     ..... 2023

112.16            (b) If the appropriation is insufficient, the commissioner must proportionately reduce  
 112.17 the aid payment to each school district.

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

112.19            (d) The base for fiscal year 2024 is \$8,000,000. The base for fiscal year 2025 is  
 112.20 \$9,000,000.

112.21            Sec. 78. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 15,  
 112.22 is amended to read:

112.23            Subd. 15. **Minnesota math corps program.** (a) For the Minnesota math corps program  
 112.24 under Minnesota Statutes, section 124D.42, subdivision 9:

112.25            \$     1,000,000     ..... 2022  
 112.26            \$     1,000,000     ..... 2023

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

112.28            (c) The base for fiscal year 2024 and later is ~~\$500,000~~ \$1,000,000.

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



113.1 Sec. 79. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 27,  
113.2 is amended to read:

113.3 Subd. 27. **Tribal contract school aid.** For Tribal contract school aid under Minnesota  
113.4 Statutes, section 124D.83:

113.5		<del>2,743,000</del>		
113.6	\$	<u>2,808,000</u>	.....	2022
113.7		<del>3,160,000</del>		
113.8	\$	<u>3,253,000</u>	.....	2023

113.9 The 2022 appropriation includes \$240,000 for 2021 and ~~\$2,503,000~~ \$2,568,000 for  
113.10 2022.

113.11 The 2023 appropriation includes ~~\$278,000~~ \$285,000 for 2022 and ~~\$2,882,000~~ \$2,968,000  
113.12 for 2023.

113.13 Sec. 80. **NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.**

113.14 Each public district and school selected to participate in the national assessment of  
113.15 educational progress shall do so pursuant to United States Code, title 20, section 6312(c)(2),  
113.16 as in effect on December 10, 2015, or similar national or international assessments, both  
113.17 for the national sample and for any state-by-state comparison programs that may be initiated,  
113.18 as directed by the commissioner. The assessments must be conducted using the data collection  
113.19 procedures, student surveys, educator surveys, and other instruments included in the National  
113.20 Assessment of Educational Progress or similar national or international assessments being  
113.21 administered in Minnesota. The administration of such assessments shall be in addition to  
113.22 and separate from the administration of the statewide, standardized assessments.

113.23 Sec. 81. **ETHNIC STUDIES TASK FORCE.**

113.24 Subdivision 1. **Task force established.** (a) The Ethnic Studies Task Force is established  
113.25 to advise the commissioner of education on ethnic studies standards, curriculum, and  
113.26 resources necessary to implement ethnic studies requirements under Minnesota Statutes,  
113.27 section 120B.0251. The commissioner must appoint members of the task force by July 1,  
113.28 2022, with input from the Minnesota Ethnic Studies Coalition.

113.29 (b) The Ethnic Studies Task Force must have 25 members, as follows:

113.30 (1) five community members with a demonstrated commitment to ethnic studies;

113.31 (2) three public school students in grades 9 to 12;

113.32 (3) two public school students in grades 6 to 8;

114.1 (4) three parents or guardians of public kindergarten through grade 12 students;

114.2 (5) three Minnesota-based, college-level faculty experts in ethnic studies;

114.3 (6) three ethnic studies high school teachers;

114.4 (7) three ethnic studies grades 6 to 8 teachers; and

114.5 (8) three ethnic studies kindergarten to grade 5 teachers.

114.6 (c) Demographics of the task force must be inclusive and represent the diversity of the  
114.7 state, including racial, ethnic, and geographic diversity, and diversity related to gender and  
114.8 sexual orientation, immigrant status, and religious and linguistic background.

114.9 Subd. 2. **Duties.** (a) The task force must review available ethnic studies curricular and  
114.10 instructional resources in order to:

114.11 (1) develop state ethnic studies standards to propose to the commissioner for adoption;

114.12 (2) recommend professional learning requirements for educators and staff to facilitate  
114.13 the successful implementation of ethnic studies courses;

114.14 (3) recommend resources and materials school districts and charter schools may use to  
114.15 implement ethnic studies standards; and

114.16 (4) identify or develop model ethnic studies curriculum that school districts and charter  
114.17 schools may use in accordance with section 120B.0251.

114.18 (b) The task force must provide to the commissioner of education the ethnic studies  
114.19 standards and recommendations by October 31, 2023, and the model ethnic studies curriculum  
114.20 by July 1, 2024.

114.21 Subd. 4. **Meetings and compensation.** (a) The task force must convene on at least a  
114.22 bimonthly basis and must hold the first meeting no later than October 15, 2022.

114.23 (b) Members of the task force shall receive a stipend of \$250 per month for their time,  
114.24 work, and expertise.

114.25 Subd. 5. **Administration.** The commissioner must provide meeting space and technical  
114.26 assistance for the task force.

114.27 Subd. 6. **Statewide academic standards.** The commissioner must adopt the academic  
114.28 standards for ethnic studies curriculum developed by the task force using the expedited  
114.29 rulemaking process in Minnesota Statutes, section 14.389.

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

115.1 Sec. 82. **COMPUTER SCIENCE EDUCATION FOUNDATIONAL BLUEPRINT.**

115.2 **Subdivision 1. Foundational blueprint.** (a) The commissioner of education must, in  
115.3 consultation with the Computer Science Education Task Force established under this section,  
115.4 develop a foundational blueprint for a statewide computer science program for elementary  
115.5 and secondary schools that includes the following components:

115.6 (1) a statement of purpose that defines computer science consistent with the definition  
115.7 found in the K-12 Computer Science Framework, describes the objectives and goals of a  
115.8 computer science education program, identifies strategies and resources needed to achieve  
115.9 these goals, and establishes a timeline for achieving these goals;

115.10 (2) an assessment of the current state landscape for kindergarten through grade 12  
115.11 computer science education, including teacher licensure and assignments, and data on  
115.12 enrollment in computer science courses, disaggregated by the student groups under Minnesota  
115.13 Statutes, section 120B.35, subdivision 3, paragraph (b), clause (2);

115.14 (3) a plan for expanding computer science education opportunities to every district school  
115.15 site and charter school within five years;

115.16 (4) a plan to develop comprehensive and foundational kindergarten through grade 12  
115.17 computer science academic standards that local districts may adopt at their discretion under  
115.18 Minnesota Statutes, section 120B.022;

115.19 (5) a plan for professional development opportunities to prepare current teachers to teach  
115.20 computer science;

115.21 (6) a plan relating to teacher licensure, including developing a computer science  
115.22 endorsement or other computer science credential for teachers who are already licensed,  
115.23 and a plan to develop a teacher preparation program for licensure in computer science;

115.24 (7) a plan for the Department of Education to regularly evaluate progress toward the  
115.25 blueprint goals, including annually reporting disaggregated data on enrollment in computer  
115.26 science courses; and

115.27 (8) recommendations to ensure the long-term sustainability of the blueprint.

115.28 (b) The commissioner must submit a copy of the foundational blueprint for computer  
115.29 science to the chairs and ranking members of the legislative committees having jurisdiction  
115.30 over kindergarten through grade 12 education by January 31, 2023, in accordance with  
115.31 Minnesota Statutes, section 3.195.

116.1 Subd. 2. Task force. (a) The commissioner of education must convene an advisory task  
116.2 force to advise the commissioner on the development of the foundational blueprint for  
116.3 computer science.

116.4 (b) Members of the task force must include:

116.5 (1) one member of the house of representatives appointed by the speaker of the house  
116.6 and one member appointed by the minority leader of the house;

116.7 (2) one senator appointed by the senate majority leader and one senator appointed by  
116.8 the senate minority leader;

116.9 (3) one member appointed by the governor;

116.10 (4) the commissioner of education or the commissioner's designee;

116.11 (5) the commissioner of higher education or the commissioner's designee;

116.12 (6) one representative of the Professional Educator Licensing and Standards Board;

116.13 (7) one representative of the Computer Science Teachers' Association MN;

116.14 (8) one representative from the business community;

116.15 (9) one representative from a nonprofit organization working with students and teachers  
116.16 on computer science;

116.17 (10) one representative from the Minnesota Association for School Administrators;

116.18 (11) one representative from Education Minnesota;

116.19 (12) one representative from the Minnesota Association of Colleges for Teacher  
116.20 Education;

116.21 (13) one representative from CSforAll Minnesota;

116.22 (14) one computer science teacher from the seven-county metropolitan area and one  
116.23 computer science teacher from outside the seven-county metropolitan area;

116.24 (15) a career and technical education teacher; and

116.25 (16) one representative from the Technology Advisory Council.

116.26 (c) Appointments to the task force must be made by June 1, 2022. The commissioner  
116.27 of education must provide administrative support and meeting space for the task force.

116.28 (d) Public members of the task force may be compensated and reimbursed for expenses  
116.29 in accordance with Minnesota Statutes, section 15.059, subdivision 3.

117.1 (e) Meetings of the task force are subject to the Minnesota Open Meeting Law under  
 117.2 Minnesota Statutes, chapter 13D.

117.3 (f) The task force expires on January 31, 2024.

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

117.5 Sec. 83. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

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

117.9 Subd. 2. **After-school community learning programs.** (a) For grants for after-school  
 117.10 community learning programs in accordance with Minnesota Statutes, section 124D.2211:

117.11     \$      25,000,000      .....  2023

117.12 (b) The commissioner of education may use up to four percent of the appropriation to  
 117.13 assess the effectiveness of after-school community learning programs in accordance with  
 117.14 Minnesota Statutes, section 124D.2211, subdivision 4, paragraph (a). The commissioner  
 117.15 must use three percent of the appropriation to contract with the nonprofit organization  
 117.16 serving as the statewide after-school network in accordance with Minnesota Statutes, section  
 117.17 124D.2211, subdivision 4, paragraph (b).

117.18 (c) This appropriation is available until June 30, 2025. The base for fiscal year 2026 and  
 117.19 later is \$10,000,000.

117.20 Subd. 3. **BOLD literacy.** (a) For the Minnesota BOLD statewide literacy plan to increase  
 117.21 the equitable access to effective literacy experiences for all students by ensuring school  
 117.22 leaders and educators are trained in the science of reading; supporting effective  
 117.23 implementation and measurement of instructional practices aligned to state standards through  
 117.24 the multitiered systems of support framework; and utilizing data literacy to inform instruction,  
 117.25 inform educator development, evaluate resource deployment and policy, and employ  
 117.26 intentional family and community engagement strategies.

117.27     \$                  0      .....  2022

117.28     \$      4,750,000      .....  2023

117.29 (b) Of this amount, \$1,750,000 is for the Department of Education to establish science  
 117.30 of reading academies to be provided at no cost to educators who work in Minnesota school  
 117.31 districts and charter schools to complete Language Essentials for Teachers of Reading and

118.1 Spelling (LETRS) professional development. Educators who have completed LETRS may  
 118.2 have the opportunity to become LETRS facilitators through a train-the-trainer model.

118.3 (c) Of this amount, \$800,000 is to maintain a literacy unit at the Department of Education.

118.4 (d) Of this amount, \$1,200,000 is to expand literacy and dyslexia data collection and  
 118.5 reporting systems at the Department of Education in order to collect and analyze  
 118.6 prekindergarten through grade 3 data, including foundational reading skills, dyslexia  
 118.7 screening data, and screening results of multilingual learners.

118.8 (e) Of this amount, \$1,000,000 is for state library services grants to support  
 118.9 evidence-based early literacy practices rooted in the science of reading in school and  
 118.10 community libraries.

118.11 (f) Funds may be used for grant administration costs.

118.12 Subd. 4. Closing educational opportunity gaps grants. (a) To support schools in their  
 118.13 efforts to close opportunity gaps under Minnesota Statutes, section 120B.113:

118.14 \$ 5,000,000 ..... 2023

118.15 (b) The department may retain up to five percent of this appropriation to administer the  
 118.16 grant program.

118.17 Subd. 5. Computer Science Advisory Task Force. For the Computer Science Advisory  
 118.18 Task Force:

118.19 \$ 20,000 ..... 2023

118.20 Subd. 6. Culturally specific learning opportunities. (a) For grants to school districts,  
 118.21 charter schools, intermediate school districts, and cooperatives to create and offer culturally  
 118.22 specific learning opportunities, including to form partnerships between community  
 118.23 organizations and schools that offer critical thinking and engagement in learning. "Culturally  
 118.24 specific learning opportunities" means programming that is culturally responsive,  
 118.25 evidence-based, and comprehensive that responds to the academic and social-emotional  
 118.26 needs of historically underserved students.

118.27 \$ 0 ..... 2022

118.28 \$ 5,000,000 ..... 2023

118.29 (b) Grants may be awarded in an amount up to \$200,000 per recipient.

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

118.32 (d) Up to five percent of this appropriation may be retained for administration costs.

119.1 Subd. 7. Ethnic studies implementation. (a) For requirements related to ethnic studies  
 119.2 under Minnesota Statutes, section 120B.0251, and the Ethnic Studies Task Force under  
 119.3 section 80:

119.4 \$ 576,000 ..... 2023

119.5 (b) The base for fiscal year 2024 is \$474,000 and \$451,000 in fiscal year 2025.

119.6 Subd. 8. Ethnic studies school grants. (a) For competitive grants to school districts  
 119.7 and charter schools to develop and implement ethnic studies courses:

119.8 \$ 0 ..... 2023

119.9 (b) The commissioner must consult with the Ethnic Studies Task Force to develop criteria  
 119.10 for the grants.

119.11 (c) The base for fiscal year 2024 and later is \$500,000.

119.12 Subd. 9. Expanding rigorous coursework for black students, indigenous students,  
 119.13 students of color, and students in greater Minnesota. (a) For grants to expand rigorous  
 119.14 coursework primarily for but not limited to disadvantaged and underrepresented students  
 119.15 and students in greater Minnesota, such as through advanced placement courses, international  
 119.16 baccalaureate programs, career and technical education, and concurrent enrollment courses:

119.17 \$ 0 ..... 2022

119.18 \$ 5,000,000 ..... 2023

119.19 (b) Of this amount, \$1,800,000 is for grants to districts and charter schools for regional  
 119.20 partnerships and statewide programs in order to support professional development and  
 119.21 incentives for high school teachers to develop and expand course offerings approved by the  
 119.22 state. Compensation for teachers to teach courses beyond the contract day or year is an  
 119.23 allowable expenditure. Funds may supplement, but not replace, current state and federal  
 119.24 program funds. Grants may be awarded in an amount up to \$50,000 per recipient.

119.25 (c) Of this amount, \$3,200,000 is for matching grants to school districts and charter  
 119.26 schools to support rigorous course expansion and statewide career and technical education  
 119.27 program quality improvements. The department shall provide technical support and guidance.  
 119.28 Funds may supplement, but not replace, current state and federal program funds. Grants  
 119.29 may be awarded in an amount up to \$100,000 per recipient.

119.30 (d) Eligible grantees include school districts, charter schools, intermediate school districts,  
 119.31 and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2.

120.1 (e) The department must require an applicant for grant funds to submit a plan that  
 120.2 describes how the applicant would use grant funds to increase participation by disadvantaged  
 120.3 and underrepresented students in rigorous coursework. The department must consider an  
 120.4 applicant's goals, strategies, and capacity to increase participation by disadvantaged and  
 120.5 underrepresented students when awarding funds.

120.6 (f) At least 50 percent of the funds in this subdivision must be awarded to grant recipients  
 120.7 in greater Minnesota.

120.8 (g) Up to five percent of this appropriation may be retained for administration costs.

120.9 Subd. 10. Full-service community schools. (a) For comprehensive program support  
 120.10 for full-service community schools:

120.11 \$ 50,000,000 ..... 2023

120.12 (b) Of this amount, priority must be given to programs in the following order:

120.13 (1) current grant recipients issued under Minnesota Statutes, section 124D.231;

120.14 (2) schools identified as low-performing under the Federal Every Student Succeeds Act;

120.15 and

120.16 (3) any other applicants.

120.17 (c) This appropriation is available until June 30, 2025. The base for fiscal year 2024 and  
 120.18 2025 is \$0. The base for fiscal year 2026 and later is \$20,000,000.

120.19 Subd. 11. Minnesota Association of Alternative Programs. (a) For a grant to the  
 120.20 Minnesota Association of Alternative Programs STARS Chapter to help students in  
 120.21 alternative programs develop employment, academic, and social skills and support student  
 120.22 participation in trainings and conferences:

120.23 \$ 45,000 ..... 2023

120.24 (b) This appropriation is available until June 30, 2025. The base for fiscal year 2024 and  
 120.25 later is \$0.

120.26 Subd. 12. Minnesota Council on Economic Education. (a) For a grant to the Minnesota  
 120.27 Council on Economic Education:

120.28 \$ 150,000 ..... 2023

120.29 (b) The grant funds must be used to:



121.1 (1) provide professional development to Minnesota's kindergarten through grade 12  
 121.2 teachers implementing state graduation standards in learning areas related to economic  
 121.3 education;

121.4 (2) support the direct-to-student ancillary economic and personal finance programs that  
 121.5 Minnesota teachers supervise and coach; and

121.6 (3) provide support to affiliated higher education-based centers for economic education  
 121.7 currently based at: (i) Minnesota State University, Mankato; (ii) Minnesota State University,  
 121.8 Moorhead; (iii) St. Cloud State University; (iv) St. Catherine University; and (v) the  
 121.9 University of St. Thomas as the higher education centers' work relates to the activities  
 121.10 described in clauses (1) and (2).

121.11 (c) By February 15 of each year following the receipt of a grant, the Minnesota Council  
 121.12 on Economic Education must report to the commissioner of education on the number and  
 121.13 type of in-person and online teacher professional development opportunities provided by  
 121.14 the Minnesota Council on Economic Education or its affiliated state centers for economic  
 121.15 education. The report must include a description of the content, length, and location of the  
 121.16 programs; the number of preservice and licensed teachers receiving professional development  
 121.17 through each of these opportunities; and a summary of evaluations of teacher professional  
 121.18 opportunities.

121.19 (d) The Department of Education must pay the full amount of the grant to the Minnesota  
 121.20 Council on Economic Education by August 15 of each fiscal year. The Minnesota Council  
 121.21 on Economic Education must submit its fiscal reporting in the form and manner specified  
 121.22 by the commissioner. The commissioner may request additional information as necessary.

121.23 (e) This appropriation is in addition to any other appropriation for this purpose.

121.24 (f) The base for fiscal year 2024 is \$150,000.

121.25 Subd. 13. **Multitiered systems of support.** (a) For implementation of multitiered systems  
 121.26 of support, a systematic continuous improvement framework that addresses the academic,  
 121.27 behavioral, and social-emotional needs of all students at the universal, targeted, and intensive  
 121.28 levels. Through multitiered systems of support, teachers must provide high quality,  
 121.29 evidence-based instruction and intervention that is matched to a student's needs, use a method  
 121.30 of monitoring progress regularly to inform decisions about instruction and goals, and apply  
 121.31 data-based decision making to key educational efforts.

121.32 \$ 0 ..... 2022

121.33 \$ 21,250,000 ..... 2023

122.1 (b) Of this amount, \$2,600,000 is for the Department of Education to support  
122.2 implementation. Funds may be used to support increased capacity at the six Regional Centers  
122.3 of Excellence, the Early Childhood Special Education Centers of Excellence, and Minnesota  
122.4 Service Cooperatives.

122.5 (c) Of this amount, \$9,400,000 is reserved for grants to school districts, charter schools,  
122.6 and cooperative units as defined in Minnesota Statutes, section 123A.24, subdivision 2, for  
122.7 implementation of multitiered systems of support, including hiring local multitiered systems  
122.8 of support coordinators and deferring costs for personnel to participate in cohort activities.  
122.9 Up to five percent of this amount is available for program and grant administration.

122.10 (d) Of this amount, \$1,250,000 is for Language Essentials for Teachers of Reading and  
122.11 Spelling training for educators to ensure multitiered systems of support core, supplemental,  
122.12 and intervention literacy instructional practices are based in the science of reading. Up to  
122.13 five percent of this amount is available for program and grant administration.

122.14 (e) Of this amount, \$4,000,000 is for a grant to the Building Assets, Reducing Risks  
122.15 Center to provide access to services to all multitiered systems of support grantees under  
122.16 this subdivision. Up to five percent of this amount is available for program and grant  
122.17 administration.

122.18 (f) Of this amount, \$2,000,000 is for Tribal-State Relations training for school staff  
122.19 engaged in the statewide implementation of multitiered systems of support framework. Up  
122.20 to five percent of this amount is available for program and grant administration.

122.21 (g) Of this amount, \$2,000,000 is for the University of Minnesota Center for Applied  
122.22 Research and Educational Improvement to support implementation and evaluation of the  
122.23 multitiered systems of support framework. Up to five percent of this amount is available  
122.24 for program and grant administration.

122.25 (h) Support for school districts, charter schools, and cooperative units under this  
122.26 subdivision may include but is not limited to:

122.27 (1) providing training, guidance, and implementation resources for a statewide multitiered  
122.28 system of support model, including a universal screening process approved by the Department  
122.29 of Education to identify students who may be at risk of experiencing academic, behavioral  
122.30 and social-emotional development difficulties;

122.31 (2) providing guidance to convene school-based teams to analyze data provided by  
122.32 screenings under clause (1), and resources for related identification, instruction, and  
122.33 intervention methods;

- 123.1 (3) dyslexia screening and intervention based in the science of reading;
- 123.2 (4) requiring school districts and charter schools to provide parents of students identified
- 123.3 in the screenings under clauses (1) and (3) with notice of screening findings and related
- 123.4 support information;
- 123.5 (5) requiring districts and charter schools to provide at-risk students with interventions
- 123.6 and to monitor the effectiveness of these interventions and student progress; and
- 123.7 (6) developing and annually reporting findings regarding the implementation of the
- 123.8 statewide multitiered systems of support.
- 123.9 (i) The base for fiscal year 2024 and later is \$21,620,000. Of this amount, \$1,620,000
- 123.10 is for Language Essentials for Teachers of Reading and Spelling training.
- 123.11 **Subd. 14. Network for the Development of Children of African Descent.** (a) For a
- 123.12 grant to the Network for the Development of Children of African Descent (NdCAD) to
- 123.13 expand the organization's holistic, evidence-based programming that has been proven to
- 123.14 address disparate, literacy, education, and family stabilization outcomes for African American
- 123.15 children and their families, breaking generational cycles of poverty.
- 123.16 \$ 1,000,000 ..... 2023
- 123.17 (b) Program and expansion activities must include:
- 123.18 (1) providing holistic programming for parents, caregivers, and children in
- 123.19 prekindergarten through grade 8 using a two-generation or whole-family approach to support
- 123.20 healthy child development through programming that is culturally responsive and focused
- 123.21 on building foundational literacy, self-determination, and self-reliance;
- 123.22 (2) expanding the organization's family-centered home learning curricula and materials
- 123.23 that support learning at home and school;
- 123.24 (3) providing training and consulting services to education and human service providers
- 123.25 on improving culturally responsive services to children and families who are experiencing
- 123.26 disparate outcomes; and
- 123.27 (4) scaling or replicating the organization's proven models in the seven-county
- 123.28 metropolitan area and in other regions of Minnesota outside of the seven-county metropolitan
- 123.29 area.
- 123.30 (c) The base for fiscal year 2024 and later is \$0.
- 123.31 **Subd. 15. Wilderness Inquiry.** (a) For a grant to Wilderness Inquiry for credit recovery
- 123.32 programs, capital expenses, and a fellowship program:

124.1           \$           494,000   ..... 2023

124.2           (b) Of this amount, up to \$290,000 is for credit recovery activities.

124.3           (c) Of this amount, up to \$15,000 is for accessibility equipment for youth with disabilities.

124.4           (d) Of this amount, up to \$145,000 is for transportation needs.

124.5           (e) Of this amount, up to \$44,000 is for a fellowship program.

124.6           (f) Wilderness Inquiry must form at least four partnerships with school district or charter

124.7 school programs to deliver services in partnership with the schools that will enhance credit

124.8 recovery programs. Two of the districts must be outside of the 11-county metropolitan area.

124.9 Each partnership agreement must provide a plan for integrating Wilderness Inquiry

124.10 programming into credit recovery activities within the district.

124.11          (g) This appropriation is available until June 30, 2025.

124.12          (h) The grant recipient must submit a report describing the programs offered using grant

124.13 funds and the effectiveness or program outcomes. The report must be submitted to the

124.14 commissioner of education and to the chairs and ranking minority members of the legislative

124.15 committees with jurisdiction over kindergarten through grade 12 education.

124.16          **EFFECTIVE DATE.** This section is effective July 1, 2022.

124.17          Sec. 84. **REVISOR INSTRUCTION.**

124.18          The revisor of statutes shall renumber each section of Minnesota Statutes listed in column

124.19 A with the number listed in column B. The revisor shall also make necessary cross-reference

124.20 changes consistent with the renumbering. The revisor shall also make any technical language

124.21 and other changes necessitated by the renumbering and cross-reference changes in this act.

124.22           Column A

Column B

124.23                           General Requirements Statewide Assessments

124.24           120B.30, subdivision 1a, paragraph (h)   120B.30, subdivision 1

124.25           120B.30, subdivision 1, paragraph (q)   120B.30, subdivision 2

124.26           120B.30, subdivision 1a, paragraph (g)   120B.30, subdivision 3

124.27           120B.30, subdivision 1b                   120B.30, subdivision 4

124.28           120B.30, subdivision 1, paragraph (n)   120B.30, subdivision 5, paragraph (a)

124.29           120B.30, subdivision 1, paragraph (a)   120B.30, subdivision 5, paragraph (b)

124.30           120B.30, subdivision 1a, paragraph (e)   120B.30, subdivision 6, paragraph (a)

124.31           120B.30, subdivision 2, paragraph (a)   120B.30, subdivision 6, paragraph (b)

124.32           120B.30, subdivision 2, paragraph (b),   120B.30, subdivision 6, paragraph (c)  
 124.33 clauses (1) and (2)

125.1	<u>120B.30, subdivision 2</u>	<u>120B.30, subdivision 6, paragraph (d)</u>
125.2	<u>120B.30, subdivision 4</u>	<u>120B.30, subdivision 7</u>
125.3	<u>120B.30, subdivision 5</u>	<u>120B.30, subdivision 8</u>
125.4	<u>120B.30, subdivision 6</u>	<u>120B.30, subdivision 9</u>
125.5	<u>120B.30, subdivision 1, paragraph (e)</u>	<u>120B.30, subdivision 10</u>
125.6	<u>General Requirements Test Design</u>	
125.7	<u>120B.30, subdivision 1a, paragraph (a),</u>	<u>120B.301, subdivision 1</u>
125.8	<u>clauses (1) to (5)</u>	
125.9	<u>120B.30, subdivision 1, paragraph (a)</u>	<u>120B.301, subdivision 2</u>
125.10	<u>120B.30, subdivision 1, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (a)</u>
125.11	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.301, subdivision 3, paragraph (b)</u>
125.12	<u>120B.30, subdivision 1a, paragraph (b)</u>	<u>120B.301, subdivision 3, paragraph (c)</u>
125.13	<u>120B.30, subdivision 1a, paragraph (c),</u>	<u>120B.301, subdivision 3, paragraph (d)</u>
125.14	<u>clauses (1) and (2)</u>	
125.15	<u>Assessment Graduation Requirements</u>	
125.16	<u>120B.30, subdivision 1, paragraph (c),</u>	<u>120B.304, subdivision 1</u>
125.17	<u>clauses (1) and (2)</u>	
125.18	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.304, subdivision 2</u>
125.19	<u>120B.30, subdivision 1, paragraph (i)</u>	<u>120B.304, subdivision 3</u>
125.20	<u>Assessment Reporting Requirements</u>	
125.21	<u>120B.30, subdivision 1a, paragraph (f),</u>	<u>120B.305, subdivision 1</u>
125.22	<u>clauses (1) to (3)</u>	
125.23	<u>120B.30, subdivision 1a, paragraph (d),</u>	<u>120B.305, subdivision 2, paragraph (a)</u>
125.24	<u>clauses (1) to (4)</u>	
125.25	<u>120B.30, subdivision 1, paragraph (m)</u>	<u>120B.305, subdivision 2, paragraph (b)</u>
125.26	<u>120B.30, subdivision 1, paragraph (n)</u>	<u>120B.305, subdivision 2, paragraph (c)</u>
125.27	<u>120B.30, subdivision 1, paragraph (o),</u>	<u>120B.305, subdivision 3, paragraph (a)</u>
125.28	<u>clauses (1) to (4)</u>	
125.29	<u>120B.30, subdivision 3</u>	<u>120B.305, subdivision 3, paragraph (b)</u>
125.30	<u>District Assessment Requirements</u>	
125.31	<u>120B.301, paragraphs (a) to (c)</u>	<u>120B.306, subdivision 1</u>
125.32	<u>120B.304, paragraphs (a) and (b)</u>	<u>120B.306, subdivision 2</u>
125.33	<u>College and Career Readiness</u>	
125.34	<u>120B.30, subdivision 1, paragraph (p)</u>	<u>120B.307, subdivision 1</u>
125.35	<u>120B.30, subdivision 1, paragraph (d)</u>	<u>120B.307, subdivision 2</u>
125.36	<u>120B.30, subdivision 1, paragraph (f)</u>	<u>120B.307, subdivision 3</u>
125.37	<u>120B.30, subdivision 1, paragraph (g)</u>	<u>120B.307, subdivision 4, paragraph (a)</u>
125.38	<u>120B.30, subdivision 1, paragraph (h)</u>	<u>120B.307, subdivision 4, paragraph (b)</u>
125.39	<u>120B.30, subdivision 1, paragraph (j)</u>	<u>120B.307, subdivision 4, paragraph (c)</u>

126.1 120B.30, subdivision 1, paragraph (k) 120B.307, subdivision 4, paragraph (d)  
 126.2 120B.30, subdivision 1, paragraph (l) 120B.307, subdivision 4, paragraph (e)

126.3 Sec. 85. **REPEALER.**

126.4 Minnesota Statutes 2020, section 120B.35, subdivision 5, is repealed.

126.5 **ARTICLE 3**

126.6 **TEACHERS**

126.7 Section 1. **[120B.117] INCREASING THE PERCENTAGE OF TEACHERS OF**  
 126.8 **COLOR AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

126.9 Subdivision 1. **Purpose.** This section sets short-term and long-term attainment goals for  
 126.10 increasing the percentage of teachers of color and who are American Indian teachers in  
 126.11 Minnesota and for ensuring all students have equitable access to effective and racially and  
 126.12 ethnically diverse teachers who reflect the diversity of students. The goals and report required  
 126.13 under this section are important for meeting attainment goals for the world's best workforce  
 126.14 under section 120B.11, achievement and integration under section 124D.861, and higher  
 126.15 education attainment under section 135A.012, all of which have been established to close  
 126.16 persistent opportunity and achievement gaps that limit students' success in school and life  
 126.17 and impede the state's economic growth.

