

Subject Education Policy Omnibus

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Overview

This is the kindergarten through 12th grade policy bill. It amends provisions relating to graduation requirements, American Indian education, student discipline, charter schools, and libraries, among others.

Article 1: General Education

This article modifies requirements relating to nonpublic pupil transportation, publication of review and comment for school district referenda, and the school trust lands director, and makes other changes.

Section Description – Article 1: General Education

- 1 Publication. [Review and comment for school district construction]**

Requires a district to publish a summary of the commissioner’s review and comment of a construction project at least 48 days before a referendum for bonds or solicitation of bids.

- 2 Board control. [Pupil transportation]**

Allows the board of a school district and a nonpublic school to mutually agree to a written plan for transportation of nonpublic students.

Authorizes a school board that provides pupil transportation through its own employees to transport the nonpublic pupils according to the plan. Authorizes the nonpublic school to pay an additional amount to the school district for pupil transportation beyond the transportation required in statute. Authorizes a similar arrangement for a school district that contracts for transportation services from a private provider of transportation services.

Requires the school district to report the number of nonpublic students transported, including the nonpublic students transported under a contract, to the Department of Education in the form and manner specified by the commissioner so that the

Section Description – Article 1: General Education

- district’s nonpublic pupil transportation aid remains unaffected by the nonpublic pupil transportation provided under the plan.
- 3 **Annual expenditure report. [Basic skills revenue; compensatory education revenue]**
Modifies reporting requirement relating to basic skills revenue. Eliminates requirement that districts report expenditures incurred to meet the needs of eligible children and replaces it with commissioner report to the legislature on the expenditures of each district.
- 4 **Qualifications. [School trust lands director]**
Strikes limit on first term of school trust lands director.
- 5 **Duties, powers. [School trust lands director]**
Modifies duties of school trust lands director. Allows the director to employ staff in the classified service.
- 6 **Conditions for assignment. [Assignment of refund]**
Modifies appeal process for a denial of commissioner’s certification that a vendor’s products and services qualify for the education tax credit.

Article 2: Education Excellence

This article modifies requirements relating to student discipline, credits for graduation, online instruction, and achievement and integration plans, and makes other changes.

Section Description – Article 2: Education Excellence

- 1 **Education records. [Compulsory instruction]**
Requires education records transmitted to other districts or educational entities to include pupil withdrawals, and the services a pupil needs to prevent inappropriate behavior from recurring.
- 2 **Requirements for instructors. [Compulsory instruction]**
Modifies requirements for a person providing home school instruction.
- 3 **Other school personnel. [E-learning days]**
Requires a school district or charter school to pay all employees their full wages and benefits for scheduled work hours during an e-learning period; and to allow employees to work from home to the extent practicable, be assigned to work in an alternative location, or be retained on an on-call basis for any potential need.

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- 4 **Required standard. [Definitions]**
Modifies definition of “required standard.” Requires districts to adopt state arts standards.
- 5 **Required academic standards. [Required academic standards]**
Requires state high school math standards to include algebra II, integrated math III, or an equivalent, and grade 8 standards to include completion of algebra. Requires districts to adopt state arts standards. Adds media arts as a fifth arts area. Modifies physical education standards requirements.
- 6 **Rulemaking. [Required academic standards]**
Strikes prohibition on MDE amending or repealing academic standards without specific legislative authorization.
- 7 **Elective standards. [Career and Technical Education]**
Requires local CTE standards to align with CTE frameworks developed by the Department of Education, standards developed by national CTE organizations, or recognized industry standards.
- 8 **Graduation requirements. [Credits]**
Modifies math and social studies credit requirements. Requires students to complete a course for credit in government and citizenship. Requires students to complete sufficient credits to satisfy the state standards in physical education.

This section is effective for the 2024-2025 school year and later.
- 9 **Credit equivalencies. [Credits]**
Modifies references to a school’s agriculture education or business education program or department. Modifies instructor license requirement.
- 10 **Ethnic studies.**
Defines “ethnic studies.”
- 11 **Definitions. [World’s best workforce]**
Defines “ethnic studies curriculum,” “antiracist,” “culturally sustaining,” and “institutional racism.”
- 12 **Adopting plans and budgets. [World’s best workforce]**
Modifies world’s best workforce plan requirements. Requires a plan to include: a process to assess ethnic studies curriculum needs; access to ethnic studies

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curriculum using culturally responsive methodologies; integrate curriculum that is rigorous, accurate, antiracist, and culturally sustaining; and other elements.

This section is effective for plans reviewed and updated after June 30, 2024.

13 District advisory committee. [World’s best workforce]

Requires a district advisory committee to recommend strategies to ensure the curriculum is rigorous, accurate, antiracist, and culturally sustaining; and strategies regarding the learning and work environments.

14 Gifted and talented students programs and services.

Adds “services” to statute on gifted programs.

15 Statewide testing. [Statewide testing and reporting system]

Replaces average daily attendance with consistent attendance in the state reporting system, and replaces reference to the American College Test with the ACT test.

16 Statewide and local assessments; results. [Statewide testing and reporting system]

Strikes definitions related to adaptive assessments, and above-grade and below-grade test items. Eliminates requirement that commissioner use fully adaptive math and reading assessments in grades 3 through 8.

17 Limits on local testing.

Requires a district to publish the testing calendar at least one week before any eligible assessments are administered, and no later than October 1.

18 State growth measures; other state measures. [Student academic achievement and growth]

Modifies how growth is measured on state assessments. Requires the commissioner to implement an appropriate growth model comparing students’ test scores over time, and to include progress toward English language proficiency in growth model.

19 Student progress and other data. [School accountability]

Strikes reference to setting state growth targets in data privacy provision.

20 State model policy. [School student bullying policy]

Requires the commissioner to develop and maintain resources to assist a district or school in implementing strategies for creating a positive school climate and use evidence-based, social-emotional learning to prevent and reduce discrimination and other improper conduct.

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21 Malicious and sadistic conduct.

Defines “malicious and sadistic conduct,” and requires school boards to prohibit malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, sexual orientation, and sexual exploitation by a district or school staff member or student against another staff member or student.

“Malicious and sadistic conduct” means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

22 Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal. [Definitions]

Defines “nonexclusionary disciplinary policies and practices.”

23 Pupil withdrawal agreement. [Definitions]

Defines “pupil withdrawal agreement.”

24 Full and equitable participation in preschool and early learning.

Prohibits dismissals in kindergarten through grade 3 unless nonexclusionary discipline has been exhausted and there is an ongoing serious safety threat to the child or others.

25 Provision of alternative programs. [Grounds for dismissal]

Requires a school to use nonexclusionary disciplinary policies and practices before dismissal proceedings or pupil withdrawal agreements, except in certain circumstances.

This section is effective for the 2024-2025 school year and later.

26 Provision of alternative education services; suspension pending expulsion or exclusion hearing. [Suspension procedures]

Requires alternative education services to be provided to a pupil who is suspended for more than five consecutive school days.

27 Minimum education services. [Suspension procedures]

Requires school administration to allow a suspended pupil the opportunity to complete school work assigned during a suspension and receive full credit for completing the assignments. Encourages a school principal to designate a liaison to work with the pupil’s teachers.

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- 28 **Written notice. [Exclusion and expulsion procedures]**
Requires the written notice of intent to exclude or expel a student to describe the nonexclusionary disciplinary practices used to try to avoid the expulsion proceedings. Requires the department to post on its website a legal assistance resource list.

This section is effective for the 2024-2025 school year and later.
- 29 **Admission or readmission plan.**
Requires a readmission plan to include measures to improve the pupil’s behavior and to require parental involvement in the readmission process. Lists optional elements of the readmission plan. States that the definition of a suspension does not apply to a dismissal of less than one school day.
- 30 **Exclusions and expulsions; student withdrawals; physical assaults. [Report to the commissioner of education]**
Requires a school board to report pupil withdrawal agreements and nonexclusionary disciplinary practices used in response to an assault.
- 31 **Policies to be established.**
Requires a school board to establish nonexclusionary disciplinary policies and practices. Establishes requirements relating to expulsions and exclusions, including ensuring the pupil is on track for readmission, continued eligibility for school-based mental health services, and information on accessing mental health services.

This section is effective for the 2024-2025 school year and later.
- 32 **Corporal punishment; prone restraint; and certain physical holds.**
Defines “prone restraint.” Prohibits an employee or agent of a district, including a school resource officer or police officer contracted with a district, from using a prone restraint. Prohibits using a physical hold that restricts a pupil’s ability to breathe or communicate distress, places pressure on certain body parts, or results in straddling a pupil’s torso.
- 33 **Required policy. [Discipline and removal of students from class.]**
Requires a district’s discipline policy to contain the discipline complaint procedure that a member of the school community may use to file a complaint regarding the application of discipline policies and seek corrective action.
- 34 **Policy components. [Discipline and removal of students from class.]**
Requires a district’s discipline policy to: include procedures to ensure victims of bullying who respond with prohibited behavior have access to a remedial response;