126.18 Subd. 2. **Equitable access to racially and ethnically diverse teachers.** The percentage  
 126.19 of teachers in Minnesota who are of color or who are American Indian should increase at  
 126.20 least two percentage points per year to have a teaching workforce that more closely reflects  
 126.21 the state's increasingly diverse student population and to ensure all students have equitable  
 126.22 access to effective and diverse teachers by 2040.

126.23 Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion  
 126.24 of any other goals and does not confer a right or create a claim for any person.

126.25 Subd. 4. **Reporting.** Beginning in 2022 and every even-numbered year thereafter, the  
 126.26 Professional Educator Licensing and Standards Board must collaborate with the Department  
 126.27 of Education and the Office of Higher Education to publish a summary report of each of  
 126.28 the programs they administer and any other programs receiving state appropriations that  
 126.29 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's  
 126.30 teacher workforce to more closely reflect the diversity of students. The report must include  
 126.31 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,  
 126.32 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or

127.1 initiatives that receive state appropriations to address the shortage of teachers of color and  
127.2 American Indian teachers. The board must, in coordination with the Office of Higher  
127.3 Education and Department of Education, provide policy and funding recommendations  
127.4 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,  
127.5 and retention of racially and ethnically diverse teachers and the state's progress toward  
127.6 meeting or exceeding the goals of this section. The report must include recommendations  
127.7 for state policy and funding needed to achieve the goals of this section, plans for sharing  
127.8 the report and activities of grant recipients, and opportunities among grant recipients of  
127.9 various programs to share effective practices with each other. The 2022 report must include  
127.10 a recommendation of whether a state advisory council should be established to address the  
127.11 shortage of racially and ethnically diverse teachers and what the composition and charge  
127.12 of such an advisory council would be if established. The board must consult with the Indian  
127.13 Affairs Council and other ethnic councils along with other community partners, including  
127.14 students of color and American Indian students, in developing the report. By November 1  
127.15 of each even-numbered year, the board must submit the report to the chairs and ranking  
127.16 minority members of the legislative committees with jurisdiction over education and higher  
127.17 education policy and finance. The report must be available to the public on the board's  
127.18 website.

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

127.20 **Sec. 2. [120B.25] CURRICULUM POLICY.**

127.21 A school board must adopt a written policy that prohibits discrimination or discipline  
127.22 for a teacher or principal on the basis of incorporating into curriculum contributions by  
127.23 persons in a federally protected class or protected class under sections 121A.031 and  
127.24 363A.13, consistent with local collective bargaining agreements and sections 121A.41 to  
127.25 121A.56.

127.26 **Sec. 3.** Minnesota Statutes 2020, section 122A.06, subdivision 6, is amended to read:

127.27 **Subd. 6. Shortage area.** "Shortage area" means:

127.28 (1) licensure fields and economic development regions reported by the commissioner  
127.29 of education or the Professional Educator Licensing and Standards Board as experiencing  
127.30 a teacher shortage and includes the number of assignments a school district is unable to fill  
127.31 with a licensed teacher by November 1 of every even-numbered year, the number of  
127.32 out-of-field permissions issued, and the number of Tier 1 licenses issued in license fields  
127.33 with board-approved preparation programs; and

128.1 (2) economic development regions where there is a shortage of licensed teachers who  
128.2 reflect the racial or ethnic diversity of students in the region.

128.3 **EFFECTIVE DATE.** This section is effective July 1, 2022.

128.4 Sec. 4. Minnesota Statutes 2020, section 122A.091, subdivision 5, is amended to read:

128.5 Subd. 5. **Survey of districts.** (a) The Professional Educator Licensing and Standards  
128.6 Board must survey the state's school districts and teacher preparation programs and report  
128.7 to the education committees of the legislature by February 1, 2019, and each odd-numbered  
128.8 year thereafter, on the status of teacher early retirement patterns, the access to effective and  
128.9 more diverse teachers who reflect the students under section 120B.35, subdivision 3,  
128.10 paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the  
128.11 substitute teacher shortage, including patterns and shortages in licensure field areas and the  
128.12 economic development regions of the state.

128.13 (b) The report must also include:

128.14 (1) aggregate data on teachers' self-reported race and ethnicity;

128.15 (2) data on how districts are making progress in hiring teachers and substitute teachers  
128.16 in the areas of shortage, including the number of teachers hired in the preceding two years,  
128.17 the number of teachers hired holding a license at each tier level, the number of assignments  
128.18 the school district was unable to fill with a licensed teacher, and licenses and permissions  
128.19 for license fields without a board-approved preparation program by economic development  
128.20 regions; and

128.21 (3) a five-year projection of teacher demand for each district, taking into account the  
128.22 students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll  
128.23 in the district during that five-year period.

128.24 **EFFECTIVE DATE.** This section is effective July 1, 2022.

128.25 Sec. 5. Minnesota Statutes 2020, section 122A.14, is amended by adding a subdivision to  
128.26 read:

128.27 Subd. 11. **Mental illness.** The board must adopt rules that require all school administrators  
128.28 renewing a license to include in the renewal requirements at least two hours of mental illness  
128.29 training. The training must include at least one hour of suicide prevention training in each  
128.30 licensure renewal period that is a nationally recognized evidence-based program. At least  
128.31 one additional hour of training must include understanding the key warning signs of  
128.32 early-onset mental illness in children and adolescents, trauma, accommodations for students'



129.1 mental illness, parents' roles in addressing students' mental illness, fetal alcohol spectrum  
129.2 disorders, autism, and de-escalation methods, among other similar topics.

129.3 Sec. 6. Minnesota Statutes 2020, section 122A.181, subdivision 5, is amended to read:

129.4 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter  
129.5 indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and  
129.6 limited to the district or charter school that requested the initial Tier 1 license.

129.7 (b) A Tier 1 license does not bring an individual within the definition of a teacher for  
129.8 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

129.9 ~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under~~  
129.10 ~~section 179A.03, subdivision 18.~~

129.11 Sec. 7. Minnesota Statutes 2020, section 122A.183, subdivision 1, is amended to read:

129.12 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards  
129.13 Board must issue a Tier 3 license to a candidate who provides information sufficient to  
129.14 demonstrate all of the following:

129.15 (1) the candidate meets the educational or professional requirements in paragraphs (b)  
129.16 and (c);

129.17 (2) the candidate has obtained a passing score on the required licensure exams under  
129.18 section 122A.185; and

129.19 (3) the candidate has completed the coursework required under subdivision 2.

129.20 (b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or  
129.21 course outside a career and technical education or career pathways course of study.

129.22 (c) A candidate for a Tier 3 license must have one of the following credentials in a  
129.23 relevant content area to teach a class or course in a career and technical education or career  
129.24 pathways course of study:

129.25 (1) an associate's degree;

129.26 (2) a professional certification; or

129.27 (3) five years of relevant work experience.

129.28 In consultation with the governor's Workforce Development Board established under section  
129.29 116L.665, the board must establish a list of qualifying certifications, and may add additional

130.1 professional certifications in consultation with school administrators, teachers, and other  
130.2 stakeholders.

130.3 (d) The board must issue a Tier 3 license to a candidate who provides information  
130.4 sufficient to demonstrate the following, regardless of whether the candidate meets other  
130.5 requirements in this section:

130.6 (1) the candidate has completed a teacher preparation program from a culturally specific  
130.7 Minority Serving Institution in the United States, such as Historically Black Colleges and  
130.8 Universities, Tribal Colleges and Universities, or Hispanic-Serving Institutions, including  
130.9 those in Puerto Rico, and is eligible for a teacher license in another state; or

130.10 (2) the candidate has completed a university teacher preparation program in another  
130.11 country and has taught at least two years.

130.12 The candidate must have completed student teaching comparable to the student teaching  
130.13 expectations in Minnesota.

130.14 Sec. 8. Minnesota Statutes 2020, section 122A.184, subdivision 1, is amended to read:

130.15 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
130.16 Board must issue a Tier 4 license to a candidate who provides information sufficient to  
130.17 demonstrate all of the following:

130.18 (1) the candidate meets all requirements for a Tier 3 license under section 122A.183,  
130.19 and has completed a teacher preparation program under section 122A.183, subdivision 2,  
130.20 clause (1) or (2);

130.21 (2) the candidate has at least three years of teaching experience in Minnesota or another  
130.22 state;

130.23 (3) the candidate has obtained a passing score on all required licensure exams under  
130.24 section 122A.185; and

130.25 (4) the candidate's most recent summative teacher evaluation did not result in placing  
130.26 or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,  
130.27 subdivision 8, or 122A.41, subdivision 5.

130.28 Sec. 9. Minnesota Statutes 2020, section 122A.185, subdivision 1, is amended to read:

130.29 Subdivision 1. **Tests.** ~~(a) The Professional Educator Licensing and Standards Board~~  
130.30 ~~must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted~~  
130.31 ~~examination of skills in reading, writing, and mathematics before being granted a Tier 4~~

131.1 ~~teaching license under section 122A.184 to provide direct instruction to pupils in elementary,~~  
 131.2 ~~secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier~~  
 131.3 ~~3 license to provide direct instruction to pupils in elementary, secondary, or special education~~  
 131.4 ~~programs if candidates meet the other requirements in section 122A.181, 122A.182, or~~  
 131.5 ~~122A.183, respectively.~~

131.6 ~~(b)~~ (a) The board must adopt and revise rules requiring ~~candidates~~ applicants for Tier 3  
 131.7 and Tier 4 licenses to pass an examination or performance assessment of general pedagogical  
 131.8 knowledge and examinations of licensure field specific content: if the applicant has not  
 131.9 completed a board-approved preparation program assuring that candidates from the program  
 131.10 recommended for licensure meet content and pedagogy licensure standards in Minnesota.  
 131.11 Candidates who have satisfactorily completed board-approved programs in Minnesota with  
 131.12 required coursework and clinical field experiences that include learning opportunities and  
 131.13 assessments aligned to content and pedagogy licensure standards are not additionally required  
 131.14 to pass content and pedagogy exams for Tier 3 licensure. Applicants who have satisfactorily  
 131.15 completed a preparation program in another state and passed licensure examinations in that  
 131.16 state are not additionally required to pass similar examinations required in Minnesota. The  
 131.17 content examination requirement does not apply if no relevant content exam exists.

131.18 ~~(e)~~ (b) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must  
 131.19 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,  
 131.20 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge  
 131.21 and understanding of the foundations of reading development, development of reading  
 131.22 comprehension and reading assessment and instruction, and the ability to integrate that  
 131.23 knowledge and understanding into instruction strategies under section 122A.06, subdivision  
 131.24 4.

131.25 (c) All testing centers in the state must provide monthly opportunities for untimed content  
 131.26 and pedagogy examinations. These opportunities must be advertised on the test registration  
 131.27 website. The board must require the exam vendor to provide other equitable opportunities  
 131.28 to pass exams, including:

131.29 (1) waiving testing fees for test takers who qualify for federal grants;

131.30 (2) providing free, multiple, full-length practice tests for each exam and free,  
 131.31 comprehensive study guides on the test registration website;

131.32 (3) making content and pedagogy exams available in languages other than English for  
 131.33 teachers seeking licensure to teach in language immersion programs; and

132.1 (4) providing free, detailed exam results analysis by test objective to assist candidates  
132.2 who do not pass an exam in identifying areas for improvement.

132.3 Any candidate who has not passed a required exam after two attempts must be allowed to  
132.4 retake the exam, including new versions of the exam, without being charged an additional  
132.5 fee.

132.6 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills  
132.7 examination does not apply to nonnative English speakers, as verified by qualified Minnesota  
132.8 school district personnel or Minnesota higher education faculty, who, after meeting the  
132.9 content and pedagogy requirements under this subdivision, apply for a teaching license to  
132.10 provide direct instruction in their native language or world language instruction under section  
132.11 120B.022, subdivision 1.

132.12 **EFFECTIVE DATE.** This section is effective July 1, 2022.

132.13 Sec. 10. Minnesota Statutes 2020, section 122A.187, is amended by adding a subdivision  
132.14 to read:

132.15 Subd. 7. **American Indian history and culture.** The Professional Educator Licensing  
132.16 and Standards Board must adopt rules that require all licensed teachers renewing their license  
132.17 under sections 122A.181 to 122A.184 to include in the renewal requirements professional  
132.18 development in the cultural heritage and contemporary contributions of American Indians,  
132.19 with particular emphasis on Minnesota Tribal Nations.

132.20 **EFFECTIVE DATE.** This section is effective July 1, 2023.

132.21 Sec. 11. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

132.22 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly  
132.23 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,  
132.24 constitute a quorum, no contract employing a teacher shall be made or authorized except  
132.25 upon the unanimous vote of the full board. A teacher related by blood or marriage, within  
132.26 the fourth degree, computed by the civil law, to a board member shall not be employed  
132.27 except by a unanimous vote of the full board. The initial employment of the teacher in the  
132.28 district must be by written contract, signed by the teacher and by the chair and clerk. All  
132.29 subsequent employment of the teacher in the district must be by written contract, signed by  
132.30 the teacher and by the chair and clerk, except where there is a master agreement covering  
132.31 the employment of the teacher. Contracts for teaching or supervision of teaching can be

133.1 made only with qualified teachers. A teacher shall not be required to reside within the  
133.2 employing district as a condition to teaching employment or continued teaching employment.

133.3 (b) A school district must report all new teacher hires and terminations, including layoffs,  
133.4 by race and ethnicity annually to the Professional Educator Licensing and Standards Board.  
133.5 The report must not include data that would personally identify individuals.

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

133.7 Sec. 12. Minnesota Statutes 2020, section 122A.40, subdivision 5, is amended to read:

133.8 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first  
133.9 teaching experience in Minnesota in a single district is deemed to be a probationary period  
133.10 of employment, and, the probationary period in each district in which the teacher is thereafter  
133.11 employed shall be one year. The school board must adopt a plan for written evaluation of  
133.12 teachers during the probationary period that is consistent with subdivision 8. Evaluation  
133.13 must occur at least three times periodically throughout each school year for a teacher  
133.14 performing services during that school year; the first evaluation must occur within the first  
133.15 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops,  
133.16 and other staff development opportunities and days on which a teacher is absent from school  
133.17 must not be included in determining the number of school days on which a teacher performs  
133.18 services. Except as otherwise provided in paragraph (b), during the probationary period any  
133.19 annual contract with any teacher may or may not be renewed as the school board shall see  
133.20 fit. However, the board must give any such teacher whose contract it declines to renew for  
133.21 the following school year written notice to that effect before July 1. If the teacher requests  
133.22 reasons for any nonrenewal of a teaching contract, the board must give the teacher its reason  
133.23 in writing, including a statement that appropriate supervision was furnished describing the  
133.24 nature and the extent of such supervision furnished the teacher during the employment by  
133.25 the board, within ten days after receiving such request. The school board may, after a hearing  
133.26 held upon due notice, discharge a teacher during the probationary period for cause, effective  
133.27 immediately, under section 122A.44.

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

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

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

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

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

134.12 (f) Notwithstanding any law to the contrary, a teacher who has taught for three  
134.13 consecutive years in a single school district or charter school in Minnesota or another state  
134.14 must serve a probationary period no longer than one year in a Minnesota school district.

134.15 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
134.16 effective July 1, 2023, and thereafter.

134.17 Sec. 13. Minnesota Statutes 2020, section 122A.40, subdivision 8, is amended to read:

134.18 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**  
134.19 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
134.20 representative of the teachers in the district, consistent with paragraph (b), may develop a  
134.21 teacher evaluation and peer review process for probationary and continuing contract teachers  
134.22 through joint agreement. If a school board and the exclusive representative of the teachers  
134.23 do not agree to an annual teacher evaluation and peer review process, then the school board  
134.24 and the exclusive representative of the teachers must implement the state teacher evaluation  
134.25 plan under paragraph (c). The process must include having trained observers serve as peer  
134.26 coaches or having teachers participate in professional learning communities, consistent with  
134.27 paragraph (b).

134.28 (b) To develop, improve, and support qualified teachers and effective teaching practices,  
134.29 improve student learning and success, and provide all enrolled students in a district or school  
134.30 with improved and equitable access to more effective and diverse teachers, the annual  
134.31 evaluation process for teachers:

134.32 (1) must, for probationary teachers, provide for all evaluations required under subdivision  
134.33 5;

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

135.6 (3) ~~must be based on professional teaching standards established in rule~~ create, adopt,  
135.7 or revise a rubric of performance standards for teacher practice that (i) is based on  
135.8 professional teaching standards established in rule, (ii) includes culturally responsive  
135.9 methodologies, and (iii) provides common descriptions of effectiveness using at least three  
135.10 levels of performance;

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

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

135.15 (6) may include job-embedded learning opportunities such as professional learning  
135.16 communities;

135.17 (7) may include mentoring and induction programs for teachers, including teachers who  
135.18 are members of populations underrepresented among the licensed teachers in the district or  
135.19 school and who reflect the diversity of students under section 120B.35, subdivision 3,  
135.20 paragraph (b), clause (2), who are enrolled in the district or school;

135.21 (8) must include an option for teachers to develop and present a portfolio demonstrating  
135.22 evidence of reflection and professional growth, consistent with section 122A.187, subdivision  
135.23 3, and include teachers' own performance assessment based on student work samples and  
135.24 examples of teachers' work, which may include video among other activities for the  
135.25 summative evaluation;

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

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

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

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

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

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

136.14 (c) The department, in consultation with parents who may represent parent organizations  
136.15 and teacher and administrator representatives appointed by their respective organizations,  
136.16 representing the Professional Educator Licensing and Standards Board, the Minnesota  
136.17 Association of School Administrators, the Minnesota School Boards Association, the  
136.18 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and  
136.19 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,  
136.20 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with  
136.21 research expertise in teacher evaluation, must create and publish a teacher evaluation process  
136.22 that complies with the requirements in paragraph (b) and applies to all teachers under this  
136.23 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual  
136.24 teacher evaluation and peer review process. The teacher evaluation process created under  
136.25 this subdivision does not create additional due process rights for probationary teachers under  
136.26 subdivision 5.

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

136.28 (1) for students in kindergarten through grade 4, a school administrator must not place  
136.29 or approve the placement of a student in the classroom of a teacher who is in the improvement  
136.30 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,  
136.31 in the prior year, that student was in the classroom of a teacher who received discipline  
136.32 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that  
136.33 grade; and



137.1 (2) for students in grades 5 through 12, a school administrator must not place or approve  
137.2 the placement of a student in the classroom of a teacher who is in the improvement process  
137.3 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the  
137.4 prior year, that student was in the classroom of a teacher who received discipline pursuant  
137.5 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area  
137.6 and grade.

137.7 All data created and used under this paragraph retains its classification under chapter 13.

137.8 **EFFECTIVE DATE.** This section is effective July 1, 2023.

137.9 Sec. 14. Minnesota Statutes 2020, section 122A.41, subdivision 2, is amended to read:

137.10 Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in the public  
137.11 schools in cities of the first class during the first three years of consecutive employment  
137.12 shall be deemed to be in a probationary period of employment during which period any  
137.13 annual contract with any teacher may, or may not, be renewed as the school board, after  
137.14 consulting with the peer review committee charged with evaluating the probationary teachers  
137.15 under subdivision 3, shall see fit. The school site management team or the school board if  
137.16 there is no school site management team, shall adopt a plan for a written evaluation of  
137.17 teachers during the probationary period according to subdivisions 3 and 5. Evaluation by  
137.18 the peer review committee charged with evaluating probationary teachers under subdivision  
137.19 3 shall occur at least three times periodically throughout each school year for a teacher  
137.20 performing services during that school year; the first evaluation must occur within the first  
137.21 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops,  
137.22 and other staff development opportunities and days on which a teacher is absent from school  
137.23 shall not be included in determining the number of school days on which a teacher performs  
137.24 services. The school board may, during such probationary period, discharge or demote a  
137.25 teacher for any of the causes as specified in this code. A written statement of the cause of  
137.26 such discharge or demotion shall be given to the teacher by the school board at least 30  
137.27 days before such removal or demotion shall become effective, and the teacher so notified  
137.28 shall have no right of appeal therefrom.

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

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

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

138.10 (e) Notwithstanding any law to the contrary, a teacher who has taught for three  
138.11 consecutive years in a single school district or charter school in Minnesota or another state  
138.12 must serve a probationary period no longer than one year in a Minnesota school district.

138.13 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
138.14 effective July 1, 2023, and thereafter.

138.15 Sec. 15. Minnesota Statutes 2020, section 122A.41, subdivision 5, is amended to read:

138.16 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**  
138.17 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
138.18 representative of the teachers in the district, consistent with paragraph (b), may develop an  
138.19 annual teacher evaluation and peer review process for probationary and nonprobationary  
138.20 teachers through joint agreement. If a school board and the exclusive representative of the  
138.21 teachers in the district do not agree to an annual teacher evaluation and peer review process,  
138.22 then the school board and the exclusive representative of the teachers must implement the  
138.23 state teacher evaluation plan developed under paragraph (c). The process must include  
138.24 having trained observers serve as peer coaches or having teachers participate in professional  
138.25 learning communities, consistent with paragraph (b).

138.26 (b) To develop, improve, and support qualified teachers and effective teaching practices  
138.27 and improve student learning and success, and provide all enrolled students in a district or  
138.28 school with improved and equitable access to more effective and diverse teachers, the annual  
138.29 evaluation process for teachers:

138.30 (1) must, for probationary teachers, provide for all evaluations required under subdivision  
138.31 2;

138.32 (2) must establish a three-year professional review cycle for each teacher that includes  
138.33 an individual growth and development plan, a peer review process, and at least one

139.1 summative evaluation performed by a qualified and trained evaluator such as a school  
139.2 administrator;

139.3 (3) ~~must be based on professional teaching standards established in rule~~ create, adopt,  
139.4 or revise a rubric of performance standards for teacher practice that (i) is based on  
139.5 professional teaching standards established in rule, (ii) includes culturally responsive  
139.6 methodologies, and (iii) provides common descriptions of effectiveness using at least three  
139.7 levels of performance;

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

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

139.12 (6) may include job-embedded learning opportunities such as professional learning  
139.13 communities;

139.14 (7) may include mentoring and induction programs for teachers, including teachers who  
139.15 are members of populations underrepresented among the licensed teachers in the district or  
139.16 school and who reflect the diversity of students under section 120B.35, subdivision 3,  
139.17 paragraph (b), clause (2), who are enrolled in the district or school;

139.18 (8) must include an option for teachers to develop and present a portfolio demonstrating  
139.19 evidence of reflection and professional growth, consistent with section 122A.187, subdivision  
139.20 3, and include teachers' own performance assessment based on student work samples and  
139.21 examples of teachers' work, which may include video among other activities for the  
139.22 summative evaluation;

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

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

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

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

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

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

140.11 (c) The department, in consultation with parents who may represent parent organizations  
140.12 and teacher and administrator representatives appointed by their respective organizations,  
140.13 representing the Professional Educator Licensing and Standards Board, the Minnesota  
140.14 Association of School Administrators, the Minnesota School Boards Association, the  
140.15 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and  
140.16 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,  
140.17 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with  
140.18 research expertise in teacher evaluation, must create and publish a teacher evaluation process  
140.19 that complies with the requirements in paragraph (b) and applies to all teachers under this  
140.20 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual  
140.21 teacher evaluation and peer review process. The teacher evaluation process created under  
140.22 this subdivision does not create additional due process rights for probationary teachers under  
140.23 subdivision 2.

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

140.25 (1) for students in kindergarten through grade 4, a school administrator must not place  
140.26 or approve the placement of a student in the classroom of a teacher who is in the improvement  
140.27 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,  
140.28 in the prior year, that student was in the classroom of a teacher who received discipline  
140.29 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that  
140.30 grade; and

140.31 (2) for students in grades 5 through 12, a school administrator must not place or approve  
140.32 the placement of a student in the classroom of a teacher who is in the improvement process  
140.33 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the  
140.34 prior year, that student was in the classroom of a teacher who received discipline pursuant

141.1 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area  
141.2 and grade.

141.3 All data created and used under this paragraph retains its classification under chapter 13.

141.4 **EFFECTIVE DATE.** This section is effective July 1, 2023.

141.5 Sec. 16. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision  
141.6 to read:

141.7 **Subd. 16. Hiring and dismissal.** A school district must report all new teacher hires and  
141.8 terminations, including layoffs, by race and ethnicity annually to the Professional Educator  
141.9 Licensing and Standards Board. The report must not include data that would personally  
141.10 identify individuals.

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

141.12 Sec. 17. Minnesota Statutes 2020, section 122A.415, subdivision 4, is amended to read:

141.13 **Subd. 4. Basic alternative teacher compensation aid.** (a) The basic alternative teacher  
141.14 compensation aid for a school with a plan approved under section 122A.414, subdivision  
141.15 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1.  
141.16 The basic alternative teacher compensation aid for a charter school with a plan approved  
141.17 under section 122A.414, subdivisions 2a and 2b, equals \$260 times the number of pupils  
141.18 enrolled in the school on October 1 of the previous year, or on October 1 of the current year  
141.19 for a charter school in the first year of operation, times the ratio of the sum of the alternative  
141.20 teacher compensation aid and alternative teacher compensation levy for all participating  
141.21 school districts to the maximum alternative teacher compensation revenue for those districts  
141.22 under subdivision 1.

141.23 (b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative  
141.24 teacher compensation aid entitlement must not exceed ~~\$75,840,000 for fiscal year 2016 and~~  
141.25 ~~\$88,118,000 for fiscal year 2017~~ 2022, \$88,951,000 for fiscal year 2023, and \$89,161,000  
141.26 for fiscal year 2024 and later. The commissioner must limit the amount of alternative teacher  
141.27 compensation aid approved under this section so as not to exceed these limits by not  
141.28 approving new participants or by prorating the aid among participating districts, intermediate  
141.29 school districts, school sites, and charter schools. The commissioner may also reallocate a  
141.30 portion of the allowable aid for the biennium from the second year to the first year to meet  
141.31 the needs of approved participants.

142.1 (c) Basic alternative teacher compensation aid for an intermediate district or other  
142.2 cooperative unit equals \$3,000 times the number of licensed teachers employed by the  
142.3 intermediate district or cooperative unit on October 1 of the previous school year.

142.4 **EFFECTIVE DATE.** This section is effective for the entitlement for fiscal year 2023.

142.5 Sec. 18. Minnesota Statutes 2020, section 122A.415, is amended by adding a subdivision  
142.6 to read:

142.7 Subd. 7. **Revenue uses.** (a) Alternative teacher compensation revenue received under  
142.8 this section must be used for purposes directly aligned with the implementation of the  
142.9 approved plan under section 122A.414, subdivisions 2, paragraph (b), and 2a, if the applicant  
142.10 is a charter school or cooperative.

142.11 (b) No more than five percent of the total amount of revenue may be spent on  
142.12 administrative costs.

142.13 Sec. 19. Minnesota Statutes 2020, section 122A.415, is amended by adding a subdivision  
142.14 to read:

142.15 Subd. 8. **Revenue reserved.** Alternative teacher compensation revenue received under  
142.16 this section must be reserved and used only for the programs authorized in this section.

142.17 Sec. 20. Minnesota Statutes 2020, section 122A.50, is amended to read:

142.18 **122A.50 PREPARATION TIME.**

142.19 Subdivision 1. **Preparation time.** Beginning with agreements effective July 1, 1995,  
142.20 and thereafter, all collective bargaining agreements for teachers provided for under chapter  
142.21 179A, must include provisions for preparation time or a provision indicating that the parties  
142.22 to the agreement chose not to include preparation time in the contract.

142.23 If the parties cannot agree on preparation time the following provision shall apply and  
142.24 be incorporated as part of the agreement: "Within the student day for every 25 minutes of  
142.25 classroom instructional time, a minimum of five additional minutes of preparation time  
142.26 shall be provided to each licensed teacher. Preparation time shall be provided in one or two  
142.27 uninterrupted blocks during the student day. Exceptions to this may be made by mutual  
142.28 agreement between the district and the exclusive representative of the teachers."

142.29 Subd. 2. **Due process forms and procedures time.** (a) Beginning with the 2022-2023  
142.30 school year, a school district must use the revenue under this subdivision to provide time  
142.31 for teachers to complete due process forms and procedures in accordance with the plan

143.1 developed under paragraph (c). This time is in addition to the preparation time under  
143.2 subdivision 1. For purposes of this subdivision, "school district" includes a charter school  
143.3 where teachers have an exclusive representative for purposes of collective bargaining.

143.4 (b) The due process revenue for a school district is equal to \$19 times the adjusted pupil  
143.5 units for the current fiscal year. The due process revenue for a school district that is a member  
143.6 of an intermediate school district or other cooperative unit that enrolls students is equal to  
143.7 \$3.75 times the adjusted pupil units for the current fiscal year. If a district is a member of  
143.8 more than one cooperative unit that enrolls students, the revenue must be allocated among  
143.9 the cooperative units.

143.10 (c) A district must meet and negotiate an agreement with the exclusive representative  
143.11 of teachers in the district containing a plan to use the revenue authorized under this  
143.12 subdivision. The plan must provide teachers that provide direct services to students with  
143.13 individualized education programs or individualized family services plans time to complete  
143.14 due process forms and procedures. Examples of allowed uses for the revenue include:

143.15 (1) an additional twenty hours of paid time for each teacher providing direct special  
143.16 education services, with the time paid at a rate proportional to the teacher's annual salary;

143.17 (2) the costs of necessary substitute teachers;

143.18 (3) innovative flexible learning days or weeks that provide teachers time during the  
143.19 regularly scheduled duty day to complete forms and procedures; and

143.20 (4) due process clerks or other staff dedicated to assisting teachers with due process  
143.21 forms and procedures.

143.22 (d) If the district and exclusive representative cannot reach agreement on a plan to use  
143.23 the revenue, the agreement must require the revenue to be used for the use identified in  
143.24 paragraph (c), clause (1). The parties may agree to reduce the number of paid hours if they  
143.25 agree on another use for the revenue, including another use identified in paragraph (c).

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

143.27 Sec. 21. Minnesota Statutes 2020, section 122A.635, is amended to read:

143.28 **122A.635 COLLABORATIVE URBAN AND GREATER MINNESOTA**  
143.29 **EDUCATORS OF COLOR GRANT PROGRAM.**

143.30 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards  
143.31 Board must award competitive grants to increase the number of teacher candidates who are  
143.32 of color or who are American Indian, complete teacher preparation programs, and meet the

144.1 requirements for a Tier 3 license under section 122A.183. Eligibility for a grant under this  
144.2 section is limited to public or private higher education institutions that offer a teacher  
144.3 preparation program approved by the Professional Educator Licensing and Standards Board.

144.4 Subd. 2. **Competitive grants.** (a) The Professional Educator Licensing and Standards  
144.5 Board must award competitive grants to a variety of higher education institution types under  
144.6 this section. The board must require an applicant institution to submit a plan describing how  
144.7 it would use grant funds to increase the number of teachers who are of color or who are  
144.8 American Indian, and must award grants based on the following criteria, listed in descending  
144.9 order of priority:

144.10 ~~(1) the number of teacher candidates being supported in the program who are of color~~  
144.11 ~~or who are American Indian;~~

144.12 ~~(2) (1) program outcomes, including graduation or program completion rates; and~~  
144.13 ~~licensure recommendation rates, and placement rates for candidates who are of color or~~  
144.14 ~~who are American Indian compared to all candidates enrolled in a teacher preparation~~  
144.15 ~~program at the institution and, for each outcome measure, the number of those teacher~~  
144.16 ~~candidates who are of color or who are American Indian; and~~

144.17 ~~(3) the percent of racially and ethnically diverse teacher candidates enrolled in the~~  
144.18 ~~institution compared to:~~

144.19 ~~(i) the total percent of students of color and American Indian students enrolled at the~~  
144.20 ~~institution, regardless of major; and~~

144.21 ~~(ii) the percent of underrepresented racially and ethnically diverse teachers in the~~  
144.22 ~~economic development region of the state where the institution is located and where a~~  
144.23 ~~shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.~~

144.24 (2) the extent to which an institution's plan is clear in describing how the institution  
144.25 would use grant funds for implementing explicit research-based practices to provide  
144.26 programmatic support to teacher candidates who are of color or who are American Indian.

144.27 Plans for grant funds may include:

144.28 (i) recruiting more racially and ethnically diverse candidates for admission to teacher  
144.29 preparation programs;

144.30 (ii) providing differentiated advising, mentoring, or other supportive community-building  
144.31 activities in addition to what the institution provides to all candidates enrolled in the  
144.32 institution;



145.1 (iii) providing academic tutoring or support to help teacher candidates pass required  
145.2 assessments; and

145.3 (iv) providing for program staffing expenses;

145.4 (3) an institution's plan to provide direct financial assistance as scholarships or stipends  
145.5 within the allowable dollar range determined by the board under subdivision 3, paragraph  
145.6 (b), to teacher candidates who are of color or who are American Indian;

145.7 ~~(b) The board must give priority in awarding grants under this section to institutions that~~  
145.8 ~~received grants under Laws 2017, First Special Session chapter 5, article 2, section 57,~~  
145.9 ~~subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating,~~  
145.10 ~~and inducting (4) whether the institution has previously received a competitive grant under~~  
145.11 ~~this section and has demonstrated positive outcomes from the use of grant funds for efforts~~  
145.12 ~~helping teacher candidates who are of color or who are American Indian; to enroll in and~~  
145.13 ~~successfully complete teacher preparation programs and be recommended for licensure;~~

145.14 (5) geographic diversity among the institutions. In order to expand the number of grant  
145.15 recipients throughout the state, whenever there is at least a 20 percent increase in the base  
145.16 appropriation for this grant program, the board must prioritize awarding grants to institutions  
145.17 outside of the Twin Cities metropolitan area. If the board awards a competitive grant based  
145.18 on the criteria in paragraph (a) to a program that has not previously received funding, the  
145.19 board must thereafter give priority to the program equivalent to other programs given priority  
145.20 under this paragraph. that have received grants and demonstrated positive outcomes; and

145.21 (6) the percentage of racially and ethnically diverse teacher candidates enrolled in the  
145.22 institution compared to:

145.23 (i) the aggregate percentage of students of color and American Indian students enrolled  
145.24 in the institution, regardless of major; and

145.25 (ii) the percentage of underrepresented racially and ethnically diverse teachers in the  
145.26 economic development region of the state where the institution is located and where a  
145.27 shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

145.28 (b) The board must not penalize an applicant institution in the grant review process for  
145.29 using grant funds only to provide direct financial support to teacher candidates if that is the  
145.30 institution's priority and the institution uses other resources to provide programmatic support  
145.31 to candidates.

145.32 (c) The board must determine award amounts for development, maintenance and, or  
145.33 expansion of programs based only on the degree to which applicants meet the criteria in

146.1 this subdivision, the number of candidates who are of color or who are American Indian  
146.2 supported by an applicant program, ~~sustaining support for those candidates,~~ and funds  
146.3 available.

146.4 (d) The board must determine grant awards in part by multiplying the number of teacher  
146.5 candidates to be provided direct financial assistance by the average amount the institution  
146.6 proposes per candidate that is within the allowable dollar range. After assessing an  
146.7 institution's adherence to grant criteria and funds available, the board may grant an institution  
146.8 a lower average amount per candidate and the institution may decide to award less per  
146.9 candidate or provide financial assistance to fewer candidates within the allowable range.  
146.10 Additionally, an institution may use up to 25 percent of the awarded grant funds to provide  
146.11 programmatic support as described in paragraph (a), clause (3). If the board does not award  
146.12 an applicant institution's full request, the board must allow the institution to modify how it  
146.13 uses grant funds to maximize program outcomes consistent with the requirements of this  
146.14 section.

146.15 **Subd. 3. Grant program administration.** (a) The Professional Educator Licensing and  
146.16 Standards Board may enter into an interagency agreement with the Office of Higher  
146.17 Education. The agreement may include a transfer of funds to the Office of Higher Education  
146.18 to help establish and administer the competitive grant process. The board must award grants  
146.19 to institutions located in various economic development regions throughout the state, but  
146.20 must not predetermine the number of institutions to be awarded grants under this section  
146.21 or set a limit for the amount that any one institution may receive as part of the competitive  
146.22 grant application process.

146.23 (b) The board must establish a standard allowable dollar range for the amount of direct  
146.24 financial assistance an applicant institution may provide to each candidate. To determine  
146.25 the range, the board may collect de-identified data from institutions that received a grant  
146.26 during the previous grant period and calculate the average scholarship amount awarded to  
146.27 all candidates across all institutions using the most recent fiscal year data available. The  
146.28 calculation may be used to determine a scholarship range that is no more than 25 percent  
146.29 than this amount and no less than half the average of this amount. The purpose of direct  
146.30 financial assistance is to assist candidates matriculating through completing licensure  
146.31 programs if they demonstrate financial need after considering other grants and scholarships  
146.32 provided.

146.33 (c) All grants must be awarded by August 15 of the fiscal year in which the grants are  
146.34 to be used ~~except that, for initial competitive grants awarded for fiscal year 2020, grants~~  
146.35 ~~must be awarded by September 15.~~ An institution that receives a grant under this section

147.1 may use the grant funds over a two- to four-year period to sustain support for teacher  
 147.2 candidates at any stage from recruitment and program admission to graduation and licensure  
 147.3 application.

147.4 Subd. 4. **Report.** (a) By ~~January~~ July 15 of each year, an institution awarded a grant  
 147.5 under this section must prepare for the legislature and the board a detailed report regarding  
 147.6 the expenditure of grant funds, including the amounts used to recruit, retain, and ~~induct~~  
 147.7 support teacher candidates of color or ~~who are~~ American Indian teacher candidates to  
 147.8 complete programs and be recommended for licensure. The report must include:

147.9 (1) the total number of teacher candidates of color, ~~disaggregated by race or ethnic group,~~  
 147.10 ~~who~~ and American Indian teacher candidates who:

147.11 (i) are enrolled in the institution;

147.12 (ii) are supported by grant funds with direct financial assistance during the academic  
 147.13 reporting year;

147.14 (iii) are supported with other programmatic supports;

147.15 (iv) are recruited to the institution, are and newly admitted to the a licensure program;  
 147.16 are enrolled in the;

147.17 (v) are enrolled in a licensure program;

147.18 (vi) have completed a licensure program, ~~have completed student teaching, have~~  
 147.19 ~~graduated, are licensed, and are newly employed as Minnesota teachers in their licensure~~  
 147.20 ~~field. A grant recipient must report; and~~

147.21 (vii) were recommended for licensure in the field for which they were prepared;

147.22 (2) the total number of teacher candidates of color or ~~who are~~ American Indian teacher  
 147.23 candidates at each stage from ~~recruitment~~ program admission to ~~licensed teaching~~ licensure  
 147.24 recommendation as a percentage of ~~total~~ all candidates seeking the same licensure at the  
 147.25 institution; and

147.26 (3) a brief narrative describing the successes and challenges of efforts proposed in the  
 147.27 grant application to support candidates with grant funds, and lessons learned for future  
 147.28 efforts.

147.29 (b) By September 1 of each year, the board must post a report on its website summarizing  
 147.30 the activities and outcomes of grant recipients and results that promote sharing of effective  
 147.31 practices and lessons learned among grant recipients.

148.1 Sec. 22. Minnesota Statutes 2021 Supplement, section 122A.70, is amended to read:

148.2 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**  
148.3 **TEACHERS.**

148.4 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School  
148.5 districts must develop teacher mentoring programs for teachers new to the profession or  
148.6 district, including teaching residents, teachers of color, teachers who are American Indian,  
148.7 teachers in license shortage areas, teachers with special needs, or experienced teachers in  
148.8 need of peer coaching.

148.9 (b) Teacher mentoring programs must be included in or aligned with districts' teacher  
148.10 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,  
148.11 subdivision 5. A district may use staff development revenue under section 122A.61, special  
148.12 grant programs established by the legislature, or another funding source to pay a stipend to  
148.13 a mentor who may be a current or former teacher who has taught at least three years and is  
148.14 not on an improvement plan. ~~Other initiatives using such funds or funds available under~~  
148.15 ~~sections 124D.861 and 124D.862 may include:~~

148.16 ~~(1) additional stipends as incentives to mentors of color or who are American Indian;~~

148.17 ~~(2) financial supports for professional learning community affinity groups across schools~~  
148.18 ~~within and between districts for teachers from underrepresented racial and ethnic groups to~~  
148.19 ~~come together throughout the school year. For purposes of this section, "affinity groups"~~  
148.20 ~~are groups of educators who share a common racial or ethnic identity in society as persons~~  
148.21 ~~of color or who are American Indian;~~

148.22 ~~(3) programs for induction aligned with the district or school mentorship program during~~  
148.23 ~~the first three years of teaching, especially for teachers from underrepresented racial and~~  
148.24 ~~ethnic groups; or~~

148.25 ~~(4) grants supporting licensed and nonlicensed educator participation in professional~~  
148.26 ~~development, such as workshops and graduate courses, related to increasing student~~  
148.27 ~~achievement for students of color and American Indian students in order to close opportunity~~  
148.28 ~~and achievement gaps.~~

148.29 ~~(c) A school or district that receives a grant must negotiate additional retention strategies~~  
148.30 ~~or protection from unrequested leave of absences in the beginning years of employment for~~  
148.31 ~~teachers of color and teachers who are American Indian. Retention strategies may include~~  
148.32 ~~providing financial incentives for teachers of color and teachers who are American Indian~~  
148.33 ~~to work in the school or district for at least five years and placing American Indian educators~~

149.1 ~~at sites with other American Indian educators and educators of color at sites with other~~  
149.2 ~~educators of color to reduce isolation and increase opportunity for collegial support.~~

149.3 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must  
149.4 make grant application forms available to sites interested in developing, sustaining, or  
149.5 expanding a mentorship program. A school district, ~~a~~ or group of school districts, ~~a coalition~~  
149.6 ~~of districts, teachers, and teacher education institutions;~~ or, a school or coalition of schools,  
149.7 or a coalition of teachers, ~~or nonlicensed educators~~ may apply for a program grant. A higher  
149.8 education institution or nonprofit organization may partner with a grant applicant but is not  
149.9 eligible as a sole applicant for grant funds. The Professional Educator Licensing and  
149.10 Standards Board, in consultation with the teacher mentoring task force, must approve or  
149.11 disapprove the applications. To the extent possible, the approved applications must reflect  
149.12 effective mentoring, professional development, and retention components, and be  
149.13 geographically distributed throughout the state. The Professional Educator Licensing and  
149.14 Standards Board must encourage the selected sites to consider the use of its assessment  
149.15 procedures.

149.16 Subd. 2a. **Funded work.** (a) Grant funds may be used for the following:

149.17 (1) additional stipends as incentives to mentors who are of color or who are American  
149.18 Indian;

149.19 (2) financial supports for professional learning community affinity groups across schools  
149.20 within and between districts for educators from underrepresented racial and ethnic groups  
149.21 to come together throughout the school year. For purposes of this section, "affinity groups"  
149.22 mean groups of licensed and nonlicensed educators who share a common racial or ethnic  
149.23 identity in society as persons who are of color or who are American Indian;

149.24 (3) programs for induction aligned with the district or school mentorship program during  
149.25 the first three years of teaching, especially for teachers from underrepresented racial and  
149.26 ethnic groups;

149.27 (4) professional development focused on ways to close opportunity and achievement  
149.28 gaps for students of color and American Indian students; or

149.29 (5) for teachers of color and American Indian teachers, graduate courses toward a first  
149.30 master's degree in a field related to their licensure or toward an additional license.

149.31 (b) A charter school or district that receives a grant must negotiate additional retention  
149.32 strategies or protection from unrequested leaves of absence in the beginning years of  
149.33 employment for teachers who are of color or who are American Indian. Retention strategies

150.1 may include providing financial incentives for teachers of color and teachers who are  
150.2 American Indian to work in the school or district for at least five years and placing American  
150.3 Indian educators at sites with other American Indian educators and educators of color at  
150.4 sites with other educators of color to reduce isolation and increase opportunity for collegial  
150.5 support.

150.6 Subd. 3. **Criteria for selection.** (a) At a minimum, applicants for grants under subdivision  
150.7 2 must express commitment to:

150.8 (1) allow staff participation;

150.9 (2) assess skills of both beginning and mentor teachers;

150.10 (3) provide appropriate in-service to needs identified in the assessment;

150.11 (4) provide leadership to the effort;

150.12 (5) cooperate with higher education institutions or teacher educators;

150.13 (6) provide facilities and other resources;

150.14 (7) share findings, materials, and techniques with other school districts; and

150.15 (8) retain teachers of color and teachers who are American Indian.

150.16 (b) The Professional Educator Licensing and Standards Board must give priority to  
150.17 applications to fund programs to induct, mentor, and retain Tier 2 or Tier 3 teachers who  
150.18 are of color or who are American Indian, and Tier 2 or Tier 3 teachers in licensure shortage  
150.19 areas within the applicant's economic development region.

150.20 Subd. 4. **Additional funding.** Grant applicants must seek additional funding and  
150.21 assistance from sources such as school districts, postsecondary institutions, foundations,  
150.22 and the private sector.

150.23 Subd. 5. **Program implementation.** A grant recipient may use grant funds on  
150.24 implementing activities over a period of time up to 24 months. New and expanding  
150.25 mentorship sites that receive a board grant under subdivision 2 to design, develop, implement,  
150.26 and evaluate their program must participate in activities that support program development  
150.27 and implementation.

150.28 Subd. 6. **Report.** By ~~June~~ September 30 of each year after receiving a grant, recipients  
150.29 must submit a report to the Professional Educator Licensing and Standards Board on program  
150.30 efforts that describes mentoring and induction activities and assesses the impact of these  
150.31 programs on teacher effectiveness and retention.

151.1 **EFFECTIVE DATE.** This section is effective July 1, 2022.

151.2 Sec. 23. Minnesota Statutes 2020, section 122A.76, is amended to read:

151.3 **122A.76 STATEWIDE CONCURRENT ENROLLMENT TEACHER TRAINING**  
 151.4 **PROGRAM PARTNERSHIP.**

151.5 Subdivision 1. **Definition.** (a) For purposes of this section, the following terms have the  
 151.6 meanings given them.

151.7 (b) "~~Northwest Regional Partnership~~" "Concurrent Enrollment Teacher Partnership"  
 151.8 means a voluntary association of the Lakes Country Service Cooperative, the Northwest  
 151.9 Service Cooperative, ~~and the Metropolitan Education Cooperative Service Unit,~~ Minnesota  
 151.10 State University-Moorhead, and other interested colleges and universities operated by the  
 151.11 Minnesota State system or the University of Minnesota that ~~works~~ work together to provide  
 151.12 coordinated higher learning opportunities for teachers.

151.13 (c) "~~State Partnership~~" ~~means a voluntary association of the Northwest Regional~~  
 151.14 ~~Partnership and the Metropolitan Educational Cooperative Service Unit.~~

151.15 (d) "~~Eligible postsecondary institution~~" means a public or private postsecondary institution  
 151.16 that awards graduate credits.

151.17 (e) (d) "~~Eligible teacher~~" means a licensed secondary teacher of secondary school courses  
 151.18 for postsecondary credit interested in teaching or currently teaching concurrent enrollment  
 151.19 courses.

151.20 Subd. 1a. **Fiscal host.** Lakes Country Service Cooperative is the fiscal host for the  
 151.21 Concurrent Enrollment Teacher Partnership.

151.22 Subd. 2. **Establishment.** (a) ~~Lakes Country Service Cooperative, in consultation with~~  
 151.23 ~~the Northwest Service Cooperative,~~ The Concurrent Enrollment Teacher Partnership may  
 151.24 develop a ~~continuing education~~ program to allow eligible teachers to attain the requisite  
 151.25 graduate credits necessary to be qualified to teach ~~secondary school courses for postsecondary~~  
 151.26 ~~credit~~ concurrent enrollment courses.

151.27 (b) ~~If established, the State Partnership~~ The Concurrent Enrollment Teacher Partnership  
 151.28 must contract with one or more eligible postsecondary institutions to establish a ~~continuing~~  
 151.29 ~~education credit~~ program to allow eligible teachers to attain sufficient graduate credits to  
 151.30 qualify to teach ~~secondary school~~ concurrent enrollment courses ~~for postsecondary credit.~~  
 151.31 Members of the ~~State~~ Concurrent Enrollment Teacher Partnership must work to eliminate

152.1 duplication of service and develop the ~~continuing education credit~~ program efficiently and  
152.2 cost-effectively.

152.3 Subd. 3. **Curriculum development.** The ~~continuing education~~ program must use flexible  
152.4 delivery models, such as an online education curriculum, that allow eligible secondary  
152.5 school teachers to attain graduate credit at a reduced credit rate. Information about the  
152.6 curriculum, including course length and course requirements, must be posted on the website  
152.7 of the eligible institution offering the course at least two weeks before eligible teachers are  
152.8 required to register for courses ~~in the continuing education program~~.

152.9 Subd. 4. **Funding for course participation; course development; scholarships;**  
152.10 **stipends participation incentives.** (a) Lakes Country Service Cooperative, in consultation  
152.11 with the other members of the ~~Northwest Regional~~ Concurrent Enrollment Teacher  
152.12 Partnership, shall: must

152.13 ~~(1) provide funding for course development~~ eligible teachers to participate in the program  
152.14 for up to 18 credits in applicable postsecondary subject areas;

152.15 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~  
152.16 ~~program; and~~

152.17 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~  
152.18 ~~participation in the continuing education program.~~

152.19 ~~(b) If established, the State Partnership must:~~

152.20 ~~(1) provide funding for course development for up to 18 credits in applicable~~  
152.21 ~~postsecondary subject areas;~~

152.22 ~~(2) provide scholarships for eligible teachers to enroll in the continuing education~~  
152.23 ~~program; and~~

152.24 ~~(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize~~  
152.25 ~~participation in the continuing education program.~~

152.26 (b) The Concurrent Enrollment Teacher Partnership may:

152.27 (1) provide funding for course development in applicable postsecondary subject areas;

152.28 (2) work with school districts to develop incentives for teachers to participate in the  
152.29 program; and

152.30 (3) enroll college faculty, as space permits, and provide financial assistance if state aid  
152.31 remains available.



153.1 Subd. 5. **Private funding.** The partnerships may receive private resources to supplement  
153.2 the available public money. ~~All money received in fiscal year 2017 shall be administered~~  
153.3 ~~by the Lakes Country Service Cooperative. All money received in fiscal year 2018 and later~~  
153.4 ~~shall be administered by the State Partnership.~~

153.5 Subd. 6. **Report required.** ~~(a) The Northwest Regional Partnership must submit a report~~  
153.6 ~~by January 15, 2018, on the progress of its activities to the legislature, commissioner of~~  
153.7 ~~education, and Board of Trustees of the Minnesota State Colleges and Universities. The~~  
153.8 ~~report shall contain a financial report for the preceding year.~~

153.9 ~~(b) If established, the State~~ The Concurrent Enrollment Teacher Partnership must submit  
153.10 an annual joint report to the legislature and the Office of Higher Education by January 15  
153.11 of each year on the progress of its activities. The report must include the number of teachers  
153.12 participating in the program, the geographic location of the teachers, the number of credits  
153.13 earned, and the subject areas of the courses in which participants earned credit. The report  
153.14 must include a financial report for the preceding year.

153.15 **EFFECTIVE DATE.** This section is effective July 1, 2022.

153.16 Sec. 24. Minnesota Statutes 2020, section 123B.147, subdivision 3, is amended to read:

153.17 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory,  
153.18 and instructional leadership services, under the supervision of the superintendent of schools  
153.19 of the district and according to the policies, rules, and regulations of the school board, for  
153.20 the planning, management, operation, and evaluation of the education program of the building  
153.21 or buildings to which the principal is assigned.

153.22 (b) To enhance a principal's culturally responsive leadership skills and support and  
153.23 improve teaching practices, school performance, and student achievement for diverse student  
153.24 populations, including at-risk students, children with disabilities, English learners, and gifted  
153.25 students, among others, a district must develop and implement a performance-based system  
153.26 for annually evaluating school principals assigned to supervise a school building within the  
153.27 district. The evaluation must be designed to improve teaching and learning by supporting  
153.28 the principal in shaping the school's professional environment and developing teacher  
153.29 quality, performance, and effectiveness. The annual evaluation must:

153.30 (1) support and improve a principal's instructional leadership, organizational management,  
153.31 and professional development, and strengthen the principal's capacity in the areas of  
153.32 instruction, supervision, evaluation, and teacher development;

154.1 (2) support and improve a principal's culturally responsive leadership practices that  
 154.2 create inclusive and respectful teaching and learning environments for all students, families,  
 154.3 and employees;

154.4 ~~(2)~~ (3) include formative and summative evaluations based on multiple measures of  
 154.5 student progress toward career and college readiness;

154.6 ~~(3)~~ (4) be consistent with a principal's job description, a district's long-term plans and  
 154.7 goals, and the principal's own professional multiyear growth plans and goals, all of which  
 154.8 must support the principal's leadership behaviors and practices, rigorous curriculum, school  
 154.9 performance, and high-quality instruction;

154.10 ~~(4)~~ (5) include on-the-job observations and previous evaluations;

154.11 ~~(5)~~ (6) allow surveys to help identify a principal's effectiveness, leadership skills and  
 154.12 processes, and strengths and weaknesses in exercising leadership in pursuit of school success;

154.13 ~~(6)~~ (7) use longitudinal data on student academic growth as 35 percent of the evaluation  
 154.14 and incorporate district achievement goals and targets;

154.15 ~~(7)~~ (8) be linked to professional development that emphasizes improved teaching and  
 154.16 learning, curriculum and instruction, student learning, culturally responsive leadership  
 154.17 practices, and a collaborative professional culture; and

154.18 ~~(8)~~ (9) for principals not meeting standards of professional practice or other criteria  
 154.19 under this subdivision, implement a plan to improve the principal's performance and specify  
 154.20 the procedure and consequence if the principal's performance is not improved.

154.21 The provisions of this paragraph are intended to provide districts with sufficient flexibility  
 154.22 to accommodate district needs and goals related to developing, supporting, and evaluating  
 154.23 principals.

154.24 **EFFECTIVE DATE.** This section is effective July 1, 2023.

154.25 Sec. 25. Minnesota Statutes 2020, section 179A.03, subdivision 19, is amended to read:

154.26 Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment"  
 154.27 means the hours of employment, the compensation therefor including fringe benefits except  
 154.28 retirement contributions or benefits other than employer payment of, or contributions to,  
 154.29 premiums for group insurance coverage of retired employees or severance pay, class sizes  
 154.30 in Minnesota school districts and charter schools, student testing, student to personnel ratios  
 154.31 in Minnesota school districts, and the employer's personnel policies affecting the working  
 154.32 conditions of the employees. In the case of professional employees the term does not mean

155.1 educational policies of a school district. "Terms and conditions of employment" is subject  
155.2 to section 179A.07.

155.3 Sec. 26. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 3,  
155.4 is amended to read:

155.5 Subd. 3. **Statewide Concurrent enrollment teacher training program.** (a) For the  
155.6 concurrent enrollment teacher partnership under Minnesota Statutes, section 122A.76:

155.7 \$ 375,000 ..... 2022

155.8 ~~375,000~~

155.9 \$ 1,000,000 ..... 2023

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

155.11 (c) Any balance in the second year does not cancel but is available until June, 30, 2025.