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- and prohibit exclusionary procedures for early learners or to address attendance and truancy issues.
- 35 **School supports. [Discipline and removal of students from class.]**
Requires a school board to support school staff in using tiered interventions to address student behavior. Strongly encourages a school board to adopt policies regarding staff responses to student behavior.
- 36 **Discipline complaint procedure. [Discipline and removal of students from class.]**
Requires the discipline policy to contain procedures to file a complaint when the Pupil Fair Dismissal Act and other statutory discipline requirements are not being implemented appropriately or are being discriminately applied. Establishes requirements for complaint procedure.
- 37 **Recess and other breaks.**
Defines “recess detention.” Encourages districts and charter schools to ensure student access to structured breaks. Limits the use of recess detention and requires districts and charter schools to notify a parent within 24 hours of using recess detention. Requires districts and charter schools to compile information on recess detention. Prohibits a district or charter school from withholding or excessively delaying a student’s participation in scheduled mealtimes.
- 38 **Pupil application procedures. [Enrollment options program]**
Allows a district to require a nonresident student in an early childhood special education, or in a preschool program other than a voluntary prekindergarten or school readiness plus program, to follow application procedures to enroll in kindergarten. Requires a district to allow a student in a voluntary prekindergarten or school readiness plus program to be automatically enrolled in kindergarten.
- 39 **Nonresident district procedures. [Enrollment options program]**
Shortens the time period within which a parent must notify the nonresident district whether the student intends to enroll in the nonresident district.
- 40 **Definitions. [Postsecondary enrollment options act]**
Prohibits a postsecondary institution participating in the postsecondary enrollment options program from requiring a faith statement during the application process or basing an admission decision on a student’s race, creed, ethnicity, disability, gender, or sexual orientation or religious beliefs or affiliations.

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- 41 **Authorization; notification. [Postsecondary enrollment options act]**
Requires a postsecondary institution to notify a secondary pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.
- 42 **Credits; grade point average weighting policy. [Postsecondary enrollment options act]**
Requires a secondary pupil enrolled in a postsecondary course to provide the secondary school with the pupil's interim or nonfinal grades earned during the academic term.
- 43 **Financial arrangements. [Postsecondary enrollment options act]**
Shortens the time period for a student to withdraw or be absent from a postsecondary enrollment options course that triggers the department to stop payments to the postsecondary institution.
- 44 **Online instruction act.**
- Subd. 1. Definitions.** Defines terms, including "blended instruction," "digital instruction," and "online instruction."
 - Subd. 2. Digital instruction.** Allows an enrolling district to provide digital instruction to the district's own enrolled students. Limits the number of students that may receive online instruction in any one course or section to 40.
 - Subd. 3. Supplemental online courses.** Establishes requirements for students applying to take supplemental online courses other than those offered by the student's enrolling district. Requires a supplemental online course provider to have a current, approved application to be listed by the department as an approved provider. Requires a supplemental online course provider to participate in continuous improvement cycles with the department.
 - Subd. 4. Enrolling district.** Establishes procedure for an enrolling district to determine that a supplemental online course provider's course does not meet academic standards in the course it would replace at the enrolling district. Requires an enrolling district to appoint an online learning liaison, and provide support services to students taking supplemental online courses.
 - Subd. 5. Reporting.** Requires courses that include blended instruction and online instruction to be reported in the manner determined by the department.
 - Subd. 6. Department of Education.** Requires the commissioner to establish quality standards for applications and continuous improvement of supplemental online course providers, and by enrolling districts using digital instruction. Requires the department to establish and participate in continuous improvement

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cycles with supplemental online course providers. Establish process for the department to review complaints about an enrolling district providing digital instruction or supplemental online course provider.

Subd. 7. Financial arrangements. Requires the department to calculate average daily membership for a student enrolled in an online supplemental course equal to 1/12 for each semester course or a proportionate amount for courses of different lengths. The adjusted online learning average daily membership equals the initial online supplemental average daily membership times .88.

45 **Program established. [Learning year program to provide instruction throughout year]**

Strikes language allowing a student to participate in a learning year program and accelerate attainment of grade level requirements or graduation requirements.

46 **English learner; limited or interrupted formal education. [Definitions]**

Modifies definition of an English learner with limited or interrupted formal education.

47 **Eligible programs. [Graduation incentives program]**

Raises to 17 the minimum age of participation in an adult basic education program.

48 **Plan implementation; components. [Achievement and integration for Minnesota]**

Requires a plan to address institutional racism in schools that create opportunity and achievement gaps. Requires a district to use local data to develop plan components and strategies. Recodifies and adds to list of optional plan elements; additions include examination of data for institutional racism and ethnic studies curriculum. Modifies references to the types of assessments used.

49 **Commissioner authority to withhold revenue. [Achievement and integration revenue]**

Modifies commissioner's response to a district that has not met its goals under an achievement and integration plan.

50 **Public employee or employee. [Definitions]**

Modifies the definition of "public employee" for purposes of PELRA. Allows a temporary or seasonal school district or charter school employee to be counted as a "public employee," for purposes of collective bargaining.

51 **Revisor instruction.**

Instructs the revisor to renumber statutes in chapter 120B.

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52 Repealer.

Repeals sections 120B.35, subdivision 5 (improving graduation rates for students with emotional or behavioral disorders), and 124D.095 (the Online Learning Option Act).