155.12 Sec. 27. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 4,  
155.13 is amended to read:

155.14 Subd. 4. **Grow Your Own.** (a) For grants to develop, continue, or expand Grow Your  
155.15 Own new teacher programs under Minnesota Statutes, section 122A.73:

155.16 \$ 6,500,000 ..... 2022

155.17 ~~6,500,000~~

155.18 \$ 68,000,000 ..... 2023

155.19 (b) This appropriation is subject to the requirements under Minnesota Statutes, section  
155.20 122A.73, subdivision 5.

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

155.22 (d) The base for fiscal years 2024 and 2025 is \$6,500,000. The base for fiscal year 2026  
155.23 is \$27,000,000.

155.24 **EFFECTIVE DATE.** This section is effective July 1, 2022.

155.25 Sec. 28. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 5,  
155.26 is amended to read:

155.27 Subd. 5. **Nonexclusionary discipline.** (a) For grants to school districts and charter  
155.28 schools to provide training for school staff on nonexclusionary disciplinary practices:

155.29 \$ 1,750,000 ..... 2022

155.30 \$ 0 5,000,000 ..... 2023

156.1 (b) Grants are to develop training and to work with schools to train staff on  
 156.2 nonexclusionary disciplinary practices that maintain the respect, trust, and attention of  
 156.3 students and help keep students in classrooms. These funds may also be used for grant  
 156.4 administration.

156.5 (c) Eligible grantees include school districts, charter schools, intermediate school districts,  
 156.6 and cooperative units as defined in section 123A.24, subdivision 2.

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

156.8 (e) The base for fiscal year 2024 and later is ~~\$0~~ \$5,000,000.

156.9 Sec. 29. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 6,  
 156.10 is amended to read:

156.11 Subd. 6. **Expanded concurrent enrollment grants.** (a) For grants to institutions offering  
 156.12 "Introduction to Teaching" or "Introduction to Education" college in the schools courses  
 156.13 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

156.14 \$ 500,000 ..... 2022

156.15 ~~500,000~~

156.16 \$ 1,000,000 ..... 2023

156.17 (b) The department may retain up to five percent of the appropriation amount to monitor  
 156.18 and administer the grant program.

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

156.20 **EFFECTIVE DATE.** This section is effective July 1, 2022.

156.21 Sec. 30. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 7,  
 156.22 is amended to read:

156.23 Subd. 7. **Alternative teacher compensation aid.** (a) For alternative teacher compensation  
 156.24 aid under Minnesota Statutes, section 122A.415, subdivision 4:

156.25 ~~88,896,000~~

156.26 \$ 88,559,000 ..... 2022

156.27 ~~88,898,000~~

156.28 \$ 89,234,000 ..... 2023

156.29 (b) The 2022 appropriation includes \$8,877,000 for 2021 and ~~\$80,019,000~~ \$79,682,000  
 156.30 for 2022.

156.31 (c) The 2023 appropriation includes ~~\$8,891,000~~ \$8,854,000 for 2022 and ~~\$80,007,000~~  
 156.32 \$80,380,000 for 2023.

157.1 Sec. 31. Laws 2021, First Special Session chapter 13, article 3, section 8, subdivision 2,  
157.2 is amended to read:

157.3 Subd. 2. **Collaborative urban and greater Minnesota educators of color grants.** (a)

157.4 For collaborative urban and greater Minnesota educators of color grants under Minnesota  
157.5 Statutes, section 122A.635:

157.6 \$ 1,000,000 ..... 2022

157.7 ~~1,000,000~~

157.8 \$ 3,000,000 ..... 2023

157.9 (b) The board may retain up to \$30,000 of the appropriation amount in each fiscal year  
157.10 to monitor and administer the grant program and a portion of these funds may be transferred  
157.11 to the Office of Higher Education as determined by the executive director of the board and  
157.12 the commissioner to support the administration of the program.

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

157.14 **EFFECTIVE DATE.** This section is effective July 1, 2022.

157.15 Sec. 32. **TEACHER SUPPLY AND DEMAND REPORT.**

157.16 (a) By February 1, 2023, the Professional Educator Licensing and Standards Board must  
157.17 include in the report required under Minnesota Statutes, section 122A.091, subdivision 5,  
157.18 the number of teacher openings, by school district, for teachers with licenses in the following  
157.19 fields:

157.20 (1) English as a second language;

157.21 (2) early childhood;

157.22 (3) special education;

157.23 (4) career and technical education;

157.24 (5) science, technology, engineering, arts, and math; and

157.25 (6) world languages.

157.26 (b) For each field listed in paragraph (a), the report must also include the number of  
157.27 teachers hired, by school district, at each license tier level, and the number of teacher  
157.28 assignments the school district was unable to fill with a licensed teacher.

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

158.1 Sec. 33. TEMPORARY INCREASE IN TEACHERS RETIREMENT ASSOCIATION  
 158.2 EARNINGS LIMITATION.

158.3 For fiscal years 2023, 2024, and 2025, notwithstanding Minnesota Statutes, section  
 158.4 354.44, subdivision 5, the applicable earnings limitation for an individual collecting a  
 158.5 retirement annuity is \$92,000.

158.6 Sec. 34. APPROPRIATIONS.

158.7 Subdivision 1. Department of Education. The sums indicated in this section are  
 158.8 appropriated from the general fund to the Department of Education for the fiscal years  
 158.9 designated.

158.10 Subd. 2. American Indian history and culture. (a) For implementation of the American  
 158.11 Indian history and culture relicensure requirement under Minnesota Statutes, section  
 158.12 122A.187, subdivision 7. The commissioner may transfer funds to the Professional Educator  
 158.13 Licensing and Standards Board as necessary:

158.14 \$ 0 ..... 2022

158.15 \$ 0 ..... 2023

158.16 (b) The base is \$86,000,000 for fiscal year 2024, and \$60,000 for fiscal year 2025.

158.17 Subd. 3. Due process aid. (a) For special education teacher due process aid under section  
 158.18 122A.50 not otherwise reimbursed as special education aid:

158.19 \$ \$18,230,000 ..... 2023

158.20 (b) The base for this program is \$8,227,000 for fiscal year 2024 and \$8,605,000 for  
 158.21 fiscal year 2025.

158.22 Subd. 4. Science teachers. (a) For a grant to the Minnesota Science Teachers Association:

158.23 \$ 611,000 ..... 2023

158.24 (b) Grant funds must be used to provide pedagogical and content professional  
 158.25 development to implement the 2019 revised science standards, including for current high  
 158.26 school teachers to prepare to take the content test for additional licensure in earth science,  
 158.27 and to provide pedagogical and content professional development to 6th grade and high  
 158.28 school teachers to be effective teachers of earth and space science. Professional development  
 158.29 must be offered at multiple locations across the state, including outside the seven-county  
 158.30 metropolitan area as well as online.

159.1 (c) This appropriation is available until June 30, 2025. Up to five percent of this  
 159.2 appropriation may be used for administrative costs incurred by the Department of Education.

159.3 Subd. 5. **Teacher retention bonuses.** (a) For providing retention bonuses to teachers  
 159.4 who are new to the profession:

159.5 \$ 0 ..... 2022

159.6 \$ 11,250,000 ..... 2023

159.7 (b) The commissioner must establish a process to identify eligible teachers to receive  
 159.8 retention bonuses in this program.

159.9 (c) The commissioner must prioritize teachers of color and American Indian teachers,  
 159.10 teachers filling licensure shortage areas, and teachers from low-income backgrounds.

159.11 (d) The employer of the eligible teacher must offer the stipend and request reimbursement  
 159.12 from the department using a process established by the department.

159.13 (e) A retention bonus must be in addition to the local salary agreement.

159.14 (f) Reimbursements for eligible teachers must meet the following requirements:

159.15 (1) \$1,000 awarded to first-year teachers who successfully complete their first year of  
 159.16 employment and are returning for a second year.

159.17 (2) \$2,000 awarded to the same cohort of teachers who successfully complete their  
 159.18 second year of employment and are returning for a third year.

159.19 (3) \$4,500 awarded to the same cohort of teachers who successfully complete their third  
 159.20 year of employment and are returning for a fourth year.

159.21 (g) This appropriation is available until June 30, 2025.

159.22 (h) The department may retain up to five percent of the appropriation amount to monitor  
 159.23 and administer the program.

159.24

## ARTICLE 4

159.25

### CHARTER SCHOOLS

159.26 Section 1. Minnesota Statutes 2020, section 124E.02, is amended to read:

159.27 **124E.02 DEFINITIONS.**

159.28 (a) For purposes of this chapter, the terms defined in this section have the meanings  
 159.29 given them.

160.1 (b) "Affidavit" means a written statement the authorizer submits to the commissioner  
160.2 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to  
160.3 its review and approval process before chartering a school.

160.4 (c) "Affiliate" means a person that directly or indirectly, through one or more  
160.5 intermediaries, controls, is controlled by, or is under common control with another person.

160.6 (d) "Charter management organization" means any nonprofit entity that contracts with  
160.7 a charter school board of directors to provide, manage, or oversee all or substantially all of  
160.8 the charter school's educational program design or implementation, or the charter school's  
160.9 administrative, financial, business, and operational functions.

160.10 ~~(d)~~ (e) "Control" means the ability to affect the management, operations, or policy actions  
160.11 or decisions of a person, whether by owning voting securities, by contract, or otherwise.

160.12 (f) "Education management organization" means any for-profit entity that contracts with  
160.13 a charter school board of directors to provide, manage, or oversee all or substantially all of  
160.14 the charter school's educational program design or implementation, or the charter school's  
160.15 administrative, financial, business, and operational functions.

160.16 ~~(e)~~ (g) "Immediate family" means an individual whose relationship by blood, marriage,  
160.17 adoption, or partnership is no more remote than first cousin.

160.18 (h) "Market need and demand study" means a study that, for the proposed locations of  
160.19 the school or additional site, includes the following:

160.20 (1) current and projected demographic information of student populations in the  
160.21 geographic area;

160.22 (2) current student enrollment patterns in the geographic area;

160.23 (3) information on existing schools and types of educational programs currently available;

160.24 (4) documentation of the plan for outreach to diverse and underrepresented populations;

160.25 (5) information on the availability of properly zoned and classified facilities; and

160.26 (6) quantification of existing demand for the new school or site expansion.

160.27 (i) "Online education service provider" means an organization that provides the online  
160.28 learning management system, virtual learning environment, or online student management  
160.29 system and services for the implementation and operation of the online education program.

160.30 ~~(f)~~ (j) "Person" means an individual or entity of any kind.



161.1 ~~(g)~~ (k) "Related party" means an affiliate or immediate relative of the other interested  
161.2 party, an affiliate of an immediate relative who is the other interested party, or an immediate  
161.3 relative of an affiliate who is the other interested party.

161.4 ~~(h)~~ (l) For purposes of this chapter, the terms defined in section 120A.05 have the same  
161.5 meanings.

161.6 Sec. 2. Minnesota Statutes 2020, section 124E.03, subdivision 2, is amended to read:

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

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

161.11 (c) A charter school must comply with the Minnesota Public School Fee Law, sections  
161.12 123B.34 to 123B.39.

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

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

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

161.18 (g) A charter school must comply with continuing truant notification under section  
161.19 260A.03.

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

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

161.28 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,  
161.29 sections 121A.40 to 121A.56, and section 121A.575.

162.1 Sec. 3. Minnesota Statutes 2020, section 124E.03, is amended by adding a subdivision to  
162.2 read:

162.3 Subd. 9. **English learners.** A charter school is subject to and must comply with the  
162.4 Education for English Learners Act, sections 124D.58 to 124D.64 as though it were a district.

162.5 Sec. 4. Minnesota Statutes 2020, section 124E.05, subdivision 4, is amended to read:

162.6 Subd. 4. **Application content.** (a) To be approved as an authorizer, an applicant must  
162.7 include in its application to the commissioner at least the following:

162.8 (1) how the organization carries out its mission by chartering schools;

162.9 (2) a description of the capacity of the organization to serve as an authorizer, including  
162.10 the positions allocated to authorizing duties, the qualifications for those positions, the  
162.11 full-time equivalencies of those positions, and the financial resources available to fund the  
162.12 positions;

162.13 (3) the application and review process the authorizer uses to decide whether to grant  
162.14 charters;

162.15 (4) the type of contract it arranges with the schools it charters to meet the provisions of  
162.16 section 124E.10;

162.17 (5) the process for overseeing the school, consistent with clause (4), to ensure that the  
162.18 schools chartered comply with applicable law and rules and the contract;

162.19 (6) the criteria and process the authorizer uses to approve applications adding grades or  
162.20 sites under section 124E.06, subdivision 5;

162.21 (7) the process for renewing or terminating the school's charter based on evidence  
162.22 showing the academic, organizational, and financial competency of the school, including  
162.23 its success in increasing student achievement and meeting the goals of the charter school  
162.24 agreement; and

162.25 (8) an assurance specifying that the organization is committed to serving as an authorizer  
162.26 for the full five-year term until the organization formally withdraws as an approved authorizer  
162.27 under subdivision 7 or the commissioner terminates the organization's ability to authorize  
162.28 charter schools under subdivision 6.

162.29 (b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the  
162.30 requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict  
162.31 of interest between an authorizer and its charter schools or ongoing evaluation or continuing

163.1 education of an administrator or other professional support staff by submitting to the  
163.2 commissioner a written promise to comply with the requirements.

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

163.4 Sec. 5. Minnesota Statutes 2020, section 124E.05, subdivision 7, is amended to read:

163.5 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw  
163.6 as an approved authorizer for a reason unrelated to any cause under ~~section 124E.10,~~  
163.7 ~~subdivision 4~~ subdivision 6, the authorizer must notify all its chartered schools and the  
163.8 commissioner in writing by March 1 of its intent to withdraw as an authorizer on June 30  
163.9 in the next calendar year, ~~regardless of when the authorizer's five-year term of approval~~  
163.10 ~~ends.~~ Upon notification of the schools and commissioner, the authorizer must provide a  
163.11 letter to the school for distribution to families of students enrolled in the school that explains  
163.12 the decision to withdraw as an authorizer. The commissioner may approve the transfer of  
163.13 a charter school to a new authorizer under section 124E.10, subdivision 5.

163.14 Sec. 6. Minnesota Statutes 2020, section 124E.06, subdivision 1, is amended to read:

163.15 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an  
163.16 application from a charter school developer, may charter either a licensed teacher under  
163.17 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed  
163.18 teachers under section 122A.18, subdivision 1, to operate a school subject to the  
163.19 commissioner's approval of the authorizer's affidavit under subdivision 4.

163.20 (b) "Application" under this section means the charter school business plan a charter  
163.21 school developer submits to an authorizer for approval to establish a charter school. This  
163.22 application must include:

163.23 (1) the school developer's:

163.24 (i) mission statement;

163.25 (ii) school purposes;

163.26 (iii) program design;

163.27 (iv) market need and demand study;

163.28 ~~(iv)~~ (v) financial plan;

163.29 ~~(v)~~ (vi) governance and management structure; and

163.30 ~~(vi)~~ (vii) background and experience; and

164.1 (2) any other information the authorizer requests; ~~and~~.

164.2 ~~(3) a "statement of assurances" of legal compliance prescribed by the commissioner.~~

164.3 (c) An authorizer shall not approve an application submitted by a charter school developer  
164.4 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),  
164.5 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit  
164.6 submitted by an authorizer under subdivision 4 if the affidavit does not comply with  
164.7 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

164.8 Sec. 7. Minnesota Statutes 2020, section 124E.06, subdivision 4, is amended to read:

164.9 Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish  
164.10 and operate a school, the authorizer must file an affidavit with the commissioner stating its  
164.11 intent to charter a school. An authorizer must file a separate affidavit for each school it  
164.12 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of  
164.13 the year the new charter school plans to serve students. The affidavit must state:

164.14 (1) the terms and conditions under which the authorizer would charter a school, including  
164.15 the market need and demand study; and

164.16 (2) how the authorizer intends to oversee:

164.17 (i) the fiscal and student performance of the charter school; and

164.18 (ii) compliance with the terms of the written contract between the authorizer and the  
164.19 charter school board of directors under section 124E.10, subdivision 1.

164.20 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60  
164.21 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the  
164.22 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer  
164.23 then has 20 business days to address the deficiencies. The commissioner must notify the  
164.24 authorizer of the commissioner's final approval or final disapproval within 15 business days  
164.25 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer  
164.26 does not address deficiencies to the commissioner's satisfaction, the commissioner's  
164.27 disapproval is final. An authorizer who fails to obtain the commissioner's approval is  
164.28 precluded from chartering the school that is the subject of this affidavit.

164.29 Sec. 8. Minnesota Statutes 2020, section 124E.06, subdivision 5, is amended to read:

164.30 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to  
164.31 amend the school charter to add grades or primary enrollment sites beyond those defined

165.1 in the original affidavit approved by the commissioner. After approving the school's  
165.2 application, the authorizer shall submit a supplemental affidavit in the form and manner  
165.3 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the  
165.4 commissioner by October 1 to be eligible to add grades or sites in the next school year. The  
165.5 supplemental affidavit must document to the authorizer's satisfaction:

165.6 (1) the need for the additional grades or sites with supporting long-range enrollment  
165.7 projections;

165.8 (2) a longitudinal record of student academic performance and growth on statewide  
165.9 assessments under chapter 120B or on other academic assessments that measure longitudinal  
165.10 student performance and growth approved by the charter school's board of directors and  
165.11 agreed upon with the authorizer;

165.12 (3) a history of sound school finances and a plan to add grades or sites that sustains the  
165.13 school's finances; ~~and~~

165.14 (4) board capacity to administer and manage the additional grades or sites; and

165.15 (5) for a site expansion, the market need and demand study.

165.16 (b) The commissioner shall have 30 business days to review and comment on the  
165.17 supplemental affidavit. The commissioner shall notify the authorizer in writing of any  
165.18 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to  
165.19 address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.  
165.20 The commissioner must notify the authorizer of final approval or final disapproval within  
165.21 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.  
165.22 The school may not add grades or sites until the commissioner has approved the supplemental  
165.23 affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

165.24 Sec. 9. Minnesota Statutes 2020, section 124E.07, subdivision 3, is amended to read:

165.25 Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall  
165.26 have at least five nonrelated members and include: (1) at least one licensed teacher, as  
165.27 defined in section 122A.06, subdivision 2, who is employed as a teacher at the school or  
165.28 provides instruction under contract between the charter school and a cooperative; (2) at  
165.29 least one parent or legal guardian of a student enrolled in the charter school who is not an  
165.30 employee of the charter school; and (3) at least one interested community member who  
165.31 resides in Minnesota, is not employed by the charter school, and does not have a child  
165.32 enrolled in the school. The board structure may include a majority of teachers under this  
165.33 paragraph or parents or community members, or it may have no clear majority. The chief

166.1 financial officer and the chief administrator may only serve as ex-officio nonvoting board  
166.2 members. No charter school employees shall serve on the board other than teachers under  
166.3 clause (1). Contractors providing facilities, goods, or services to a charter school shall not  
166.4 serve on the board of directors of the charter school.

166.5 (b) An individual is prohibited from serving as a member of the charter school board of  
166.6 directors if: (1) the individual, an immediate family member, or the individual's partner is  
166.7 a full or part owner or principal with a for-profit or nonprofit entity or independent contractor  
166.8 with whom the charter school contracts, directly or indirectly, for professional services,  
166.9 goods, or facilities; or (2) an immediate family member is an employee of the school. An  
166.10 individual may serve as a member of the board of directors if no conflict of interest exists  
166.11 under this paragraph, consistent with this section.

166.12 (c) A violation of paragraph (b) renders a contract voidable at the option of the  
166.13 commissioner or the charter school board of directors. A member of a charter school board  
166.14 of directors who violates paragraph (b) is individually liable to the charter school for any  
166.15 damage caused by the violation.

166.16 (d) Any employee, agent, or board member of the authorizer who participates in initially  
166.17 reviewing, approving, overseeing, evaluating, renewing, or not renewing the charter school  
166.18 is ineligible to serve on the board of directors of a school chartered by that authorizer.

166.19 Sec. 10. Minnesota Statutes 2020, section 124E.11, is amended to read:

166.20 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

166.21 (a) A charter school, including its preschool or prekindergarten program established  
166.22 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

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

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

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

166.28 (b) A charter school, including its preschool or prekindergarten program established  
166.29 under section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who  
166.30 submits a timely application, unless the number of applications exceeds the capacity of a  
166.31 program, class, grade level, or building. In this case, pupils must be accepted by lot. The

167.1 charter school must develop and publish, including on its website, a lottery policy and  
167.2 process that it must use when accepting pupils by lot.

167.3 (c) Admission to a charter school is free to any person who resides within the state of  
167.4 Minnesota and Minnesota students have enrollment preference over out-of-state residents.

167.5 A charter school shall give enrollment preference to a sibling of an enrolled pupil and to a  
167.6 foster child of that pupil's parents and may give preference for enrolling children of the  
167.7 school's staff before accepting other pupils by lot. A charter school that is located in Duluth  
167.8 township in St. Louis County and admits students in kindergarten through grade 6 must  
167.9 give enrollment preference to students residing within a five-mile radius of the school and  
167.10 to the siblings of enrolled children. ~~A charter school may give enrollment preference to~~  
167.11 ~~children currently enrolled in the school's free preschool or prekindergarten program under~~  
167.12 ~~section 124E.06, subdivision 3, paragraph (b), who are eligible to enroll in kindergarten in~~  
167.13 ~~the next school year.~~

167.14 (d) A person shall not be admitted to a charter school (1) as a kindergarten pupil, unless  
167.15 the pupil is at least five years of age on September 1 of the calendar year in which the school  
167.16 year for which the pupil seeks admission commences; or (2) as a first grade student, unless  
167.17 the pupil is at least six years of age on September 1 of the calendar year in which the school  
167.18 year for which the pupil seeks admission commences or has completed kindergarten; except  
167.19 that a charter school may establish and publish on its website a policy for admission of  
167.20 selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b)  
167.21 and (c), and section 124D.02, subdivision 1.

167.22 (e) Except as permitted in ~~paragraph~~ paragraphs (d) and (i), a charter school, including  
167.23 its preschool or prekindergarten program established under section 124E.06, subdivision  
167.24 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability,  
167.25 measures of achievement or aptitude, or athletic ability and may not establish any criteria  
167.26 or requirements for admission that are inconsistent with this section.

167.27 (f) The charter school shall not distribute any services or goods of value to students,  
167.28 parents, or guardians as an inducement, term, or condition of enrolling a student in a charter  
167.29 school.

167.30 (g) Once a student is enrolled in the school, the student is considered enrolled in the  
167.31 school until the student formally withdraws or is expelled under the Pupil Fair Dismissal  
167.32 Act in sections 121A.40 to 121A.56, except that children currently enrolled in the school's  
167.33 fee-based preschool or prekindergarten program under section 124E.06, subdivision 3,  
167.34 paragraph (b), who are eligible to enroll in kindergarten in the next school year must apply

168.1 for entry into kindergarten according to the provisions of this section. Out-of-state residents  
168.2 must annually apply to and be admitted by the school according to the provisions of this  
168.3 section.

168.4 (h) A charter school with at least 90 percent of enrolled students who are eligible for  
168.5 special education services and have a primary disability of deaf or hard-of-hearing may  
168.6 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,  
168.7 paragraph (a), and must comply with the federal Individuals with Disabilities Education  
168.8 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause  
168.9 (iv).

168.10 (i) A charter school serving at least 90 percent of enrolled students who are eligible for  
168.11 special education services and have a primary disability of deaf, hard-of-hearing, or deafblind  
168.12 may give enrollment preference to students who are eligible for special education services  
168.13 and have a primary disability of deaf, hard-of-hearing, or deafblind. The charter school may  
168.14 not limit admission based on the student's eligibility for additional special education services.

168.15 Sec. 11. Minnesota Statutes 2020, section 124E.13, subdivision 1, is amended to read:

168.16 Subdivision 1. **Leased space.** A charter school may lease space from: an independent  
168.17 or special school board; other public organization; private, nonprofit, nonsectarian  
168.18 organization; private property owner; or a sectarian organization if the leased space is  
168.19 constructed as a school facility. The owner of the space must be the lessor. The commissioner  
168.20 must review and approve or disapprove leases in a timely manner to determine eligibility  
168.21 for lease aid under section 124E.22.

168.22 **EFFECTIVE DATE.** This section is effective for leases effective July 1, 2022, and  
168.23 thereafter.

168.24 Sec. 12. Minnesota Statutes 2020, section 124E.13, subdivision 3, is amended to read:

168.25 Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit building  
168.26 corporation may purchase, expand, or renovate an existing facility to serve as a school or  
168.27 may construct a new school facility. A One charter school may organize an affiliated  
168.28 nonprofit building corporation that serves only that charter school if the charter school:

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

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



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

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

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

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

169.7 (1) be incorporated under section 317A;

169.8 (2) comply with applicable Internal Revenue Service regulations, including regulations  
169.9 for "supporting organizations" as defined by the Internal Revenue Service;

169.10 (3) post on the school website the name, mailing address, bylaws, minutes of board  
169.11 meetings, and names of the current board of directors of the affiliated nonprofit building  
169.12 corporation;

169.13 (4) submit to the commissioner a copy of its annual audit by December 31 of each year;  
169.14 and

169.15 (5) comply with government data practices law under chapter 13.

169.16 (c) An affiliated nonprofit building corporation must not serve as the leasing agent for  
169.17 property ~~or~~ and facilities it does not own. A charter school that leases property and a facility  
169.18 from an affiliated nonprofit building corporation that does not own the leased ~~facility~~ property  
169.19 and building is ineligible to receive charter school lease aid. The state is immune from  
169.20 liability resulting from a contract between a charter school and an affiliated nonprofit building  
169.21 corporation.

169.22 (d) The board of directors of the charter school must ensure the affiliated nonprofit  
169.23 building corporation complies with all applicable legal requirements. The charter school's  
169.24 authorizer must oversee the efforts of the board of directors of the charter school to ensure  
169.25 legal compliance of the affiliated building corporation. A school's board of directors that  
169.26 fails to ensure the affiliated nonprofit building corporation's compliance violates its  
169.27 responsibilities and an authorizer must consider that failure when evaluating the charter  
169.28 school.

169.29 Sec. 13. Minnesota Statutes 2020, section 124E.16, subdivision 1, is amended to read:

169.30 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,  
169.31 audit procedures, and audit requirements as a district, except as required under this  
169.32 subdivision. Audits must be conducted in compliance with generally accepted governmental

170.1 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing  
170.2 auditing procedures. A charter school is subject to and must comply with sections 15.054;  
170.3 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property  
170.4 and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing  
170.5 municipal contracting. The audit must comply with the requirements of sections 123B.75  
170.6 to 123B.83 governing school district finance, except when the commissioner and authorizer  
170.7 approve a deviation made necessary because of school program finances. The commissioner,  
170.8 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance  
170.9 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must  
170.10 submit a plan under section 123B.81, subdivision 4.

170.11 (b) The charter school must submit an audit report to the commissioner and its authorizer  
170.12 annually by December 31. The charter school's charter management organization or  
170.13 educational management organization must submit an audit report to the commissioner  
170.14 annually by December 31.

170.15 (c) The charter school, with the assistance of the auditor conducting the audit, must  
170.16 include with the report, as supplemental information: (1) a copy of management agreements  
170.17 with a charter management organization or an educational management organization and  
170.18 (2) service agreements or contracts over the lesser of \$100,000 or ten percent of the school's  
170.19 most recent annual audited expenditures. The agreements must detail the terms of the  
170.20 agreement, including the services provided and the annual costs for those services. If the  
170.21 entity that provides the professional services to the charter school is exempt from taxation  
170.22 under section 501 of the Internal Revenue Code of 1986, that entity must file with the  
170.23 commissioner by February 15 a copy of the annual return required under section 6033 of  
170.24 the Internal Revenue Code of 1986.

170.25 (d) A charter school independent audit report shall include audited financial data of an  
170.26 affiliated building corporation under section 124E.13, subdivision 3, or other component  
170.27 unit.

170.28 (e) If the audit report finds that a material weakness exists in the financial reporting  
170.29 systems of a charter school, the charter school must submit a written report to the  
170.30 commissioner explaining how the charter school will resolve that material weakness. An  
170.31 auditor, as a condition of providing financial services to a charter school, must agree to  
170.32 make available information about a charter school's financial audit to the commissioner and  
170.33 authorizer upon request.

171.1 Sec. 14. Minnesota Statutes 2020, section 124E.25, subdivision 1a, is amended to read:

171.2 Subd. 1a. **School closures; payments.** (a) Notwithstanding subdivision 1 and section  
 171.3 127A.45, for a charter school ceasing operation on or before June 30, for the payment periods  
 171.4 occurring after the school ceases serving students, the commissioner shall withhold the  
 171.5 estimated state aid owed the school. The charter school board of directors and authorizer  
 171.6 must submit to the commissioner a closure plan under chapter ~~308A~~ or 317A, and financial  
 171.7 information about the school's liabilities and assets. After receiving the closure plan, financial  
 171.8 information, an audit of pupil counts, and documented lease expenditures from the charter  
 171.9 school and monitoring special education expenditures, the commissioner may release cash  
 171.10 withheld and may continue regular payments up to the current year payment percentages  
 171.11 if further amounts are owed. If, based on audits and monitoring, the school received state  
 171.12 aid in excess of the amount owed, the commissioner shall retain aid withheld sufficient to  
 171.13 eliminate the aid overpayment.

171.14 (b) For a charter school ceasing operations before or at the end of a school year,  
 171.15 notwithstanding section 127A.45, subdivision 3, the commissioner may make preliminary  
 171.16 final payments after the school submits the closure plan, an audit of pupil counts, documented  
 171.17 lease expenditures, and Uniform Financial Accounting and Reporting Standards (UFARS)  
 171.18 financial data and the commissioner monitors special education expenditures for the final  
 171.19 year of operation. The commissioner may make the final payment after receiving audited  
 171.20 financial statements under section 123B.77, subdivision 3.

171.21 (c) Notwithstanding sections 317A.701 to 317A.791, after closing a charter school and  
 171.22 satisfying creditors, remaining cash and investment balances shall be returned by the  
 171.23 commissioner to the state general fund.

171.24

## ARTICLE 5

171.25

### SPECIAL EDUCATION

171.26 Section 1. Minnesota Statutes 2020, section 122A.31, subdivision 1, is amended to read:

171.27 Subdivision 1. **Requirements for American sign language/English interpreters.** (a)  
 171.28 In addition to any other requirements that a school district establishes, any person employed  
 171.29 to provide American sign language/English interpreting or sign transliterating services on  
 171.30 a full-time or part-time basis for a school district ~~after July 1, 2000~~, must:

171.31 (1) hold current interpreter ~~and~~ or transliterator certificates awarded by the Registry of  
 171.32 Interpreters for the Deaf (RID), or the general level interpreter proficiency certificate awarded

172.1 by the National Association of the Deaf (NAD), or a comparable state certification from  
172.2 the commissioner of education; and

172.3 ~~(2)~~ satisfactorily complete an interpreter/transliterator training program affiliated with  
172.4 an accredited educational institution; or

172.5 (2) hold a certified deaf interpreter certification issued by RID.

172.6 (b) New graduates of an interpreter/transliterator program affiliated with an accredited  
172.7 education institution or deaf interpreters shall be granted a two-year provisional certificate  
172.8 by the commissioner. During the two-year provisional period, the interpreter/transliterator  
172.9 must develop and implement an education plan in collaboration with a mentor under  
172.10 paragraph (c).

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

172.18 (d) Consistent with the requirements of this paragraph, a person holding a provisional  
172.19 certificate may apply to the commissioner for one time-limited extension. The commissioner,  
172.20 in consultation with the Commission of the Deaf, DeafBlind and Hard of Hearing, must  
172.21 grant the person a time-limited extension of the provisional certificate based on the following  
172.22 documentation:

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

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

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

172.29 As a condition of receiving the extension, the person must comply with a plan and the  
172.30 accompanying ~~time-line~~ timeline for meeting the requirements of this subdivision. A  
172.31 committee composed of the deaf and hard-of-hearing state specialist, a representative of  
172.32 the Minnesota Association of Deaf Citizens, a representative of the Minnesota Registry of  
172.33 Interpreters ~~of~~ for the Deaf, and other appropriate ~~persons~~ committee members selected by

173.1 the commissioner must develop the plan and ~~time line~~ timeline for the person receiving the  
173.2 extension.

173.3 (e) A school district may employ only an interpreter/transliterater who has been certified  
173.4 under paragraph (a) or (b), or for whom a time-limited extension has been granted under  
173.5 paragraph (d).

173.6 (f) An interpreter who meets the requirements of paragraph (a) is "essential personnel"  
173.7 as defined in section 125A.76, subdivision 1.

173.8 Sec. 2. Minnesota Statutes 2020, section 125A.03, is amended to read:

173.9 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

173.10 (a) As defined in paragraph (b), every district must provide special instruction and  
173.11 services, either within the district or in another district, for all children with a disability,  
173.12 including providing required services under Code of Federal Regulations, title 34, section  
173.13 300.121, paragraph (d), to those children suspended or expelled from school for more than  
173.14 ten school days in that school year, who are residents of the district and who are disabled  
173.15 as set forth in section 125A.02. For purposes of state and federal special education laws,  
173.16 the phrase "special instruction and services" in the state Education Code means a free and  
173.17 appropriate public education provided to an eligible child with disabilities. "Free appropriate  
173.18 public education" means special education and related services that:

173.19 (1) are provided at public expense, under public supervision and direction, and without  
173.20 charge;

173.21 (2) meet the standards of the state, including the requirements of the Individuals with  
173.22 Disabilities Education Act, Part B or C;

173.23 (3) include an appropriate preschool, elementary school, or secondary school education;  
173.24 and

173.25 (4) are provided to children ages three through 21 in conformity with an individualized  
173.26 education program that meets the requirements of the Individuals with Disabilities Education  
173.27 Act, subpart A, sections 300.320 to 300.324, and provided to infants and toddlers in  
173.28 conformity with an individualized family service plan that meets the requirements of the  
173.29 Individuals with Disabilities Education Act, subpart A, sections 303.300 to 303.346.

173.30 (b) Notwithstanding any age limits in laws to the contrary, special instruction and services  
173.31 must be provided from birth until ~~July 1 after~~ the child with a disability becomes ~~21~~ 22  
173.32 years old but shall not extend beyond secondary school or its equivalent, except as provided

174.1 in section 124D.68, subdivision 2. For the 2022-2023 school year only special instruction  
174.2 and services must be provided until a child with a disability becomes 23 years old, but shall  
174.3 not extend beyond secondary school or its equivalent, except as provided in section 124D.68,  
174.4 subdivision 2. Local health, education, and social service agencies must refer children under  
174.5 age five who are known to need or suspected of needing special instruction and services to  
174.6 the school district. Districts with less than the minimum number of eligible children with a  
174.7 disability as determined by the commissioner must cooperate with other districts to maintain  
174.8 a full range of programs for education and services for children with a disability. This section  
174.9 does not alter the compulsory attendance requirements of section 120A.22.

174.10 (c) At the board's discretion, a school district that participates in a reciprocity agreement  
174.11 with a neighboring state under section 124D.041 may enroll and provide special instruction  
174.12 and services to a child from an adjoining state whose family resides at a Minnesota address  
174.13 as assigned by the United States Postal Service if the district has completed child  
174.14 identification procedures for that child to determine the child's eligibility for special education  
174.15 services, and the child has received developmental screening under sections 121A.16 to  
174.16 121A.19.

174.17 Sec. 3. Minnesota Statutes 2020, section 125A.08, is amended to read:

174.18 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

174.22 (1) all students with disabilities are provided the special instruction and services which  
174.23 are appropriate to their needs. Where the individualized education program team has  
174.24 determined appropriate goals and objectives based on the student's needs, including the  
174.25 extent to which the student can be included in the least restrictive environment, and where  
174.26 there are essentially equivalent and effective instruction, related services, or assistive  
174.27 technology devices available to meet the student's needs, cost to the district may be among  
174.28 the factors considered by the team in choosing how to provide the appropriate services,  
174.29 instruction, or devices that are to be made part of the student's individualized education  
174.30 program. The individualized education program team shall consider and may authorize  
174.31 services covered by medical assistance according to section 256B.0625, subdivision 26.  
174.32 Before a school district evaluation team makes a determination of other health disability  
174.33 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation  
174.34 team must seek written documentation of the student's medically diagnosed chronic or acute

175.1 health condition signed by a licensed physician or a licensed health care provider acting  
175.2 within the scope of the provider's practice. The student's needs and the special education  
175.3 instruction and services to be provided must be agreed upon through the development of  
175.4 an individualized education program. The program must address the student's need to develop  
175.5 skills to live and work as independently as possible within the community. The individualized  
175.6 education program team must consider positive behavioral interventions, strategies, and  
175.7 supports that address behavior needs for children. During grade 9, the program must address  
175.8 the student's needs for transition from secondary services to postsecondary education and  
175.9 training, employment, community participation, recreation, and leisure and home living. In  
175.10 developing the program, districts must inform parents of the full range of transitional goals  
175.11 and related services that should be considered. The program must include a statement of  
175.12 the needed transition services, including a statement of the interagency responsibilities or  
175.13 linkages or both before secondary services are concluded. If the individualized education  
175.14 program meets the plan components in section 120B.125, the individualized education  
175.15 program satisfies the requirement and no additional transition plan is needed;

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

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

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

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

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

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

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

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

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

176.15 ~~(2)~~ (3) annual training opportunities are required to enable the paraprofessional to  
176.16 continue to further develop the knowledge and skills that are specific to the students with  
176.17 whom the paraprofessional works, including understanding disabilities, the unique and  
176.18 individual needs of each student according to the student's disability and how the disability  
176.19 affects the student's education and behavior, following lesson plans, and implementing  
176.20 follow-up instructional procedures and activities; ~~and~~

176.21 (4) a minimum of 20 hours of paid orientation or professional development must be  
176.22 provided annually to all paraprofessionals, Title I aides, and other instructional support  
176.23 staff. Eight of the 20 hours must be completed before the first instructional day of the school  
176.24 year or within 30 days of hire. The orientation or professional development must be relevant  
176.25 to the employee's occupation and may include collaboration time with classroom teachers  
176.26 and planning for the school year. For paraprofessionals who provide direct support to  
176.27 students, at least 50 percent of the professional development or orientation must be dedicated  
176.28 to meeting the requirements of this section. Professional development for paraprofessionals  
176.29 may also address the requirements of section 120B.363, subdivision 3. A school administrator  
176.30 must provide an annual certification of compliance with this requirement to the commissioner;  
176.31 and

176.32 ~~(3)~~ (5) a districtwide process obligates each paraprofessional to work under the ongoing  
176.33 direction of a licensed teacher and, where appropriate and possible, the supervision of a  
176.34 school nurse.



177.1 (d) A school district may conduct a functional behavior assessment as defined in  
177.2 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting  
177.3 a comprehensive evaluation of the student in accordance with prior written notice provisions  
177.4 in section 125A.091, subdivision 3a. A parent or guardian may request that a school district  
177.5 conduct a comprehensive evaluation of the parent's or guardian's student.

177.6 Sec. 4. **125A.755** PARAPROFESSIONAL TRAINING AID.

177.7 Beginning in fiscal year 2023, each school district, charter school, and cooperative  
177.8 organization serving pupils is eligible for paraprofessional training aid. Professional training  
177.9 aid equals \$196 times the number of paraprofessionals, Title I aides, and other instructional  
177.10 support staff employed by the school district, charter school, or cooperative organization  
177.11 during the previous school year. A school district must reserve paraprofessional training  
177.12 aid and spend it only on the training required in section 125A.08.

177.13 **EFFECTIVE DATE.** This section is effective for fiscal year 2023 and later.

177.14 Sec. 5. Minnesota Statutes 2020, section 125A.76, subdivision 2e, is amended to read:

177.15 Subd. 2e. **Cross subsidy reduction aid.** (a) A school district's annual cross subsidy  
177.16 reduction aid equals (1) the school district's initial special education cross subsidy for the  
177.17 previous fiscal year times the cross subsidy aid factor for that fiscal year.

177.18 (b) The cross subsidy aid factor equals ~~2.6 percent for fiscal year 2020 and~~ 6.43 percent  
177.19 for fiscal year 2021 and fiscal year 2022 and 55 percent for fiscal year 2023 and later.

177.20 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

177.21 Sec. 6. Minnesota Statutes 2020, section 127A.45, subdivision 13, is amended to read:

177.22 Subd. 13. **Aid payment percentage.** Except as provided in subdivisions 11, 12, 12a,  
177.23 and 14, each fiscal year, all education aids and credits in this chapter and chapters 120A,  
177.24 120B, 121A, 122A, 123A, 123B, 124D, 124E, 125A, 125B, 126C, 134, and section 273.1392,  
177.25 shall be paid at the current year aid payment percentage of the estimated entitlement during  
177.26 the fiscal year of the entitlement. ~~For the purposes of this subdivision, a district's estimated~~  
177.27 ~~entitlement for special education aid under section 125A.76 for fiscal year 2014 and later~~  
177.28 ~~equals 97.4 percent of the district's entitlement for the current fiscal year.~~ The final adjustment  
177.29 payment, according to subdivision 9, must be the amount of the actual entitlement, after  
177.30 adjustment for actual data, minus the payments made during the fiscal year of the entitlement.

177.31 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

178.1 Sec. 7. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 2, is  
178.2 amended to read:

178.3 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,  
178.4 section 125A.75:

178.5		<del>1,822,998,000</del>		
178.6	\$	<u>1,748,169,000</u>	.....	2022
178.7		<del>1,945,533,000</del>		
178.8	\$	<u>2,353,864,000</u>	.....	2023

178.9 The 2022 appropriation includes \$215,125,000 for 2021 and ~~\$1,607,873,000~~  
178.10 \$1,533,044,000 for 2022.

178.11 The 2023 appropriation includes ~~\$226,342,000~~ \$215,767,000 for 2022 and  
178.12 ~~\$1,719,191,000~~ \$2,368,097,000 for 2023.

178.13 Sec. 8. **LEGISLATIVE WORKING GROUP ON SPECIAL EDUCATION TUITION**  
178.14 **BILLING.**

178.15 Subdivision 1. **Membership; chair.** (a) The legislative working group on special  
178.16 education tuition billing must consist of eight members as follows:

178.17 (1) four members of the house of representatives, two members appointed by the speaker  
178.18 of the house and two members appointed by the house minority leader; and

178.19 (2) four members of the senate, two members appointed by the senate majority leader  
178.20 and two members appointed by the senate minority leader.

178.21 (b) Appointing authorities must make appointments by June 15, 2022.

178.22 (c) If a vacancy occurs, the appointing authority for the vacated position must fill the  
178.23 vacancy.

178.24 (d) The speaker and the majority leader must each designate one working group member  
178.25 from each respective body to serve as chair. The chair must rotate after each meeting. The  
178.26 person appointed as chair by the speaker must convene the first meeting of the working  
178.27 group by June 30, 2022.

178.28 Subd. 2. **Duties.** (a) The working group must study requirements and practices relating  
178.29 to tuition billing for special education and general education services provided to a student  
178.30 with a disability by a nonresident school district; cooperative as defined in Minnesota  
178.31 Statutes, section 123A.24, subdivision 2; or charter school, including a charter school that  
178.32 serves a high percentage of students with individualized education programs. The billing

179.1 costs considered must include special education costs, general education costs, facility costs,  
179.2 and access fees charged by a cooperative to a nonmember school district. The working  
179.3 group must review data from the Department of Education relating to special education  
179.4 services billed to resident school districts, third-party billing data, and other relevant data  
179.5 provided by school districts, cooperatives, charter schools, and families of children with  
179.6 individualized education programs.

179.7 (b) The working group must solicit input from the Department of Education including  
179.8 the School Finance Division, school districts, cooperatives, charter schools, special education  
179.9 school administrators, families of children with individualized education programs, and  
179.10 other interested stakeholders.

179.11 (c) The working group must determine what statutory changes to special education  
179.12 billing are necessary to adequately and equitably fund school districts, cooperatives, and  
179.13 charter schools in meeting the needs of students with individualized education programs.

179.14 Subd. 3. **Assistance.** (a) The Department of Education must provide the working group  
179.15 with all available data necessary to analyze special education billing costs to school districts,  
179.16 including the effect of potential changes to special education billing requirements.

179.17 (b) The Legislative Coordinating Commission must provide technical and administrative  
179.18 assistance to the working group upon request.

179.19 Subd. 4. **Recommendations; report.** The working group must issue a report to the  
179.20 governor and chairs and ranking minority members of the legislative committees with  
179.21 jurisdiction over kindergarten through grade 12 education by January 31, 2023.

179.22 Subd. 5. **Expiration.** The working group expires February 1, 2023.

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

179.24 Sec. 9. **SPECIFIC LEARNING DISABILITY; RULEMAKING.**

179.25 (a) The commissioner of education must begin the rulemaking process to amend  
179.26 Minnesota Rules, part 3525.1341, and establish a stakeholder workgroup to review current  
179.27 specific learning disabilities criteria by December 31, 2022. By June 20, 2023, the workgroup  
179.28 must make recommendations aligned with related state and federal requirements, including:

179.29 (1) removing discrepancy from criteria;

179.30 (2) developing a plan to operationalize changes to criteria to align with current best  
179.31 practices and address concerns of multiple stakeholder groups, including but not limited to

180.1 administrators, parents, educators, researchers, related services staff, advocates, lawyers,  
 180.2 and minority and immigrant groups;

180.3 (3) providing definitions and clarification of terms and procedures within existing  
 180.4 requirements;

180.5 (4) establishing the accountability process, including procedures and targets, for districts  
 180.6 and cooperatives to use in evaluating their progress toward implementation of the amended  
 180.7 rule; and

180.8 (5) developing an evaluation framework for measuring intended and unintended results  
 180.9 of amended criteria. Intended and unintended results may include overidentification and  
 180.10 underidentification of minorities, delays to referral and identification, transitioning from  
 180.11 developmental delay to specific learning disability, consistency of identification across  
 180.12 districts and the state, adding unnecessary paperwork, limiting team decision making, or  
 180.13 limiting access and progress with intensive and individualized special education support.

180.14 (b) Following the development of recommendations from the stakeholder workgroup,  
 180.15 the commissioner must proceed with the rulemaking process and recommended alignment  
 180.16 with other existing state and federal law completed by June 30, 2024.

180.17 (c) Concurrent with rulemaking, the commissioner must establish technical assistance  
 180.18 and training capacity on the amended criteria, and training and capacity building must begin  
 180.19 upon final approval of the amended rule through June 30, 2029.

180.20 (d) The amended rule must go into full effect no later than five years after the proposed  
 180.21 revised rules are approved by the administrative law judge.

180.22 Sec. 10. **APPROPRIATION.**

180.23 Subdivision 1. **Department of Education.** The sums in this section are appropriated  
 180.24 from the general fund to the commissioner of education in the fiscal years designated.

180.25 Subd. 2. **Paraprofessional training.** For compensation associated with paid orientation  
 180.26 and professional development for paraprofessionals under Minnesota Statutes, sections  
 180.27 125A.08 and 125A.755:

180.28 §       20,352,000   ..... 2023

180.29 Sec. 11. **LEGISLATIVE WORKING GROUP.**

180.30 \$23,000 in fiscal year 2023 is appropriated from the general fund to the director of the  
 180.31 Legislative Coordinating Commission for purposes of section 8.

181.1 **ARTICLE 6**

181.2 **HEALTH AND SAFETY**

181.3 Section 1. **[120B.239] SUBSTANCE MISUSE AWARENESS AND PREVENTION.**

181.4 Subdivision 1. Definitions. (a) For the purposes of this section, the terms defined in this  
181.5 subdivision have the meanings given.

181.6 (b) "Public school" means a school district or charter school.

181.7 (c) "Substance misuse" has the meaning given in section 254A.02, subdivision 6a.

181.8 Subd. 2. School instruction requirements. (a) A public school is strongly encouraged  
181.9 to provide substance misuse awareness and prevention instruction at least once to students  
181.10 in grades 6 through 8. A public school must use age-appropriate substance misuse prevention  
181.11 instructional materials. Substance misuse awareness and prevention instruction must include  
181.12 the role of social media in substance misuse and in the distribution of illegal drugs. The  
181.13 instruction may be provided as part of a public school's locally developed health standards  
181.14 and curriculum.

181.15 (b) A public school is strongly encouraged to provide substance misuse awareness and  
181.16 prevention instruction to students in grades 9 through 12.

181.17 (c) A public school is encouraged to use a peer-to-peer education program to provide  
181.18 substance misuse awareness and prevention instruction.

181.19 (d) Instruction provided under this section, including a peer-to-peer education program,  
181.20 must be evidence-based.

181.21 Sec. 2. Minnesota Statutes 2020, section 121A.031, subdivision 5, is amended to read:

181.22 Subd. 5. Safe and supportive schools programming. (a) ~~Districts and schools are~~  
181.23 ~~encouraged to provide developmentally appropriate programmatic instruction to help students~~  
181.24 ~~identify, prevent, and reduce prohibited conduct; value diversity in school and society;~~  
181.25 ~~develop and improve students' knowledge and skills for solving problems, managing conflict,~~  
181.26 ~~engaging in civil discourse, and recognizing, responding to, and reporting prohibited conduct;~~  
181.27 ~~and make effective prevention and intervention programs available to students. Upon request,~~  
181.28 ~~the school safety technical assistance center under section 127A.052 must assist a district~~  
181.29 ~~or school in helping students understand social media and cyberbullying.~~ Districts and  
181.30 schools must establish strategies for creating a positive school climate and use evidence-based  
181.31 social-emotional learning to prevent and reduce discrimination and other improper conduct.

181.32 (b) Districts and schools ~~are encouraged to~~ must:

- 182.1 (1) engage all students in creating a safe and supportive school environment;
- 182.2 (2) partner with parents and other community members to develop and implement
- 182.3 prevention and intervention programs;
- 182.4 (3) engage all students and adults in integrating education, intervention, and other
- 182.5 remedial responses into the school environment;
- 182.6 (4) train student bystanders to intervene in and report incidents of prohibited conduct to
- 182.7 the school's primary contact person;
- 182.8 (5) teach students to advocate for themselves and others;
- 182.9 (6) prevent inappropriate referrals to special education of students who may engage in
- 182.10 prohibited conduct; and
- 182.11 (7) foster student collaborations that foster a safe and supportive school climate.

182.12 Sec. 3. Minnesota Statutes 2020, section 121A.031, subdivision 6, is amended to read:

182.13 Subd. 6. **State model policy.** (a) The commissioner, in consultation with the

182.14 commissioner of human rights, shall develop and maintain a state model policy. A district

182.15 or school that does not adopt and implement a local policy under subdivisions 3 to 5 must

182.16 implement and may supplement the provisions of the state model policy. The commissioner

182.17 must assist districts and schools under this subdivision to implement the state policy. The

182.18 state model policy must:

- 182.19 (1) define prohibited conduct, consistent with this section;
- 182.20 (2) apply the prohibited conduct policy components in this section;
- 182.21 (3) for a child with a disability, whenever an evaluation by an individualized education
- 182.22 program team or a section 504 team indicates that the child's disability affects the child's
- 182.23 social skills development or the child is vulnerable to prohibited conduct because of the
- 182.24 child's disability, the child's individualized education program or section 504 plan may
- 182.25 address the skills and proficiencies the child needs to not engage in and respond to such
- 182.26 conduct; and
- 182.27 (4) encourage violence prevention and character development education programs under
- 182.28 section 120B.232, subdivision 1.

182.29 (b) The commissioner shall develop and post departmental procedures for:

- 182.30 (1) periodically reviewing district and school programs and policies for compliance with
- 182.31 this section, including evidence-based social-emotional learning;

183.1 (2) investigating, reporting, and responding to noncompliance with this section, which  
183.2 may include an annual review of plans to improve and provide a safe and supportive school  
183.3 climate; and

183.4 (3) allowing students, parents, and educators to file a complaint about noncompliance  
183.5 with the commissioner.

183.6 (c) The commissioner must post on the department's website information indicating that  
183.7 when districts and schools allow non-curriculum-related student groups access to school  
183.8 facilities, the district or school must give all student groups equal access to the school  
183.9 facilities regardless of the content of the group members' speech.

183.10 (d) The commissioner must develop and maintain resources to assist a district or school  
183.11 in implementing strategies for creating a positive school climate and use evidence-based,  
183.12 social-emotional learning to prevent and reduce discrimination and other improper conduct.

183.13 (e) The commissioner must develop and adopt state-level social-emotional learning  
183.14 standards.

183.15 **Sec. 4. [121A.0312] MALICIOUS AND SADISTIC CONDUCT.**

183.16 (a) A school board must adopt a written policy to address malicious and sadistic conduct  
183.17 involving race, gender, religion, disability, sexual harassment, sexual orientation, and sexual  
183.18 exploitation by a district or school staff member or student enrolled in a public or charter  
183.19 school against another staff member or student that occurs as described in section 121A.031,  
183.20 subdivision 1.

183.21 (b) The policy shall apply to students, teachers, administrators, and other school  
183.22 personnel, and include at a minimum the components under section 121A.031, subdivision  
183.23 4, paragraph (a), and disciplinary actions that will be taken for violation of the policy.  
183.24 Disciplinary actions must conform with collective bargaining agreements and sections  
183.25 121A.41 to 121A.56.

183.26 (c) The policy must be conspicuously posted throughout each school building, given to  
183.27 each district employee and independent contractor at the time of entering into the person's  
183.28 employment contract, and included in each school's student handbook on school policies.  
183.29 Each school must develop a process for discussing the school's policy addressing malicious  
183.30 and sadistic conduct involving race, gender, religion, disability, sexual harassment, sexual  
183.31 orientation, and sexual exploitation with students, parents of students, and school employees.

183.32 (d) For purposes of this section, "malicious and sadistic conduct" means creating a hostile  
183.33 learning environment by acting with the intent to cause harm by intentionally injuring

184.1 another without just cause or reason or engaging in extreme or excessive cruelty or delighting  
184.2 in cruelty.

184.3 **Sec. 5. [121A.07] CHILD ABUSE HOTLINE NUMBER.**

184.4 (a) To the extent funds or in-kind contributions are available under paragraph (b), a  
184.5 school board or charter school must display in a conspicuous place in each school building  
184.6 an easily readable durable poster of the national child abuse hotline number or otherwise  
184.7 communicate to students notice of the national child abuse hotline number.

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

184.10 **Sec. 6. [121A.224] OPIATE ANTAGONISTS.**

184.11 (a) A school district or charter school may maintain a supply of opiate antagonists, as  
184.12 defined in section 604A.04, subdivision 1, at each school site to be administered in  
184.13 compliance with section 151.37, subdivision 12.

184.14 (b) A school district or charter school may enter into arrangements with suppliers of  
184.15 opiate antagonists to obtain opiate antagonists at fair-market, free, or reduced prices. A third  
184.16 party, other than a supplier, may pay for a school's supply of opiate antagonists.

184.17 **EFFECTIVE DATE.** This section is effective July 1, 2022.

184.18 **Sec. 7. [121A.245] MENTAL HEALTH SCREENING.**

184.19 Subdivision 1. **Screening required.** A school district or charter school must develop a  
184.20 plan to conduct evidence-based mental health screenings on students in kindergarten through  
184.21 grade 12. This requirement applies to a district or charter school that has received funding  
184.22 under section 124D.901, to hire student support services personnel.

184.23 Subd. 2. **Parent notice.** (a) A district or charter school must notify a student's parent of  
184.24 the plan to conduct the screening, including the purpose of the screening and when the  
184.25 screening will be conducted. A district or charter school must not conduct a mental health  
184.26 screening on a student whose parent has not consented to the screening. "Parent" as used  
184.27 in this section has the meaning provided in section 120A.22, subdivision 3.

184.28 (b) If the results of a student's screening indicate a potential mental health condition, the  
184.29 district or charter school must notify the student's parent of the results and provide the parent  
184.30 a copy of the results and a list of resources available to the student in the school or  
184.31 community.



185.1 Subd. 3. **Commissioner assistance.** The commissioner of education may provide districts  
185.2 or charter schools with sample mental health screenings and other resources to assist them  
185.3 with implementing mental health screenings under this section.

185.4 Subd. 4. **Screening data.** (a) A school district or charter school must not use the results  
185.5 of mental health screenings to make any decision relating to the student's instruction or  
185.6 academic opportunities, or student discipline.

185.7 (b) Records relating to mental health screenings must be maintained in accordance with  
185.8 the Data Practices Act under chapter 13 and the Family Educational Rights and Privacy Act  
185.9 of 1974, United States Code, title 20, section 1232(g).

185.10 (c) Notwithstanding section 138.17, mental health screening data collected by a school  
185.11 district or charter school under this section must be destroyed the earlier of:

185.12 (1) the district or charter school notifying the student's parent of the results and resources  
185.13 available to the student in the school or community in accordance with subdivision 2; or

185.14 (2) 60 days from the date of collection.

185.15 Subd. 5. **Intermediate school districts and other cooperative units.** For purposes of  
185.16 this section, "school district" includes programs serving school age children operated by an  
185.17 intermediate school district or other cooperative unit defined in section 123A.24, subdivision  
185.18 2.

185.19 **EFFECTIVE DATE.** This section is effective July 1, 2022.

185.20 Sec. 8. **[124D.901] STUDENT SUPPORT PERSONNEL AID.**

185.21 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have  
185.22 the meanings given:

185.23 (1) "new position" means a student support services personnel full-time or part-time  
185.24 position not under contract by a school district, charter school, or cooperative unit at the  
185.25 start of the 2021-2022 school year; and

185.26 (2) "student support services personnel" means an individual licensed to serve as a school  
185.27 counselor, school psychologist, school social worker, school nurse, or chemical dependency  
185.28 counselor in Minnesota.

185.29 Subd. 2. **Purpose.** The purpose of student support personnel aid is to:

185.30 (1) address shortages of student support services personnel within Minnesota schools;

186.1 (2) decrease caseloads for existing student support services personnel to ensure effective  
186.2 services;

186.3 (3) ensure that students receive effective student support services and integrated and  
186.4 comprehensive services to improve prekindergarten through grade 12 academic, physical,  
186.5 social, and emotional outcomes supporting career and college readiness and effective school  
186.6 mental health services;

186.7 (4) ensure that student support services personnel serve within the scope and practice  
186.8 of their training and licensure;

186.9 (5) fully integrate learning supports, instruction, assessment, data-based decision making,  
186.10 and family and community engagement within a comprehensive approach that facilitates  
186.11 interdisciplinary collaboration; and

186.12 (6) improve student health, school safety, and school climate to support academic success  
186.13 and career and college readiness.

186.14 Subd. 3. **Aid eligibility and application.** A school district, charter school, intermediate  
186.15 school district, or other cooperative unit is eligible to apply for student support personnel  
186.16 aid under this section. The commissioner must prescribe the form and manner of the  
186.17 application, which must include a plan describing how the aid will be used.

186.18 Subd. 4. **Student support personnel aid.** (a) The initial student support personnel aid  
186.19 for a school district equals the greater of \$100 times the adjusted pupil units at the district  
186.20 for the current fiscal year or \$50,000. The initial student support personnel aid for a charter  
186.21 school equals \$100 times the adjusted pupil units at the charter school for the current fiscal  
186.22 year.

186.23 (b) The cooperative student support personnel aid for a school district that is a member  
186.24 of an intermediate school district or other cooperative unit that enrolls students equals \$6  
186.25 times the adjusted pupil units at the district for the current fiscal year. If a district is a member  
186.26 of more than one cooperative unit that enrolls students, the revenue must be allocated among  
186.27 the cooperative units.

186.28 (c) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not  
186.29 exceed the district or cooperative unit's actual expenditure according to the approved plan  
186.30 under subdivision 3.

186.31 Subd. 5. **Allowed uses; match requirements.** (a) Cooperative student support personnel  
186.32 aid must be transferred to the intermediate district or other cooperative unit of which the

187.1 district is a member and used to hire new positions for student support services personnel  
187.2 at the intermediate district or cooperative unit.

187.3 (b) If a school district, charter school, or cooperative unit does not receive at least two  
187.4 applications and is not able to hire a new full-time equivalent position with student support  
187.5 personnel aid, the aid may be used for contracted services from individuals licensed to serve  
187.6 as a school counselor, school psychologist, school social worker, school nurse, or chemical  
187.7 dependency counselor in Minnesota.

187.8 Subd. 6. **Support personnel pipeline.** An account is established in the special revenue  
187.9 fund known as the "school support personnel pipeline account." Funds appropriated for the  
187.10 school support personnel pipeline program must be transferred to the school support personnel  
187.11 pipeline account in the special revenue fund. Money in the account is appropriated to the  
187.12 commissioner for developing a student support personnel workforce pipeline focused on  
187.13 workforce development strategies to increase providers of color and Indigenous providers,  
187.14 professional re-specialization, recruitment, and retention; to increase the number of student  
187.15 support personnel providing school-based services; and to provide a licensed school nurse  
187.16 position at the Department of Education.

187.17 Subd. 7. **Report required.** By February 1 following any fiscal year in which student  
187.18 support personnel aid was received, a school district, charter school, or cooperative unit  
187.19 must submit a written report to the commissioner indicating how the new position affected  
187.20 two or more of the following measures:

187.21 (1) school climate;

187.22 (2) student health;

187.23 (3) attendance rates;

187.24 (4) academic achievement;

187.25 (5) career and college readiness; and

187.26 (6) postsecondary completion rates.

187.27 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

187.28 Sec. 9. **[127A.21] COMPREHENSIVE SCHOOL MENTAL HEALTH SERVICES**  
187.29 **LEADS.**

187.30 Subdivision 1. **Lead position established.** The department must employ two leads to  
187.31 serve as a source of information and support for schools in addressing the mental health  
187.32 needs of students, teachers, and school staff, and developing comprehensive school mental

188.1 health systems in school districts and charter schools. One lead must work on addressing  
188.2 the mental health needs of students and the other lead must work on addressing the mental  
188.3 health needs of teachers and other school staff.

188.4 Subd. 2. Assistance to districts. (a) The leads must, upon request, assist schools in  
188.5 assessing the quality of their comprehensive school mental health systems and developing  
188.6 improvement plans to implement evidence-based mental health resources, tools, and practices  
188.7 in school districts and charter schools throughout Minnesota.

188.8 (b) The leads must establish a clearinghouse and provide information and resources for  
188.9 school districts, charter schools, teachers, and families to support students', teachers', and  
188.10 school staff's mental health needs.

188.11 (c) The leads must work with school districts and charter schools to improve mental  
188.12 health infrastructure support by:

188.13 (1) developing guidance and sharing resources on improving the quality of comprehensive  
188.14 school mental health systems;

188.15 (2) developing and sharing resources on evidence-based strategies, behavioral  
188.16 interventions, and practices or techniques for addressing mental health needs, including  
188.17 implementing a comprehensive approach to suicide prevention;

188.18 (3) facilitating coordination and cooperation to enable school districts and charter schools  
188.19 to share strategies, challenges, and successes associated with supporting the mental health  
188.20 needs of students, teachers, and staff;

188.21 (4) providing advice, upon request, to schools on implementing trauma-informed and  
188.22 culturally responsive school-based programs that provide prevention or intervention services  
188.23 to students, teachers, and staff;

188.24 (5) aligning resources among the different state agencies, including the Department of  
188.25 Education, Department of Human Services, and Department of Health, to ensure school  
188.26 mental health systems can efficiently access state resources; and

188.27 (6) maintaining a comprehensive list of resources on the Department of Education website  
188.28 that schools may use to address students', teachers', and staff's mental health needs, including  
188.29 grant opportunities; community-based prevention and intervention services; model policies;  
188.30 written publications that schools may distribute to students, teachers, and staff; professional  
188.31 development opportunities; best practices; and other resources for mental health education  
188.32 under section 120B.21.

189.1 (d) The leads may report to the legislature as necessary regarding students', teachers',  
189.2 and school staff's mental health needs, challenges in developing comprehensive school  
189.3 mental health services, successful strategies and outcomes, and recommendations for  
189.4 integrating mental health services and supports in schools.

189.5 Subd. 3. **Coordination with other agencies.** The comprehensive school mental health  
189.6 services lead must consult with the Regional Centers of Excellence, the Department of  
189.7 Health, the Department of Human Services, the Minnesota School Safety Center, and other  
189.8 federal, state, and local agencies as necessary to identify or develop information, training,  
189.9 and resources to help school districts and charter schools support students', teachers', and  
189.10 school staff's mental health needs.

189.11 **EFFECTIVE DATE.** This section is effective July 1, 2022.

189.12 Sec. 10. **APPROPRIATIONS.**

189.13 Subdivision 1. **Department of Education.** The sum indicated in this section is  
189.14 appropriated from the general fund to the Department of Education for the fiscal year  
189.15 designated.

189.16 Subd. 2. **Comprehensive school mental health services leads.** (a) For the comprehensive  
189.17 school mental health services lead under Minnesota Statutes, section 127A.21:

189.18     \$        226,000    .....  2023

189.19 (b) The base for fiscal year 2024 and later is \$301,000.

189.20 Subd. 3. **Level 4 special education sites mental health grants.** (a) For transfer to the  
189.21 commissioner of human services for additional school-linked mental health grants:

189.22     \$        9,000,000    .....  2023

189.23 (b) Of the appropriations in paragraph (a), up to \$3,500,000 is for grants to eligible  
189.24 providers for programs established under Laws 2017, First Special Session chapter 5, article  
189.25 2, section 56.

189.26 (c) Up to \$5,500,000 is for grants to eligible providers serving students in other federal  
189.27 instructional setting level 4 special education sites.

189.28 (d) If any funds remain, the commissioner of human services may increase grant awards  
189.29 under paragraph (b) and award additional grants to other eligible providers for school-linked  
189.30 mental health services.

190.1 (e) The commissioner of human services may designate a portion of the awards granted  
 190.2 under this subdivision for school staff development activities for licensed and unlicensed  
 190.3 staff supporting families in meeting their children's needs, including assistance navigating  
 190.4 the health care, social service, and juvenile justice systems.

190.5 (f) The annual budget base for this program is \$9,000,000.

190.6 Subd. 4. Student support personnel pipeline. (a) For the school support personnel  
 190.7 pipeline program under section 124D.901:

190.8 \$ 9,000,000 ..... 2023

190.9 (b) The base for fiscal year 2024 is \$1,500,000, and \$1,500,000 for fiscal year 2025.

190.10 Subd. 5. Student support personnel aid. (a) For aid to support schools in addressing  
 190.11 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

190.12 \$ 95,862,000 ..... 2023

190.13 (b) The 2023 appropriation includes \$95,862,000 for 2023. This is based on an entitlement  
 190.14 of \$106,513,000.

190.15 (c) The base for fiscal year 2024 and later is \$106,336,000.

## 190.16 ARTICLE 7

### 190.17 FACILITIES

190.18 Section 1. Minnesota Statutes 2020, section 123B.595, is amended to read:

#### 190.19 **123B.595 LONG-TERM FACILITIES MAINTENANCE REVENUE.**

190.20 Subdivision 1. **Long-term facilities maintenance revenue.** ~~(a) For fiscal year 2017~~  
 190.21 ~~only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$193~~  
 190.22 ~~times the district's adjusted pupil units times the lesser of one or the ratio of the district's~~  
 190.23 ~~average building age to 35 years, plus the cost approved by the commissioner for indoor~~  
 190.24 ~~air quality, fire alarm and suppression, and asbestos abatement projects under section~~  
 190.25 ~~123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (ii) for a~~  
 190.26 ~~school district with an approved voluntary prekindergarten program under section 124D.151,~~  
 190.27 ~~the cost approved by the commissioner for remodeling existing instructional space to~~  
 190.28 ~~accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would~~  
 190.29 ~~have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes~~  
 190.30 ~~2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school~~  
 190.31 ~~district with an approved voluntary prekindergarten program under section 124D.151, the~~

191.1 cost approved by the commissioner for remodeling existing instructional space to  
191.2 accommodate prekindergarten instruction.

191.3 ~~(b) For fiscal year 2018 only, long-term facilities maintenance revenue equals the greater~~  
191.4 ~~of (1) the sum of (i) \$292 times the district's adjusted pupil units times the lesser of one or~~  
191.5 ~~the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the~~  
191.6 ~~commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement~~  
191.7 ~~projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more~~  
191.8 ~~per site, plus (iii) for a school district with an approved voluntary prekindergarten program~~  
191.9 ~~under section 124D.151, the cost approved by the commissioner for remodeling existing~~  
191.10 ~~instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the~~  
191.11 ~~amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57,~~  
191.12 ~~Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591,~~  
191.13 ~~and (ii) for a school district with an approved voluntary prekindergarten program under~~  
191.14 ~~section 124D.151, the cost approved by the commissioner for remodeling existing~~  
191.15 ~~instructional space to accommodate prekindergarten instruction.~~

191.16 ~~(e)~~ (a) For fiscal year ~~2019~~ 2022 and later, long-term facilities maintenance revenue  
191.17 equals the greater of (1) the sum of (i) ~~\$380~~ the long-term facilities maintenance allowance  
191.18 ~~times the district's adjusted pupil units times the lesser of one or the ratio of the district's~~  
191.19 ~~average building age to 35 years, plus~~ district's building age index, (ii) the cost approved  
191.20 by the commissioner for indoor air quality, fire alarm and suppression, and asbestos  
191.21 abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000  
191.22 or more per site, ~~plus~~ and (iii) for a school district with an approved voluntary prekindergarten  
191.23 program under section 124D.151, the cost approved by the commissioner for remodeling  
191.24 existing instructional space to accommodate prekindergarten instruction, or (2) the sum of  
191.25 (i) the amount the district would have qualified for under Minnesota Statutes 2014, section  
191.26 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section  
191.27 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program  
191.28 under section 124D.151, the cost approved by the commissioner for remodeling existing  
191.29 instructional space to accommodate prekindergarten instruction.

191.30 ~~(d)~~ (b) Notwithstanding ~~paragraphs~~ paragraph (a), ~~(b)~~, and ~~(c)~~, a school district that  
191.31 qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1,  
191.32 paragraph (a), for fiscal year 2010 remains eligible for funding under this section as a district  
191.33 that would have qualified for eligibility under Minnesota Statutes 2014, section 123B.59,  
191.34 subdivision 1, paragraph (a), for fiscal year 2017 and later.

192.1 (c) For purposes of this section, a district's building age index for fiscal years 2022 and  
192.2 2023 equals the lesser of one or the ratio of the district's average building age to 35. For  
192.3 fiscal year 2024 and later, a district's building age index equals one.

192.4 (d) The long-term facilities maintenance allowance is \$380 for fiscal years 2022 and  
192.5 2023. For fiscal year 2024 and later, the long-term facilities maintenance allowance equals  
192.6 the product of \$380 times the ratio of the formula allowance under section 126C.10,  
192.7 subdivision 2, for the current fiscal year to the formula allowance under section 126C.10,  
192.8 subdivision 2, for fiscal year 2023.

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

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

192.14 ~~(e) For fiscal year 2019 and later,~~ (a) Long-term facilities maintenance revenue for a  
192.15 charter school equals ~~\$132~~ charter school long-term facilities maintenance allowance times  
192.16 the adjusted pupil units.

192.17 (b) The charter school long-term facilities maintenance allowance is \$132 for fiscal  
192.18 years 2022 and 2023. For fiscal year 2024 and later, the charter school long-term facilities  
192.19 maintenance allowance equals the product of \$132 times the ratio of the formula allowance  
192.20 under section 126C.10, subdivision 2, for the current fiscal year to the formula allowance  
192.21 under section 126C.10, subdivision 2, for fiscal year 2023.

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

192.31 **Subd. 4. Facilities plans.** (a) To qualify for revenue under this section, a school district  
192.32 or intermediate district, not including a charter school, must have a ten-year facility plan  
192.33 adopted by the school board and approved by the commissioner. The plan must include  
192.34 provisions for implementing a health and safety program that complies with health, safety,



193.1 and environmental regulations and best practices, including indoor air quality management  
193.2 and remediation of lead hazards.

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

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

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

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

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

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

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

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

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

194.1 Subd. 7. **Long-term facilities maintenance equalization revenue.** ~~(a) For fiscal year~~  
 194.2 ~~2017 only, a district's long-term facilities maintenance equalization revenue equals the lesser~~  
 194.3 ~~of (1) \$193 times the adjusted pupil units or (2) the district's revenue under subdivision 1.~~

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

194.7 ~~(c)~~ (a) For fiscal year ~~2019~~ 2022 and later, a district's long-term facilities maintenance  
 194.8 equalization revenue equals the lesser of (1) ~~\$380~~ the long-term facilities maintenance  
 194.9 allowance times the adjusted pupil units or (2) the district's revenue under subdivision 1.

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

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

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

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

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

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

194.31 Subd. 9. **Long-term facilities maintenance equalized aid.** ~~For fiscal year 2017 and~~  
 194.32 ~~later,~~ A district's long-term facilities maintenance equalized aid equals its long-term facilities

195.1 maintenance equalization revenue minus its long-term facilities maintenance equalized levy  
195.2 times the ratio of the actual equalized amount levied to the permitted equalized levy.

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

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

195.7 (2) increasing accessibility of school facilities;

195.8 (3) health and safety capital projects under section 123B.57; ~~or~~

195.9 (4) by board resolution, to transfer money from the general fund reserve for long-term  
195.10 facilities maintenance to the debt redemption fund to pay the amounts needed to meet, when  
195.11 due, principal and interest on general obligation bonds issued under subdivision 5; or

195.12 (5) by annual board resolution, to transfer money from the general fund reserve for  
195.13 long-term facilities maintenance to the reserve for operating capital.

195.14 (b) A charter school may use revenue under this section for any purpose related to the  
195.15 school.

195.16 **Subd. 11. Restrictions on long-term facilities maintenance revenue.** Notwithstanding  
195.17 subdivision 10, long-term facilities maintenance revenue may not be used:

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

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

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

195.25 (4) for violence prevention and facility security, ergonomics, or emergency  
195.26 communication devices.

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

195.30 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

196.1 Sec. 2. Laws 2021, First Special Session chapter 13, article 7, section 2, subdivision 3, is  
196.2 amended to read:

196.3 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities  
196.4 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

196.5		<del>108,582,000</del>		
196.6	\$	<u>107,837,000</u>	.....	2022
196.7		<del>111,077,000</del>		
196.8	\$	<u>110,014,000</u>	.....	2023

196.9 The 2022 appropriation includes \$10,660,000 for 2021 and ~~\$97,922,000~~ \$97,177,000  
196.10 for 2022.

196.11 The 2023 appropriation includes ~~\$10,880,000~~ \$10,797,000 for 2022 and ~~\$100,197,000~~  
196.12 \$99,217,000 for 2023.

196.13 Sec. 3. **FUND TRANSFER; BURNSVILLE-EAGAN-SAVAGE SCHOOL DISTRICT.**

196.14 (a) Notwithstanding Minnesota Statutes, section 123B.51, subdivision 4, paragraph (b),  
196.15 or any law to the contrary, any remaining net proceeds received by the district in connection  
196.16 with a lease of real property that is not needed for school purposes or part of the property  
196.17 that is not needed for school purposes permitted under Minnesota Statutes, section 123B.51,  
196.18 subdivision 4, paragraph (a), which property the school board of Independent School District  
196.19 No. 191, Burnsville-Eagan-Savage, has specifically identified in its open facilities action  
196.20 plan, may be deposited in the district's general unrestricted fund following the deposit of  
196.21 such proceeds in the debt retirement fund of the district in an amount sufficient to meet  
196.22 when due that percentage of the principal and interest payments for outstanding bonds that  
196.23 is ascribable to the payment of expenses necessary and incidental to the construction or  
196.24 purchase of the particular building or property that is leased.

196.25 (b) Notwithstanding Minnesota Statutes, section 123B.51, subdivision 6, paragraphs (c)  
196.26 through (f), or any law to the contrary, any remaining proceeds of the sale or exchange of  
196.27 school buildings or real property of Independent School District No. 191,  
196.28 Burnsville-Eagan-Savage, specifically identified in the district's open facilities action plan  
196.29 may be deposited in the district's general unrestricted fund following application of such  
196.30 proceeds, as required under Minnesota Statutes, section 123B.51, subdivision 6, paragraph  
196.31 (b).

196.32 **EFFECTIVE DATE.** This section is effective upon compliance by Independent School  
196.33 District No. 191, Burnsville-Eagan-Savage, with Minnesota Statutes, section 645.021,  
196.34 subdivisions 2 and 3.

197.1 Sec. 4. **LEASE LEVY FOR TRANSPORTATION HUB FOR EASTERN CARVER**  
197.2 **COUNTY SCHOOL DISTRICT.**

197.3 Notwithstanding Minnesota Statutes, section 126C.40, subdivision 1, Independent School  
197.4 District No. 112, Eastern Carver County Schools, may lease a transportation hub under  
197.5 Minnesota Statutes, section 126C.40, subdivision 1, if the district demonstrates to the  
197.6 satisfaction of the commissioner of education that the transportation hub will result in  
197.7 significant financial savings for the school district. Levy authority under this section must  
197.8 not exceed the total levy authority under Minnesota Statutes, section 126C.40, subdivision  
197.9 1, paragraph (e).

197.10 **EFFECTIVE DATE.** This section is effective for taxes payable in 2023 and later.

197.11 **ARTICLE 8**

197.12 **NUTRITION AND LIBRARIES**

197.13 Section 1. **[124D.1112]COMMUNITY ELIGIBILITY PROVISION**  
197.14 **PARTICIPATION; TECHNICAL ASSISTANCE; COMPENSATORY REVENUE**  
197.15 **ADJUSTMENT.**

197.16 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
197.17 the meanings given.

197.18 (b) "Community eligibility provision" means the reimbursement option available for the  
197.19 national school lunch program and national school breakfast program, as defined under  
197.20 Code of Federal Regulations, title 7, section 245.9.

197.21 (c) "Community-eligibility qualifying school" means a school that, as determined by  
197.22 the Department of Education by April 1 of each year, meets the eligibility criteria specified  
197.23 in Code of Federal Regulations, title 7, section 245.9, for participation in the community  
197.24 eligibility provision. A school meets the eligibility criteria if the department determines it  
197.25 qualifies to do so as an individual school, as part of an entire local educational agency, or  
197.26 as part of a group of schools within a local educational agency, as defined under Code of  
197.27 Federal Regulations, title 7, section 245.9(f).

197.28 (d) "Full-reimbursement qualifying school" means a community-eligibility qualifying  
197.29 school that, as determined by the department by April 1 of each year, has an identified  
197.30 student percentage sufficient to allow the school to claim reimbursement through the  
197.31 community eligibility provision at the applicable federal free rate for all meals served within  
197.32 the school as part of the national school lunch program and national school breakfast program.  
197.33 A school satisfies this definition if the department determines that it meets this criteria as

198.1 an individual school, part of an entire local educational agency, or part of a group of schools  
198.2 within a local educational agency, as defined under Code of Federal Regulations, title 7,  
198.3 section 245.9(f).

198.4 (e) "Identified student" and "identified student percentage" have the meanings as defined  
198.5 under Code of Federal Regulations, title 7, section 245.9.

198.6 (f) "Local educational agency" has the meaning as defined under Code of Federal  
198.7 Regulations, title 7, section 245.2.

198.8 (g) "National school breakfast program" means the nonprofit breakfast program  
198.9 established by section 4 of the Child Nutrition Act of 1966, as defined under United States  
198.10 Code, title 42, section 1773.

198.11 (h) "National school lunch program" means the nonprofit lunch program established  
198.12 under the Richard B. Russell National School Lunch Act, as defined under United States  
198.13 Code, title 42, section 1751, et seq.

198.14 Subd. 2. **Purpose.** The purposes of this section are to leverage federal funding through  
198.15 the community eligibility provision to support students in achieving their academic potential,  
198.16 provide students with increased access to nutritious options while they are developing  
198.17 lifelong eating habits, and reduce stigma associated with receiving free school meals and  
198.18 ensure that a school site's compensatory revenue is not negatively affected by the school's  
198.19 participation in the community eligibility provision program.

198.20 Subd. 3. **Department duties.** (a) In addition to fulfilling any other applicable state and  
198.21 federal requirements, the department must provide to each local educational agency a list  
198.22 of schools as defined under Code of Federal Regulations, title 7, section 245.9(f)(5), within  
198.23 the prescribed time frame, and must gather the information necessary to compile this list.  
198.24 A local education agency is exempt from the requirement to submit this information to the  
198.25 state.

198.26 (b) Within the time frame described in paragraph (a), the department must notify local  
198.27 educational agencies with one or more community-eligibility qualifying schools that are  
198.28 not full-reimbursement qualifying schools of the option to elect, for any such schools,  
198.29 national school lunch program and national school breakfast program meal reimbursement  
198.30 through the community eligibility provision.

198.31 (c) Within the time frame described in paragraph (a), the department must:

198.32 (1) identify full-reimbursement qualifying schools;

199.1 (2) provide each local educational agency with one or more full-reimbursement qualifying  
199.2 schools a list of those schools; and

199.3 (3) notify those local educational agencies of the obligation to elect for any qualifying  
199.4 schools national school lunch program and national school breakfast program meal  
199.5 reimbursement through the community eligibility provision.

199.6 (d) The department must ensure appropriate reimbursement rates for schools and districts  
199.7 using the community eligibility provision.

199.8 (e) If a school or district is ineligible to receive reimbursement through the community  
199.9 eligibility provision, the department must assist the school or district, if feasible, in achieving  
199.10 eligibility.

199.11 (f) The department must conduct an annual review to identify local educational agencies  
199.12 that have not fully complied with subdivision 5 and provide notification of that determination  
199.13 to the relevant local educational agencies within 30 days of making that determination.

199.14 Subd. 4. **Technical assistance.** The department must provide technical assistance to a  
199.15 local educational agency with one or more community-eligibility qualifying schools to assist  
199.16 them in meeting any state and federal requirements necessary in order to receive  
199.17 reimbursement through the community eligibility provision

199.18 Subd. 5. **Community eligibility provision; required participation; exemption.** (a)  
199.19 Except as provided otherwise by this section, effective in the 2023-2024 school year and  
199.20 every school year thereafter, each school that is qualified for full reimbursement must  
199.21 participate in the community eligibility provision in the subsequent school year and  
199.22 throughout the duration of the community eligibility provision's four-year cycle.

199.23 (b) Schools that, through an arrangement with a local entity, provide meals to all students  
199.24 and at no cost to the students are exempt from the requirements of this section.

199.25 Subd. 6. **Reporting obligations for noncompliant full-reimbursement qualifying**  
199.26 **schools.** A local agency with one or more schools that qualify for full reimbursement that  
199.27 fails to comply with subdivision 5 must respond to a notification of noncompliance from  
199.28 the department within 60 days of receipt of the notification. The response must include a  
199.29 report available to the local school board and the public on any obstacles to participation  
199.30 that contributed to the noncompliance and plans to ensure compliance for the following  
199.31 school year.

200.1 Sec. 2. Minnesota Statutes 2020, section 124D.119, is amended to read:

200.2 **124D.119 SUMMER FOOD SERVICE REPLACEMENT AID PROGRAM AND**  
200.3 **CHILD AND ADULT CARE FOOD PROGRAM.**

200.4 **Subdivision 1. Summer Food Service Program replacement aid.** States State funds  
200.5 are available to compensate department-approved Summer Food Service Program sponsors.  
200.6 Reimbursement shall be made on December 15 based on total meals served by each sponsor  
200.7 from the end of the school year to the beginning of the next school year on a pro rata basis.

200.8 **Subd. 2. Child and Adult Care Food Program and Summer Food Service Program**  
200.9 **sponsor organizations.** Legally distinct Child and Adult Care Food Program and Summer  
200.10 Food Service Program sites may transfer sponsoring organizations no more than once per  
200.11 year, except under extenuating circumstances including termination of the sponsoring  
200.12 organization's agreement or other circumstances approved by the Department of Education.

200.13 **Subd. 3. Child and Adult Care Food Program and Summer Food Service Program**  
200.14 **training.** Prior to applying to sponsor a Child and Adult Care Food Program or Summer  
200.15 Food Service Program site, a nongovernmental organization applicant must provide  
200.16 documentation to the Department of Education verifying that staff members have completed  
200.17 program-specific training as designated by the commissioner.

200.18 **Subd. 4. Summer Food Service Program locations.** Consistent with Code of Federal  
200.19 Regulations, title 7, section 225.6(d)(1)(ii), the Department of Education must not approve  
200.20 a new Summer Food Service Program open site that is within a half-mile radius of an existing  
200.21 Summer Food Service Program open site, except the department may approve a new Summer  
200.22 Food Service Program open site within a half-mile radius if the new program will not be  
200.23 servicing the same group of children for the same meal type.

200.24 Sec. 3. **[124D.901] SCHOOL LIBRARIES AND MEDIA CENTERS.**

200.25 A school district or charter school library or school library media center provides equitable  
200.26 and free access to students, teachers, and administrators. A school library or school library  
200.27 media center is defined as having the following characteristics:

200.28 (1) ensures every student has equitable access to resources and is able to locate, access,  
200.29 and use resources that are organized and cataloged;

200.30 (2) has a collection development plan that includes but is not limited to materials selection  
200.31 and de-selection, a challenged materials procedure, and an intellectual and academic freedom  
200.32 statement;



- 201.1 (3) is housed in a central location that provides an environment for expanded learning  
201.2 and supports a variety of student interests;
- 201.3 (4) has technology and Internet access; and
- 201.4 (5) is served by a licensed school library media specialist or licensed school librarian.

201.5 Sec. 4. Minnesota Statutes 2021 Supplement, section 126C.05, subdivision 3, is amended  
201.6 to read:

201.7 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must  
201.8 be computed according to this subdivision.

201.9 (a) The compensation revenue concentration percentage for each building in a district  
201.10 equals the product of 100 times the ratio of:

201.11 (1) the sum of the number of pupils enrolled in the building eligible to receive free ~~lunch~~  
201.12 meals plus one-half of the pupils eligible to receive ~~reduced-priced lunch~~ reduced-price  
201.13 meals on October 1 of the previous fiscal year; to

201.14 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal  
201.15 year.

201.16 (b) The compensation revenue pupil weighting factor for a building equals the lesser of  
201.17 one or the quotient obtained by dividing the building's compensation revenue concentration  
201.18 percentage by 80.0.

201.19 (c) The compensation revenue pupil units for a building equals the product of:

201.20 (1) the sum of the number of pupils enrolled in the building eligible to receive free ~~lunch~~  
201.21 meals and one-half of the pupils eligible to receive ~~reduced-priced lunch~~ reduced-price  
201.22 meals on October 1 of the previous fiscal year; times

201.23 (2) the compensation revenue pupil weighting factor for the building; times

201.24 (3) .60.

201.25 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under  
201.26 section 124D.151, charter schools, and contracted alternative programs in the first year of  
201.27 operation, compensation revenue pupil units shall be computed using data for the current  
201.28 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative  
201.29 program begins operation after October 1, compensatory revenue pupil units shall be  
201.30 computed based on pupils enrolled on an alternate date determined by the commissioner,

202.1 and the compensation revenue pupil units shall be prorated based on the ratio of the number  
202.2 of days of student instruction to 170 days.

202.3 (e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued  
202.4 in fiscal year 2024 due to the reduction in the participation limit under section 124D.151,  
202.5 subdivision 6, those discontinued seats must not be used to calculate compensation revenue  
202.6 pupil units for fiscal year 2024.

202.7 (f) The percentages in this subdivision must be based on the count of individual pupils  
202.8 and not on a building average or minimum.

202.9 (g) For fiscal year 2023 and later, for a school participating in the community eligibility  
202.10 provision program or special assistance program under section 11(a)(1), of the Richard B.  
202.11 Russell National School Lunch Act, United States Code, title 42, section 1759a, compensatory  
202.12 revenue under section 126C.10, subdivision 3, equals the greatest of the amount determined  
202.13 using:

202.14 (1) the pupil counts according to paragraphs (a) to (f) for the year specified;

202.15 (2) the pupil counts for the year specified in paragraphs (b) to (f) and the compensation  
202.16 revenue concentration percentages from paragraph (a) for the pupil count from the fall of  
202.17 2019; or

202.18 (3) the pupil counts for the year specified in paragraphs (b) to (f) and the compensation  
202.19 revenue concentration percentages from paragraph (a) for the pupil count from the fall of  
202.20 the year preceding the school's participation in the four-year community eligibility provision  
202.21 program.

202.22 Sec. 5. Minnesota Statutes 2020, section 134.31, subdivision 1, is amended to read:

202.23 Subdivision 1. **Library service.** The state shall, as an integral part of its responsibility  
202.24 for public education, support the provision of library service for every ~~citizen~~ resident, the  
202.25 development of cooperative programs for the sharing of resources and services among all  
202.26 libraries, and the establishment of jointly operated library services at a single location where  
202.27 appropriate.

202.28 Sec. 6. Minnesota Statutes 2020, section 134.31, subdivision 4a, is amended to read:

202.29 Subd. 4a. **Services to people with visual and physical disabilities.** The Minnesota  
202.30 Department of Education shall provide specialized services to people with visual and physical  
202.31 disabilities through the Minnesota Braille and Talking Book Library under a cooperative

203.1 plan with the National Library ~~Services~~ Service for the Blind and ~~Physically Handicapped~~  
203.2 ~~of the Library of Congress~~ Print Disabled.

203.3 Sec. 7. Minnesota Statutes 2020, section 134.32, subdivision 4, is amended to read:

203.4 Subd. 4. **Special project grants.** It may provide special project grants to assist innovative  
203.5 and experimental library programs including, but not limited to, special services for American  
203.6 Indians and ~~the Spanish-speaking~~ English language learners, delivery of library materials  
203.7 to homebound persons, other extensions of library services to persons without access to  
203.8 libraries and projects to strengthen and improve library services.

203.9 Sec. 8. Minnesota Statutes 2020, section 134.34, subdivision 1, is amended to read:

203.10 Subdivision 1. **Local support levels.** (a) Regional library basic system support aid shall  
203.11 be provided to any regional public library system where there are at least three participating  
203.12 counties and where each participating city and county is providing for public library service  
203.13 support the lesser of (a) an amount equivalent to .82 percent of the average of the adjusted  
203.14 net tax capacity of the taxable property of that city or county, as determined by the  
203.15 commissioner of revenue for the second, third, and fourth year preceding that calendar year  
203.16 or (b) a per capita amount calculated under the provisions of this subdivision. The per capita  
203.17 amount is established for calendar year 1993 as \$7.62. In succeeding calendar years, the  
203.18 per capita amount shall be increased by a percentage equal to one-half of the percentage by  
203.19 which the total state adjusted net tax capacity of property as determined by the commissioner  
203.20 of revenue for the second year preceding that calendar year increases over that total adjusted  
203.21 net tax capacity for the third year preceding that calendar year.

203.22 (b) The minimum level of support specified under this subdivision or subdivision 4 shall  
203.23 be certified annually to the participating cities and counties by the Department of Education.  
203.24 If a city or county chooses to reduce its local support in accordance with subdivision 4,  
203.25 paragraph (b) or (c), it shall notify its regional public library system. The regional public  
203.26 library system shall notify the Department of Education that a revised certification is required.  
203.27 The revised minimum level of support shall be certified to the city or county by the  
203.28 Department of Education.

203.29 (c) A city which is a part of a regional public library system shall not be required to  
203.30 provide this level of support if the property of that city is already taxable by the county for  
203.31 the support of that regional public library system. In no event shall the Department of  
203.32 Education require any city or county to provide a higher level of support than the level of  
203.33 support specified in this section in order for a system to qualify for regional library basic

204.1 system support aid. This section shall not be construed to prohibit a city or county from  
204.2 providing a higher level of support for public libraries than the level of support specified  
204.3 in this section.

204.4 (d) The amounts required to be expended under this section are subject to the reduced  
204.5 maintenance of effort requirements in section 275.761.

204.6 Sec. 9. Minnesota Statutes 2020, section 134.355, subdivision 5, is amended to read:

204.7 Subd. 5. **Base aid distribution.** ~~Five~~ Fifteen percent of the available aid funds shall be  
204.8 paid to each system as base aid for basic system services.

204.9 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2023 and  
204.10 later.

204.11 Sec. 10. Minnesota Statutes 2020, section 134.355, subdivision 6, is amended to read:

204.12 Subd. 6. **Adjusted net tax capacity per capita distribution.** ~~Twenty-five~~ Fifteen percent  
204.13 of the available aid funds shall be distributed to regional public library systems based upon  
204.14 the adjusted net tax capacity per capita for each member county or participating portion of  
204.15 a county as calculated for the ~~second~~ third year preceding the fiscal year for which aid is  
204.16 provided. Each system's entitlement shall be calculated as follows:

204.17 ~~(a)~~ (1) multiply the adjusted net tax capacity per capita for each county or participating  
204.18 portion of a county by .0082;

204.19 ~~(b)~~ (2) add sufficient aid funds that are available under this subdivision to raise the  
204.20 amount of the county or participating portion of a county with the lowest value calculated  
204.21 according to ~~paragraph (a)~~ clause (1) to the amount of the county or participating portion  
204.22 of a county with the next highest value calculated according to ~~paragraph (a)~~ clause (1).  
204.23 Multiply the amount of the additional aid funds by the population of the county or  
204.24 participating portion of a county;

204.25 ~~(c)~~ (3) continue the process described in ~~paragraph (b)~~ clause (2) by adding sufficient  
204.26 aid funds that are available under this subdivision to the amount of a county or participating  
204.27 portion of a county with the next highest value calculated in ~~paragraph (a)~~ clause (1) to raise  
204.28 it and the amount of counties and participating portions of counties with lower values  
204.29 calculated in ~~paragraph (a)~~ clause (1) up to the amount of the county or participating portion  
204.30 of a county with the next highest value, until reaching an amount where funds available  
204.31 under this subdivision are no longer sufficient to raise the amount of a county or participating  
204.32 portion of a county and the amount of counties and participating portions of counties with

205.1 lower values up to the amount of the next highest county or participating portion of a county;  
205.2 and

205.3 ~~(d)~~ (4) if the point is reached using the process in ~~paragraphs (b) and (c)~~ clauses (2) and  
205.4 (3) at which the remaining aid funds under this subdivision are not adequate for raising the  
205.5 amount of a county or participating portion of a county and all counties and participating  
205.6 portions of counties with amounts of lower value to the amount of the county or participating  
205.7 portion of a county with the next highest value, those funds are to be divided on a per capita  
205.8 basis for all counties or participating portions of counties that received aid funds under the  
205.9 calculation in ~~paragraphs (b) and (c)~~ clauses (2) and (3).

205.10 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2023 and  
205.11 later.

205.12 Sec. 11. Minnesota Statutes 2020, section 134.355, subdivision 7, is amended to read:

205.13 Subd. 7. **Population determination.** A regional public library system's population shall  
205.14 be determined according to must be calculated using the most recent estimate available  
205.15 under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which  
205.16 must be by April 1 in the year the calculation is made.

205.17 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2023 and  
205.18 later.

205.19 Sec. 12. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 2,  
205.20 is amended to read:

205.21 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,  
205.22 and Code of Federal Regulations, title 7, section 210.17:

205.23		<del>16,661,000</del>		
205.24	\$	<u>14,187,000</u>	.....	2022
205.25		<del>16,954,000</del>		
205.26	\$	<u>16,194,000</u>	.....	2023

205.27 Sec. 13. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 3,  
205.28 is amended to read:

205.29 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,  
205.30 section 124D.1158:

206.1           ~~11,848,000~~  
 206.2           \$       20,000       ..... 2022  
 206.3           ~~12,200,000~~  
 206.4           \$       10,981,000       ..... 2023

206.5       Sec. 14. Laws 2021, First Special Session chapter 13, article 8, section 3, subdivision 6,  
 206.6 is amended to read:

206.7           Subd. 6. **Basic system support.** For basic system support aid under Minnesota Statutes,  
 206.8 section 134.355:

206.9           \$       13,570,000       ..... 2022  
 206.10           ~~13,570,000~~  
 206.11           \$       15,370,000       ..... 2023

206.12       The 2022 appropriation includes \$1,357,000 for 2021 and \$12,213,000 for 2022.

206.13       The 2023 appropriation includes \$1,357,000 for 2022 and ~~\$12,213,000~~ \$14,013,000 for  
 206.14 2023.

206.15       Sec. 15. APPROPRIATION; COMMUNITY ELIGIBILITY PROVISION FUNDING.

206.16       (a) \$18,456,000 in fiscal year 2023 is appropriated from the general fund to the  
 206.17 Department of Education for additional funding for school meals.

206.18       (b) For each school participating in the Community Eligibility Provision program, the  
 206.19 commissioner must calculate the difference between the federal reimbursement for the  
 206.20 school breakfasts and school lunches served at the site and the average cost of the school  
 206.21 breakfasts and school lunches as annually defined by the United States Department of  
 206.22 Agriculture and pay that amount to the school in the form and manner designated by the  
 206.23 commissioner.

206.24       (c) If the appropriation for school meals under this section exceeds the amount necessary  
 206.25 for payments under paragraph (b), the commissioner may award grants to other schools to  
 206.26 provide free breakfast and free lunch to all students at the school site. A school participating  
 206.27 in the school meals program must apply for a grant in the form and manner specified by the  
 206.28 commissioner. The commissioner must prioritize grants applications based on the number  
 206.29 of free and reduced-price meal eligible students at each applicant school site.

206.30       (d) The commissioner may retain up to ... percent of the appropriation in this section for  
 206.31 administrative purposes.

206.32       (e) The budget base is \$14,146,000 for fiscal year 2024 and \$13,792,000 for fiscal year  
 206.33 2025.

207.1 Sec. 16. **REVISOR INSTRUCTION.**

207.2 The revisor of statutes shall replace the phrases "free lunch," "reduced price lunch,"  
207.3 "reduced priced lunch," "reduced-price lunch," and "free or reduced price lunch" with "free  
207.4 meals," "reduced-price meals," and "free or reduced-price meals" wherever they appear in  
207.5 statute when used in context with the national school lunch and breakfast program.

207.6 **ARTICLE 9**207.7 **EARLY EDUCATION**

207.8 Section 1. Minnesota Statutes 2020, section 120A.20, subdivision 1, is amended to read:

207.9 Subdivision 1. **Age limitations; pupils.** (a) All schools supported in whole or in part  
207.10 by state funds are public schools. Admission to a public school is free to any person who:  
207.11 (1) resides within the district that operates the school; (2) is under 21 years of age or who  
207.12 meets the requirements of paragraph (c); and (3) satisfies the minimum age requirements  
207.13 imposed by this section. Notwithstanding the provisions of any law to the contrary, the  
207.14 conduct of all students under 21 years of age attending a public secondary school is governed  
207.15 by a single set of reasonable rules and regulations promulgated by the school board.

207.16 (b) A person shall not be admitted to a public school: (1) as a prekindergarten pupil,  
207.17 unless the pupil is at least four years of age as of September 1 of the calendar year in which  
207.18 the school year for which the pupil seeks admission commences; (2) as a kindergarten pupil,  
207.19 unless the pupil is at least five years of age on September 1 of the calendar year in which  
207.20 the school year for which the pupil seeks admission commences; or ~~(2)~~ (3) as a 1st grade  
207.21 student, unless the pupil is at least six years of age on September 1 of the calendar year in  
207.22 which the school year for which the pupil seeks admission commences or has completed  
207.23 kindergarten; except that any school board may establish a policy for admission of selected  
207.24 pupils at an earlier age under section 124D.02.

207.25 (c) A pupil who becomes age 21 after enrollment is eligible for continued free public  
207.26 school enrollment until at least one of the following occurs: (1) the first September 1 after  
207.27 the pupil's 21st birthday; (2) the pupil's completion of the graduation requirements; (3) the  
207.28 pupil's withdrawal with no subsequent enrollment within 21 calendar days; or (4) the end  
207.29 of the school year.

208.1 Sec. 2. Minnesota Statutes 2020, section 120A.41, is amended to read:

208.2 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

208.3 (a) A school board's annual school calendar must include at least 425 hours of instruction  
208.4 for a kindergarten student without a disability, 935 hours of instruction for a student in  
208.5 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not  
208.6 including summer school. The school calendar for a prekindergarten student without a  
208.7 disability and a student in an all-day kindergarten must include at least 850 hours of  
208.8 instruction for the school year. ~~The school calendar for a prekindergarten student under~~  
208.9 ~~section 124D.151, if offered by the district, must include at least 350 hours of instruction~~  
208.10 ~~for the school year.~~ A school board's annual calendar must include at least 165 days of  
208.11 instruction for a student in grades 1 through 11 unless a four-day week schedule has been  
208.12 approved by the commissioner under section 124D.126.

208.13 (b) A school board's annual school calendar may include plans for up to five days of  
208.14 instruction provided through online instruction due to inclement weather. The inclement  
208.15 weather plans must be developed according to section 120A.414.

208.16 Sec. 3. Minnesota Statutes 2020, section 121A.19, is amended to read:

208.17 **121A.19 DEVELOPMENTAL SCREENING AID.**

208.18 Each school year, the state must pay a district for each child or student screened by the  
208.19 district according to the requirements of section 121A.17. The amount of state aid for each  
208.20 child or student screened shall be: (1) ~~\$75~~ \$98 for a child screened at age three; (2) ~~\$50~~ \$65  
208.21 for a child screened at age four; (3) ~~\$40~~ \$52 for a child screened at age five or six prior to  
208.22 kindergarten; and (4) ~~\$30~~ \$39 for a student screened within 30 days after first enrolling in  
208.23 a public school kindergarten if the student has not previously been screened according to  
208.24 the requirements of section 121A.17. If this amount of aid is insufficient, the district may  
208.25 permanently transfer from the general fund an amount that, when added to the aid, is  
208.26 sufficient. Developmental screening aid shall not be paid for any student who is screened  
208.27 more than 30 days after the first day of attendance at a public school kindergarten, except  
208.28 if a student transfers to another public school kindergarten within 30 days after first enrolling  
208.29 in a Minnesota public school kindergarten program. In this case, if the student has not been  
208.30 screened, the district to which the student transfers may receive developmental screening  
208.31 aid for screening that student when the screening is performed within 30 days of the transfer  
208.32 date.



209.1 Sec. 4. Minnesota Statutes 2020, section 124D.151, as amended by Laws 2021, First  
209.2 Special Session chapter 13, article 9, section 1, is amended to read:

209.3 **124D.151 VOLUNTARY PREKINDERGARTEN PROGRAM FOR ELIGIBLE**  
209.4 **FOUR-YEAR-OLD CHILDREN.**

209.5 Subdivision 1. **Establishment; purpose.** ~~A district, a charter school, a group of districts,~~  
209.6 ~~a group of charter schools, or a group of districts and charter schools~~ school district or  
209.7 charter school, a child care center or family child care provider licensed under section  
209.8 245A.03, or a Head Start agency licensed under section 245A.03 that meets program  
209.9 requirements under subdivision 2, may establish a voluntary prekindergarten program for  
209.10 eligible four-year-old children. The purpose of a voluntary prekindergarten program is to  
209.11 prepare children for success as they enter kindergarten in the following year.

209.12 Subd. 1a. **Definition.** For purposes of this section, a "lead teacher" is an individual with  
209.13 primary responsibility for the instruction and care of eligible children in a voluntary  
209.14 prekindergarten classroom. A lead teacher employed by a school district is a teacher for  
209.15 purposes of sections 122A.40, subdivision 1; 122A.41, subdivision 1, clause (a); and  
209.16 179A.03, subdivision 18.

209.17 Subd. 2. **Program requirements.** ~~(a)~~ A voluntary prekindergarten program provider  
209.18 must:

209.19 (1) provide instruction through play-based learning to foster children's social and  
209.20 emotional development, cognitive development, physical and motor development, and  
209.21 language and literacy skills, including the native language and literacy skills of English  
209.22 learners, to the extent practicable;

209.23 (2) ~~measure each child's cognitive and social skills~~ assess each child's progress toward  
209.24 the state's early learning standards at program entrance and exit using a  
209.25 commissioner-approved, formative measure aligned to the state's early learning standards  
209.26 ~~when the child enters and again before the child leaves the program, screening and progress~~  
209.27 ~~monitoring measures, and other age-appropriate versions from the state-approved menu of~~  
209.28 ~~kindergarten entry profile measures;~~ age-appropriate assessment that must be submitted to  
209.29 the department in the form and manner prescribed by the commissioner;

209.30 (3) provide comprehensive program content aligned with the state early learning  
209.31 standards, including the implementation of curriculum, assessment, and intentional  
209.32 instructional strategies aligned with the state early learning standards, and kindergarten  
209.33 through grade 3 academic standards;

210.1 (4) provide instructional content and activities that are of sufficient length and intensity  
 210.2 to address learning needs including offering a program with at least ~~350~~ 850 hours of  
 210.3 instruction per school year for a prekindergarten student;

210.4 (5) provide voluntary prekindergarten ~~instructional~~ staff salaries ~~comparable~~ and set  
 210.5 salary schedules equivalent to the salaries of local kindergarten through grade 12 instructional  
 210.6 staff, public school district elementary school staff with similar credentials and experience  
 210.7 for school district and charter prekindergarten program sites and, to the extent practicable,  
 210.8 for Head Start, child care center, and family child care sites;

210.9 (6) employ a lead teacher for each voluntary prekindergarten classroom who has at least  
 210.10 a bachelor's degree in early education or a related field no later than July 1, 2028. Teachers  
 210.11 employed by an eligible provider for at least three of the last five years immediately preceding  
 210.12 July 1, 2022, who meet the necessary content knowledge and teaching skills for early  
 210.13 childhood educators, as demonstrated through measures determined by the state, may be  
 210.14 employed as a lead teacher;

210.15 ~~(6)~~ (7) coordinate appropriate kindergarten transition with families, ~~community-based~~  
 210.16 ~~prekindergarten programs, and school district kindergarten programs;~~ and all mixed-delivery  
 210.17 partners within the school district;

210.18 ~~(7)~~ (8) involve parents in program ~~planning~~ decision-making and transition planning by  
 210.19 implementing parent engagement strategies that include culturally and linguistically  
 210.20 responsive activities in prekindergarten through third grade that are aligned with early  
 210.21 childhood family education under section 124D.13;

210.22 ~~(8)~~ (9) coordinate with relevant community-based services, including health and social  
 210.23 service agencies, to ensure children have access to comprehensive services;

210.24 ~~(9)~~ (10) coordinate with all relevant school district programs and services including  
 210.25 early childhood special education, homeless students, and English learners;

210.26 ~~(10)~~ (11) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20  
 210.27 children; in school-based programs, staff-to-child ratios and group size as required for child  
 210.28 care center and family child care licensing in programs offered in child care centers and by  
 210.29 family child care providers, and staff-to-child ratios and group size as determined by Head  
 210.30 Start standards in programs offered by Head Start agencies; and

210.31 ~~(11)~~ (12) provide high-quality coordinated professional development, training, and  
 210.32 coaching for ~~both school district and community-based early learning,~~ Head Start, child  
 210.33 care center, and family child care providers that is informed by a measure of adult-child

211.1 interactions and enables teachers to be highly knowledgeable in early childhood curriculum  
 211.2 content, assessment, native and English language development programs, and instruction;  
 211.3 ~~and.~~

211.4 ~~(12) implement strategies that support the alignment of professional development,~~  
 211.5 ~~instruction, assessments, and prekindergarten through grade 3 curricula.~~

211.6 ~~(b) A voluntary prekindergarten program must have teachers knowledgeable in early~~  
 211.7 ~~childhood curriculum content, assessment, native and English language programs, and~~  
 211.8 ~~instruction.~~

211.9 ~~(c) Districts and charter schools must include their strategy for implementing and~~  
 211.10 ~~measuring the impact of their voluntary prekindergarten program under section 120B.11~~  
 211.11 ~~and provide results in their world's best workforce annual summary to the commissioner of~~  
 211.12 ~~education.~~

211.13 Subd. 3. **Mixed delivery of services program plan.** ~~A district or charter school may~~  
 211.14 ~~contract with a charter school, Head Start or child care centers, family child care programs~~  
 211.15 ~~licensed under section 245A.03, or a community-based organization to provide eligible~~  
 211.16 ~~children with developmentally appropriate services that meet the program requirements in~~  
 211.17 ~~subdivision 2. Components of a mixed-delivery plan include strategies for recruitment,~~  
 211.18 ~~contracting, and monitoring of fiscal compliance and program quality. School districts and~~  
 211.19 charter schools that receive funding for voluntary prekindergarten programs must develop  
 211.20 and submit a mixed-delivery program plan to the Department of Education annually by July  
 211.21 1, 2023, and every year thereafter, in a manner and format prescribed by the commissioner.  
 211.22 The plan must ensure alignment of all voluntary prekindergarten program providers within  
 211.23 the school district boundaries in meeting the program requirements in subdivision 2 and  
 211.24 must include:

211.25 (1) a description of the process used to convene and obtain group agreement among all  
 211.26 voluntary prekindergarten program providers within the district boundaries in order to  
 211.27 coordinate efforts regarding the requirements in subdivision 2;

211.28 (2) a description of the voluntary prekindergarten program providers within the school  
 211.29 district boundaries, including but not limited to the name and location of partners and the  
 211.30 number of hours and days per week the program will be offered at each program site;

211.31 (3) an estimate of the number of eligible children to be served in the program at each  
 211.32 school site or mixed-delivery location;

212.1 (4) a plan for recruitment, outreach, and communication regarding the availability of  
212.2 public prekindergarten programming within the community;

212.3 (5) a plan for coordinating and offering professional development opportunities, as  
212.4 needed;

212.5 (6) a plan for coordinating the required child assessments, as needed, and continuous  
212.6 quality improvement efforts to ensure quality instruction;

212.7 (7) a plan for meeting the needs for any child with an individualized education plan;

212.8 (8) a plan to ensure salaries equivalent to school staff with comparable credentials and  
212.9 experience;

212.10 (9) a detailed plan for transitioning children and families to kindergarten; and

212.11 (10) a statement of assurances signed by the superintendent, charter school director,  
212.12 Head Start director, child care center director, and family child care license holder that the  
212.13 proposed program meets the requirements of subdivision 2. A statement of assurances must  
212.14 be submitted in the mixed-delivery program plan and must be signed by an individual from  
212.15 each voluntary prekindergarten program provider with authority to enter into the agreement.

212.16 Subd. 3a. **Funding.** (a) School district and charter school voluntary prekindergarten  
212.17 providers are funded based on the number of eligible pupils enrolled as authorized under  
212.18 chapters 124D, 124E, and 126C.

212.19 (b) Head Start voluntary prekindergarten providers that are licensed under section  
212.20 245A.03 and meet the requirements of subdivisions 2 and 3 must receive \$11,000 per child  
212.21 served per year.

212.22 (c) Licensed child care center and family child care voluntary prekindergarten providers  
212.23 that are licensed under section 245A.03 and meet the requirements of subdivisions 2 and 3  
212.24 must receive \$11,000 per child served per year.

212.25 (d) The commissioner must establish a process for allocating the seats under paragraphs  
212.26 (b) and (c) that match community strengths, capacity, and needs. The number of seats per  
212.27 year is subject to the availability of appropriations.

212.28 (e) Up to 2.5 percent of the amounts appropriated for paragraphs (b) and (c) may be  
212.29 used for distribution of funds.

212.30 Subd. 4. **Eligibility.** A (a) An eligible child means a child who:

212.31 (1) is four years of age as of September 1 in the calendar year in which the school year  
212.32 commences is; and

- 213.1 (2) meets at least one of the following criteria:
- 213.2 (i) qualifies for free or reduced-price meals;
- 213.3 (ii) is an English learner as defined by section 124D.59, subdivision 2;
- 213.4 (iii) is American Indian;
- 213.5 (iv) is experiencing homelessness;
- 213.6 (v) has an individualized education plan under section 125A.08;
- 213.7 (vi) was identified as having a potential risk factor that may influence learning through
- 213.8 health and developmental screening under sections 121A.16 to 121.19;
- 213.9 (vii) is in foster care, in need of child protection services, or in kinship care, including
- 213.10 children receiving Northstar kinship assistance under chapter 256N;
- 213.11 (viii) has a parent who is a migrant or seasonal agriculture laborer under section 181.85;
- 213.12 or
- 213.13 (ix) has a parent who is incarcerated.
- 213.14 (b) An eligible child is eligible to participate in a voluntary prekindergarten program
- 213.15 free of charge. An eligible four-year-old child served in a mixed-delivery system by a child
- 213.16 care center, family child care program licensed under section 245A.03, or community-based
- 213.17 organization Programs may charge a sliding fee for the instructional hours that exceed 850
- 213.18 hours during the school year, any hours that provide before- or after-school child care during
- 213.19 the school year, or any hours that provide child care during the summer. A child that does
- 213.20 not meet the eligibility requirements in paragraph (a), clause (2), may participate in the
- 213.21 same classroom as eligible children and may be charged a sliding fee as long as the
- 213.22 mixed-delivery partner state funding was not awarded a seat for that child.
- 213.23 (c) Each eligible child must complete a health and developmental screening within 90
- 213.24 days of program enrollment under sections 121A.16 to 121A.19, and provide documentation
- 213.25 of required immunizations under section 121A.15.
- 213.26 **Subd. 5. Application process; priority for high poverty schools.** (a) To qualify for
- 213.27 program approval for fiscal year 2017, a district or charter school must submit an application
- 213.28 to the commissioner by July 1, 2016. To qualify for program approval for fiscal year 2018
- 213.29 and later, a district or charter school must submit an application to the commissioner by
- 213.30 January 30 of the fiscal year prior to the fiscal year in which the program will be
- 213.31 implemented. The application must include:

214.1 (1) a description of the proposed program, including the number of hours per week the  
214.2 program will be offered at each school site or mixed-delivery location;

214.3 (2) an estimate of the number of eligible children to be served in the program at each  
214.4 school site or mixed-delivery location; and

214.5 (3) a statement of assurances signed by the superintendent or charter school director that  
214.6 the proposed program meets the requirements of subdivision 2.

214.7 (b) The commissioner must review all applications submitted for fiscal year 2017 by  
214.8 August 1, 2016, and must review all applications submitted for fiscal year 2018 and later  
214.9 by March 1 of the fiscal year in which the applications are received and determine whether  
214.10 each application meets the requirements of paragraph (a).

214.11 (c) The commissioner must divide all applications for new or expanded voluntary  
214.12 prekindergarten programs under this section meeting the requirements of paragraph (a) and  
214.13 school readiness plus programs into four groups as follows: the Minneapolis and St. Paul  
214.14 school districts; other school districts located in the metropolitan equity region as defined  
214.15 in section 126C.10, subdivision 28; school districts located in the rural equity region as  
214.16 defined in section 126C.10, subdivision 28; and charter schools. Within each group, the  
214.17 applications must be ordered by rank using a sliding scale based on the following criteria:

214.18 (1) concentration of kindergarten students eligible for free or reduced-price lunches by  
214.19 school site on October 1 of the previous school year. A school site may contract to partner  
214.20 with a community-based provider or Head Start under subdivision 3 or establish an early  
214.21 childhood center and use the concentration of kindergarten students eligible for free or  
214.22 reduced-price meals from a specific school site as long as those eligible children are  
214.23 prioritized and guaranteed services at the mixed-delivery site or early education center. For  
214.24 school district programs to be operated at locations that do not have free and reduced-price  
214.25 lunch concentration data for kindergarten programs for October 1 of the previous school  
214.26 year, including mixed-delivery programs, the school district average concentration of  
214.27 kindergarten students eligible for free or reduced-price lunches must be used for the rank  
214.28 ordering;

214.29 (2) presence or absence of a three- or four-star Parent Aware rated program within the  
214.30 school district or close proximity of the district. School sites with the highest concentration  
214.31 of kindergarten students eligible for free or reduced-price lunches that do not have a three-  
214.32 or four-star Parent Aware program within the district or close proximity of the district shall  
214.33 receive the highest priority, and school sites with the lowest concentration of kindergarten  
214.34 students eligible for free or reduced-price lunches that have a three- or four-star Parent

215.1 Aware rated program within the district or close proximity of the district shall receive the  
215.2 lowest priority; and

215.3 (3) whether the district has implemented a mixed delivery system.

215.4 (d) The limit on participation for the programs as specified in subdivision 6 must initially  
215.5 be allocated among the four groups based on each group's percentage share of the statewide  
215.6 kindergarten enrollment on October 1 of the previous school year. Within each group, the  
215.7 participation limit for fiscal years 2018 and 2019 must first be allocated to school sites  
215.8 approved for aid in the previous year to ensure that those sites are funded for the same  
215.9 number of participants as approved for the previous year. The remainder of the participation  
215.10 limit for each group must be allocated among school sites in priority order until that region's  
215.11 share of the participation limit is reached. If the participation limit is not reached for all  
215.12 groups, the remaining amount must be allocated to the highest priority school sites, as  
215.13 designated under this section, not funded in the initial allocation on a statewide basis. For  
215.14 fiscal year 2020 and later, the participation limit must first be allocated to school sites  
215.15 approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year  
215.16 2018 based on the statewide rankings under paragraph (c).

215.17 (e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid  
215.18 under this subdivision, it shall remain eligible for aid if it continues to meet program  
215.19 requirements, regardless of changes in the concentration of students eligible for free or  
215.20 reduced-price lunches.

215.21 (f) If the total number of participants approved based on applications submitted under  
215.22 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must  
215.23 notify all school districts and charter schools of the amount that remains available within  
215.24 30 days of the initial application deadline under paragraph (a), and complete a second round  
215.25 of allocations based on applications received within 60 days of the initial application deadline.

215.26 (g) Procedures for approving applications submitted under paragraph (f) shall be the  
215.27 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the  
215.28 highest priority school sites not funded in the initial allocation on a statewide basis.

215.29 **Subd. 6. Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,  
215.30 paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school  
215.31 district or charter school must not exceed 60 percent of the kindergarten pupil units for that  
215.32 school district or charter school under section 126C.05, subdivision 1, paragraph (e).

215.33 (b) In reviewing applications under subdivision 5, the commissioner must limit the total  
215.34 number of participants in the voluntary prekindergarten and school readiness plus programs

216.1 under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160  
 216.2 participants for fiscal years 2019, 2020, 2021, 2022, and 2023, and 3,160 participants for  
 216.3 fiscal years 2024 and later.

216.4 Subd. 7. **Financial accounting.** An eligible school district or charter school must record  
 216.5 expenditures attributable to voluntary prekindergarten pupils according to guidelines prepared  
 216.6 by the commissioner under section 127A.17. Child care centers, family child care providers,  
 216.7 and Head Start agencies must record expenditures attributable to voluntary prekindergarten  
 216.8 pupils according to guidelines developed and approved by the commissioner of education.

216.9 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

216.10 Sec. 5. Minnesota Statutes 2021 Supplement, section 126C.05, subdivision 1, is amended  
 216.11 to read:

216.12 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age  
 216.13 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in  
 216.14 average daily membership enrolled in the district of residence, in another district under  
 216.15 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under  
 216.16 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,  
 216.17 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03  
 216.18 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

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

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

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

216.29 ~~(d)~~ (c) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled  
 216.30 in an approved a voluntary prekindergarten program under section 124D.151 is counted as  
 216.31 the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil  
 216.32 units that meets the minimum hours required in section 120A.41 is counted as 1.0 pupil  
 216.33 unit.



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

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

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

217.8 ~~(h)~~ (g) A pupil who is in the postsecondary enrollment options program is counted as  
 217.9 1.2 pupil units.

217.10 ~~(i) For fiscal years 2018 through 2023, a prekindergarten pupil who:~~

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

217.12 ~~(2) is enrolled in a school readiness plus program under Laws 2017, First Special Session~~  
 217.13 ~~chapter 5, article 8, section 9; and~~

217.14 ~~(3) has one or more of the risk factors specified by the eligibility requirements for a~~  
 217.15 ~~school readiness plus program;~~

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

217.20 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

217.21 Sec. 6. Minnesota Statutes 2021 Supplement, section 126C.05, subdivision 3, is amended  
 217.22 to read:

217.23 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must  
 217.24 be computed according to this subdivision.

217.25 (a) The compensation revenue concentration percentage for each building in a district  
 217.26 equals the product of 100 times the ratio of:

217.27 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch  
 217.28 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the  
 217.29 previous fiscal year; to

217.30 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal  
 217.31 year.

218.1 (b) The compensation revenue pupil weighting factor for a building equals the lesser of  
218.2 one or the quotient obtained by dividing the building's compensation revenue concentration  
218.3 percentage by 80.0.

218.4 (c) The compensation revenue pupil units for a building equals the product of:

218.5 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch  
218.6 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the  
218.7 previous fiscal year; times

218.8 (2) the compensation revenue pupil weighting factor for the building; times

218.9 (3) .60.

218.10 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under  
218.11 section 124D.151, charter schools, and contracted alternative programs in the first year of  
218.12 operation, compensation revenue pupil units shall be computed using data for the current  
218.13 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative  
218.14 program begins operation after October 1, compensatory revenue pupil units shall be  
218.15 computed based on pupils enrolled on an alternate date determined by the commissioner,  
218.16 and the compensation revenue pupil units shall be prorated based on the ratio of the number  
218.17 of days of student instruction to 170 days.

218.18 ~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued~~  
218.19 ~~in fiscal year 2024 due to the reduction in the participation limit under section 124D.151,~~  
218.20 ~~subdivision 6, those discontinued seats must not be used to calculate compensation revenue~~  
218.21 ~~pupil units for fiscal year 2024.~~

218.22 ~~(f)~~ (e) The percentages in this subdivision must be based on the count of individual  
218.23 pupils and not on a building average or minimum.

218.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

218.25 Sec. 7. Minnesota Statutes 2021 Supplement, section 126C.10, subdivision 2d, is amended  
218.26 to read:

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

219.1 (b) Notwithstanding paragraph (a), for prekindergarten programs for fiscal year 2024  
 219.2 2023 only, prekindergarten pupil units under section 126C.05, subdivision 1, paragraph ~~(d)~~  
 219.3 (c), must be excluded from the calculation of declining enrollment revenue.

219.4 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2023 and later.

219.5 Sec. 8. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 3, is  
 219.6 amended to read:

219.7 Subd. 3. **Early learning scholarships.** (a) For the early learning scholarship program  
 219.8 under Minnesota Statutes, section 124D.165:

219.9 \$ 70,709,000 ..... 2022

219.10 \$ 70,709,000 ..... 2023

219.11 (b) This appropriation is subject to the requirements under Minnesota Statutes, section  
 219.12 124D.165, subdivision 6.

219.13 (c) Notwithstanding section 124D.165, for fiscal year 2023 only, the commissioner may  
 219.14 allocate funds to Head Start agencies, child care centers, and family child care providers as  
 219.15 necessary to implement the voluntary prekindergarten transition year, including allocating  
 219.16 funds under section 124D.165 as they existed prior to the date of enactment of this act.

219.17 Sec. 9. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 6, is  
 219.18 amended to read:

219.19 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under  
 219.20 Minnesota Statutes, sections 121A.17 and 121A.19:

219.21 ~~3,582,000~~  
 219.22 \$ 3,623,000 ..... 2022

219.23 ~~3,476,000~~  
 219.24 \$ 4,470,000 ..... 2023

219.25 (b) The 2022 appropriation includes \$360,000 for 2021 and ~~\$3,222,000~~ \$3,263,000 for  
 219.26 2022.

219.27 (c) The 2023 appropriation includes ~~\$357,000~~ \$362,000 for 2022 and ~~\$3,119,000~~  
 219.28 \$4,108,000 for 2023.

219.29 Sec. 10. **TRANSITION YEAR IN 2023.**

219.30 (a) Fiscal year 2023 may serve as a transition year in order to give current voluntary  
 219.31 prekindergarten programs, school readiness plus programs, and early learning scholarships

220.1 pathway II programs a year to transition to the new voluntary prekindergarten program for  
 220.2 eligible four-year-old children and to make the necessary adjustments to meet the additional  
 220.3 program requirements and facilitate relationships with all voluntary prekindergarten program  
 220.4 providers within the school district boundaries.

220.5 (b) For fiscal year 2023 only, school districts operating a voluntary prekindergarten  
 220.6 program under Minnesota Statutes, section 124D.151, or school readiness plus program  
 220.7 under Laws 2017, First Special Session chapter 5, article 8, section 9, may apply to the  
 220.8 Department of Education to allow the program to continue to operate under the provisions  
 220.9 of Minnesota Statutes, sections 124D.151 and 126C.05, subdivision 1, as they existed prior  
 220.10 to the date of enactment of this act.

220.11 **Sec. 11. APPROPRIATIONS.**

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

220.15 Subd. 2. **Voluntary prekindergarten through mixed delivery.** For voluntary  
 220.16 prekindergarten provided by Head Start agencies, child care centers, and family child care  
 220.17 providers under Minnesota Statutes, section 124D.151, subdivision 3a, paragraphs (b) and  
 220.18 (c).

220.19       \$               0       ..... 2022

220.20       \$       96,920,000       ..... 2023

220.21 **Sec. 12. REPEALER.**

220.22 (a) Minnesota Statutes 2020, section 124D.151, subdivision 5, is repealed.

220.23 (b) Minnesota Statutes 2021 Supplement, section 124D.151, subdivision 6, is repealed.

220.24 **EFFECTIVE DATE.** This section is effective July 1, 2022.

## 220.25 **ARTICLE 10**

### 220.26 **COMMUNITY EDUCATION AND LIFELONG LEARNING**

220.27 **Section 1.** Minnesota Statutes 2020, section 124D.531, subdivision 1, is amended to read:

220.28 **Subdivision 1. State total adult basic education aid.** (a) The state total adult basic  
 220.29 education aid for fiscal year ~~2011~~ 2023 equals ~~\$44,419,000~~ \$52,781,000, plus any amount  
 220.30 that is not paid during the previous fiscal year as a result of adjustments under subdivision

221.1 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education  
221.2 aid for later fiscal years equals:

221.3 (1) the state total adult basic education aid for the preceding fiscal year plus any amount  
221.4 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision  
221.5 4, paragraph (a), or section 124D.52, subdivision 3; times

221.6 (2) the lesser of 1.03, or the greater of:

221.7 (i) ~~1.03~~ one plus the percent change in the formula allowance under section 126C.10,  
221.8 subdivision 2, from the previous fiscal year to the current fiscal year; or

221.9 (ii) the average growth in state total contact hours over the prior ten program years.

221.10 Three percent of the state total adult basic education aid must be set aside for adult basic  
221.11 education supplemental service grants under section 124D.522.

221.12 (b) The state total adult basic education aid, excluding basic population aid, equals the  
221.13 difference between the amount computed in paragraph (a), and the state total basic population  
221.14 aid under subdivision 2.

221.15 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

221.16 Sec. 2. Minnesota Statutes 2020, section 124D.531, subdivision 4, is amended to read:

221.17 Subd. 4. **Adult basic education program aid limit.** (a) Notwithstanding subdivisions  
221.18 2 and 3, the total adult basic education aid for a program per prior year contact hour must  
221.19 not exceed ~~\$22~~ \$28 per prior year contact hour computed under subdivision 3, clause (2).

221.20 (b) The aid for a program under subdivision 3, clause (2), adjusted for changes in program  
221.21 membership, must not exceed the aid for that program under subdivision 3, clause (2), for  
221.22 the first preceding fiscal year by more than the greater of 11 percent or \$10,000.

221.23 (c) Adult basic education aid is payable to a program for unreimbursed costs occurring  
221.24 in the program year as defined in section 124D.52, subdivision 3.

221.25 (d) Any adult basic education aid that is not paid to a program because of the program  
221.26 aid limitation under paragraph (a) must be added to the state total adult basic education aid  
221.27 for the next fiscal year under subdivision 1. Any adult basic education aid that is not paid  
221.28 to a program because of the program aid limitations under paragraph (b) must be reallocated  
221.29 among programs by adjusting the rate per contact hour under subdivision 3, clause (2).

221.30 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

222.1 Sec. 3. Minnesota Statutes 2020, section 124D.55, is amended to read:

222.2 **124D.55 COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST**  
222.3 **FEES.**

222.4 ~~(a) The commissioner shall pay 60 percent of the fee that is charged to an eligible~~  
222.5 ~~individual for the full battery of the commissioner-selected high school equivalency tests,~~  
222.6 ~~but not more than \$40 for an eligible individual.~~

222.7 ~~(b) Notwithstanding paragraph (a), for fiscal years 2020 and 2021 only,~~ The commissioner  
222.8 shall pay 100 percent of the fee charged to an eligible individual for the full battery of the  
222.9 commissioner-selected high school equivalency tests, but not more than the cost of one full  
222.10 battery of tests per year for any individual.

222.11 Sec. 4. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 8,  
222.12 is amended to read:

222.13 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota  
222.14 Statutes, section 124D.531:

222.15		<del>53,191,000</del>		
222.16	\$	<u>51,764,000</u>	.....	2022
222.17		<del>54,768,000</del>		
222.18	\$	<u>52,760,000</u>	.....	2023

222.19 The 2022 appropriation includes \$5,177,000 for 2021 and ~~\$48,014,000~~ \$46,587,000 for  
222.20 2022.

222.21 The 2023 appropriation includes ~~\$5,334,000~~ \$5,176,000 for 2022 and ~~\$49,434,000~~  
222.22 \$47,584,000 for 2023.

222.23 Sec. 5. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 9,  
222.24 is amended to read:

222.25 Subd. 9. **High school equivalency tests.** For payment of the costs of the  
222.26 commissioner-selected high school equivalency tests under Minnesota Statutes, section  
222.27 124D.55:

222.28	\$	125,000	.....	2022
222.29		<del>125,000</del>		
222.30	\$	<u>470,000</u>	.....	2023

223.1

**ARTICLE 11**

223.2

**STATE AGENCIES**

223.3 Section 1. Minnesota Statutes 2020, section 125A.71, subdivision 1, is amended to read:

223.4 Subdivision 1. **Rental income; appropriation.** Rental income, ~~excluding rent for land~~  
223.5 ~~and living residences,~~ must be deposited in the state treasury and credited to a revolving  
223.6 fund of the academies. Money in the revolving fund for rental income is annually  
223.7 appropriated to the academies for staff development purposes. Payment from the revolving  
223.8 fund for rental income may be made only according to vouchers authorized by the  
223.9 administrator of the academies.

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

223.11 Sec. 2. Minnesota Statutes 2020, section 127A.353, subdivision 2, is amended to read:

223.12 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the  
223.13 basis of outstanding professional qualifications and knowledge of finance, business practices,  
223.14 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee  
223.15 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service  
223.16 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may  
223.17 remove the school trust lands director for cause. If a director resigns or is removed for cause,  
223.18 the governor shall appoint a director for the remainder of the term.

223.19 Sec. 3. Minnesota Statutes 2021 Supplement, section 127A.353, subdivision 4, is amended  
223.20 to read:

223.21 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

223.22 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary  
223.23 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

223.24 (2) evaluate the school trust land asset position;

223.25 (3) determine the estimated current and potential market value of school trust lands;

223.26 (4) advise and provide recommendations to the governor, Executive Council,  
223.27 commissioner of natural resources, and the Legislative Permanent School Fund Commission  
223.28 on the management of school trust lands, including: on school trust land management policies  
223.29 and other policies that may affect the goal of the permanent school fund under section  
223.30 127A.31;

- 224.1 (5) advise and provide recommendations to the Executive Council and Land Exchange  
 224.2 Board on all matters regarding school trust lands presented to either body;
- 224.3 (6) advise and provide recommendations to the commissioner of natural resources on  
 224.4 managing school trust lands, including but not limited to advice and recommendations on:
- 224.5 (i) Department of Natural Resources school trust land management plans;
- 224.6 (ii) leases of school trust lands;
- 224.7 (iii) royalty agreements on school trust lands;
- 224.8 (iv) land sales and exchanges;
- 224.9 (v) cost certification; and
- 224.10 (vi) revenue generating options;
- 224.11 (7) serve as temporary trustee of school trust lands for school trust lands subject to  
 224.12 proposed or active eminent domain proceedings;
- 224.13 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision  
 224.14 5;
- 224.15 ~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review  
 224.16 an annual budget and management plan for the director that includes proposed legislative  
 224.17 changes that will improve the asset allocation of the school trust lands;
- 224.18 ~~(6) (10)~~ develop and implement a ten-year strategic plan and a 25-year framework for  
 224.19 management of school trust lands, in conjunction with the commissioner of natural resources,  
 224.20 that is updated every five years ~~and implemented by the commissioner~~, with goals to:
- 224.21 (i) retain core real estate assets;
- 224.22 (ii) increase the value of the real estate assets and the cash flow from those assets;
- 224.23 (iii) rebalance the portfolio in assets with high performance potential and the strategic  
 224.24 disposal of selected assets;
- 224.25 (iv) establish priorities for management actions;
- 224.26 (v) balance revenue enhancement and resource stewardship; and
- 224.27 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;  
 224.28 and
- 224.29 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~  
 224.30 ~~budget and management plan for the director; and~~



225.1 ~~(8)~~ (11) keep the beneficiaries, governor, legislature, and the public informed about the  
 225.2 work of the director by reporting to the Legislative Permanent School Fund Commission  
 225.3 in a public meeting at least once during each calendar quarter.

225.4 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~  
 225.5 ~~have the authority to~~ may:

225.6 (1) direct and control money appropriated to the director;

225.7 (2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~  
 225.8 staff within the limitations of money appropriated to the director;

225.9 (3) enter into interdepartmental agreements with any other state agency;

225.10 (4) enter into joint powers agreements under chapter 471;

225.11 (5) evaluate and initiate real estate development projects on school trust lands in  
 225.12 conjunction with the commissioner of natural resources and with the advice of the Legislative  
 225.13 Permanent School Fund Commission ~~in order~~ to generate long-term economic return to the  
 225.14 permanent school fund; and

225.15 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~  
 225.16 ~~proposed or active eminent domain proceedings; and~~

225.17 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or  
 225.18 exchanges to the commissioner of natural resources and the Legislative Permanent School  
 225.19 Fund Commission.

225.20 Sec. 4. Laws 2021, First Special Session chapter 13, article 11, section 4, subdivision 2,  
 225.21 is amended to read:

225.22 Subd. 2. **Department.** (a) For the Department of Education:

225.23 \$ 30,837,000 ..... 2022

225.24 ~~26,287,000~~

225.25 \$ 29,411,000 ..... 2023

225.26 Of these amounts:

225.27 (1) \$319,000 each year is for the Board of School Administrators;

225.28 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
 225.29 section 120B.115;

225.30 (3) \$250,000 each year is for the School Finance Division to enhance financial data  
 225.31 analysis;

226.1 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
226.2 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

226.3 (5) \$123,000 each year is for a dyslexia specialist;

226.4 (6) \$480,000 each year is for the Department of Education's mainframe update;

226.5 (7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with  
226.6 litigation; ~~and~~

226.7 (8) \$340,000 in fiscal ~~years~~ year 2022 and \$2,924,000 in 2023 only are for administration  
226.8 and monitoring of voluntary prekindergarten programs-, including data collection, analysis,  
226.9 and support for providers implementing the assessment required under Minnesota Statutes,  
226.10 section 124D.151. The base for this item is \$3,014,000 in fiscal year 2024 and \$3,124,000  
226.11 in fiscal year 2025; and

226.12 (9) \$540,000 in fiscal year 2023 is for costs associated with implementing the specific  
226.13 learning disability criteria change, which may include grants for training.

226.14 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's  
226.15 Washington, D.C., office.

226.16 (c) The expenditures of federal grants and aids as shown in the biennial budget document  
226.17 and its supplements are approved and appropriated and must be spent as indicated.

226.18 (d) This appropriation includes funds for information technology project services and  
226.19 support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing  
226.20 information technology costs will be incorporated into the service level agreement and will  
226.21 be paid to the Office of MN.IT Services by the Department of Education under the rates  
226.22 and mechanisms specified in that agreement.

226.23 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,  
226.24 section 1, paragraph (a), and section 3, paragraph (a), as well as the adjustments in paragraph  
226.25 (a), clauses (8) and (10), the base for fiscal year 2024 and later is ~~\$25,965,000~~ \$29,179,000.  
226.26 The base for fiscal year 2025 is \$29,289,000.

226.27 Sec. 5. Laws 2021, First Special Session chapter 13, article 11, section 7, subdivision 1,  
226.28 is amended to read:

226.29 Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums  
226.30 indicated in this section are appropriated from the general fund to the Professional Educator  
226.31 Licensing and Standards Board for the fiscal years designated:



228.1 The 2023 appropriation includes ~~\$291,000~~ \$197,000 for 2022 and ~~\$3,267,000~~ \$1,806,000  
 228.2 for 2023.

228.3 Sec. 3. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 5,  
 228.4 is amended to read:

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

228.7 \$ 309,000 ..... 2022

228.8 ~~373,000~~

228.9 \$ 372,000 ..... 2023

228.10 The 2022 appropriation includes \$30,000 for 2021 and \$279,000 for 2022.

228.11 The 2023 appropriation includes ~~\$31,000~~ \$30,000 for 2022 and \$342,000 for 2023.

228.12 Sec. 4. Laws 2021, First Special Session chapter 13, article 1, section 10, subdivision 7,  
 228.13 is amended to read:

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

228.16 ~~19,770,000~~

228.17 \$ 19,143,000 ..... 2022

228.18 ~~19,906,000~~

228.19 \$ 19,796,000 ..... 2023

228.20 The 2022 appropriation includes \$1,910,000 for 2021 and ~~\$17,860,000~~ \$17,233,000 for  
 228.21 2022.

228.22 The 2023 appropriation includes ~~\$1,984,000~~ \$1,914,000 for 2022 and ~~\$17,922,000~~  
 228.23 \$17,882,000 for 2023.

## 228.24 B. EDUCATION EXCELLENCE

228.25 Sec. 5. Laws 2021, First Special Session chapter 13, article 2, section 4, subdivision 12,  
 228.26 is amended to read:

228.27 Subd. 12. **Interdistrict desegregation or integration transportation grants.** For  
 228.28 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
 228.29 section 124D.87:

229.1 ~~12,310,000~~  
 229.2 \$ 9,900,000 ..... 2022  
 229.3 ~~14,823,000~~  
 229.4 \$ 10,974,000 ..... 2023

229.5 **C. TEACHERS**

229.6 Sec. 6. Laws 2021, First Special Session chapter 13, article 3, section 7, subdivision 7, is  
 229.7 amended to read:

229.8 Subd. 7. **Alternative teacher compensation aid.** (a) For alternative teacher compensation  
 229.9 aid under Minnesota Statutes, section 122A.415, subdivision 4:

229.10 ~~88,896,000~~  
 229.11 \$ 88,559,000 ..... 2022  
 229.12 ~~88,898,000~~  
 229.13 \$ 88,453,000 ..... 2023

229.14 (b) The 2022 appropriation includes \$8,877,000 for 2021 and ~~\$80,019,000~~ \$79,682,000  
 229.15 for 2022.

229.16 (c) The 2023 appropriation includes ~~\$8,891,000~~ \$8,853,000 for 2022 and ~~\$80,007,000~~  
 229.17 \$79,600,000 for 2023.

229.18 **D. SPECIAL EDUCATION**

229.19 Sec. 7. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 3, is  
 229.20 amended to read:

229.21 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section  
 229.22 125A.75, subdivision 3, for children with disabilities placed in residential facilities within  
 229.23 the district boundaries for whom no district of residence can be determined:

229.24 ~~1,818,000~~  
 229.25 \$ 1,674,000 ..... 2022  
 229.26 ~~2,010,000~~  
 229.27 \$ 1,887,000 ..... 2023

229.28 If the appropriation for either year is insufficient, the appropriation for the other year is  
 229.29 available.

229.30 Sec. 8. Laws 2021, First Special Session chapter 13, article 5, section 3, subdivision 4, is  
 229.31 amended to read:

229.32 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based  
 229.33 services under Minnesota Statutes, section 125A.75, subdivision 1:



231.1 ~~656,000~~  
 231.2 \$ 566,000 ..... 2022  
 231.3 ~~658,000~~  
 231.4 \$ 659,000 ..... 2023

231.5 **G. EARLY EDUCATION**

231.6 Sec. 12. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 5,  
 231.7 is amended to read:

231.8 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education  
 231.9 aid under Minnesota Statutes, section 124D.135:

231.10 ~~35,003,000~~  
 231.11 \$ 34,160,000 ..... 2022  
 231.12 ~~36,478,000~~  
 231.13 \$ 35,126,000 ..... 2023

231.14 (b) The 2022 appropriation includes \$3,341,000 for 2021 and ~~\$31,662,000~~ \$30,819,000  
 231.15 for 2022.

231.16 (c) The 2023 appropriation includes ~~\$3,518,000~~ \$3,424,000 for 2022 and ~~\$32,960,000~~  
 231.17 \$31,702,000 for 2023.

231.18 Sec. 13. Laws 2021, First Special Session chapter 13, article 9, section 4, subdivision 12,  
 231.19 is amended to read:

231.20 Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section  
 231.21 124D.135:

231.22 ~~462,000~~  
 231.23 \$ 455,000 ..... 2022  
 231.24 ~~444,000~~  
 231.25 \$ 426,000 ..... 2023

231.26 (b) The 2022 appropriation includes \$47,000 for 2021 and ~~\$415,000~~ \$408,000 for 2022.

231.27 (c) The 2023 appropriation includes ~~\$46,000~~ \$45,000 for 2022 and ~~\$398,000~~ \$381,000  
 231.28 for 2023.

231.29 **H. COMMUNITY EDUCATION AND LIFELONG LEARNING**

231.30 Sec. 14. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 2,  
 231.31 is amended to read:

231.32 Subd. 2. **Community education aid.** For community education aid under Minnesota  
 231.33 Statutes, section 124D.20:

232.1           \$           180,000   ..... 2022

232.2                       ~~155,000~~

232.3           \$           175,000   ..... 2023

232.4           The 2022 appropriation includes \$22,000 for 2021 and \$158,000 for 2022.

232.5           The 2023 appropriation includes \$17,000 for 2022 and ~~\$138,000~~ \$158,000 for 2023.

232.6           Sec. 15. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 5,  
232.7 is amended to read:

232.8           Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section  
232.9 124D.22:

232.10                       ~~1,000~~

232.11           \$           0   ..... 2022

232.12           \$           1,000   ..... 2023

232.13           The 2022 appropriation includes \$0 for 2021 and ~~\$1,000~~ \$0 for 2022.

232.14           The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023."

232.15           Amend the title accordingly