Article 3: American Indian Education

This article prohibits the use of American Indian mascots, modifies the American Indian Education Act, allows American Indian students to wear American Indian regalia at graduation ceremonies, and makes other changes.

Section Description – Article 3: American Indian Education

1 Private data; when disclosure is permitted. [Educational data]

Allows private educational data to be disclosed to Tribal Nations about Tribally enrolled or descendant students.

2 Conduct of school on certain holidays.

Replaces Columbus Day with Indigenous Peoples' Day on list of holidays that a school district may conduct school. Requires at least one hour of the school program on Indigenous Peoples' Day to be devoted to observance of the day, and lists topics on which the district may provide professional development to teachers and staff, or instruction to students.

3 Standards development. [Required academic standards]

Adds representatives from the Tribal Nations Education Committee and Minnesota's Tribal Nations and communities to the list of stakeholders the commissioner must consult when developing statewide academic standards.

4 Revisions and reviews required. [Required academic standards]

Requires the commissioner to embed Indigenous education for all students consistent with recommendations from Minnesota's Tribal Nations and urban Indigenous communities into the state's academic standards. Delays review of physical education standards to the 2026-2027 school year. Requires the commissioner to embed ethnic studies into state academic standards.

5 Indigenous education for all students. [Required academic standards]

Requires the commissioner to provide resources to support implementation of Indigenous education for all students and conduct a needs assessment to inform the development of future resources for Indigenous education for all students.

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- 6 American Indian mascots prohibited.**
Prohibits a public school from having an American Indian mascot, nickname, logo, letterhead, or team name. Allows a public school to seek an exemption from the 11 federally recognized Tribal Nations in Minnesota and the Tribal Nations Education Committee.

This section is effective June 30, 2024.
- 7 American Indian student. [Definitions]**
Defines “American Indian student.”
- 8 Program described. [American Indian education programs]**
Limits American Indian education programs to programs to support American Indian students.
- 9 Enrollment of other children; shared time enrollment. [American Indian education programs]**
Limits participation of children enrolled in nonpublic schools who enroll on a shared time basis in American Indian education programs to American Indian children.
- 10 Location of programs. [American Indian education programs]**
Modifies where American Indian education programs must be located.
- 11 American Indian culture and language classes. [American Indian education programs]**
Requires districts or participating schools to conduct American Indian education programs if they meet certain thresholds for the number or percent of students that are American Indian.
- 12 American Indian education program coordinators, paraprofessionals.**
Requires dedicated American Indian education program coordinators and strikes references to community coordinator and home/school liaisons.
- 13 Parent and community participation.**
Modifies requirements relating to American Indian parent advisory committee. Requires the state count of American Indian students to be used for purposes of the American Indian Education Act.

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- 14 **Technical assistance. [Community and commissioner participation in American Indian education]**
Requires the commissioner to provide technical assistance to districts, schools, and postsecondary institutions on the annual report of American Indian student data using the state count.
- 15 **Duties; powers. [Indian education director]**
Modifies the duties of the American Indian education director.
- 16 **Graduation ceremonies; Tribal regalia and objects of cultural significance.**
Prohibits a district or charter school from prohibiting an American Indian student from wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a graduation ceremony.
- 17 **Procedures. [American Indian education aid]**
Requires the state count of American Indian students to be used to determine eligibility for Indian education aid.
- 18 **Records. [American Indian education aid]**
Strikes reference to “pilot” American Indian education programs.
- 19 **Tobacco products prohibited in public schools.**
Allows an American Indian student to carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices.

Article 4: Teachers

This article modifies teacher licensure and teacher probationary period requirements, establishes a short-call substitute teacher pilot program, and makes other changes.

Section Description – Article 4: Teachers

- 1 **Plan. [E-learning days]**
Requires a school board to meet and negotiate with the exclusive representative of teachers before adopting an e-learning day.

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- 2 **Curriculum policy.**
Requires a school board to adopt a written policy that prohibits discrimination or discipline for a teacher or principal for incorporating into curriculum contributions by persons in a protected class.
- 3 **License required.**
Requires a teacher to hold a field license or permission aligned to the content area and scope of the teacher’s assignment to provide instruction in a public school, including a charter school. References compulsory instruction requirements.
- 4 **Scope. [Definitions]**
Expands the sections that the definitions in section 122A.06 apply to. Includes the new section 3 above, and sections relating to teacher licensure.
- 5 **Teacher. [Definitions]**
Modifies definition of “teacher.”
- 6 **Field. [Definitions]**
Modifies definition of “field” by adding “licensure area” as synonymous term.
- 7 **Shortage area. [Definitions]**
Modifies definition of “shortage area” and how a shortage area is determined.
- 8 **Teacher preparation program. [Definitions]**
Strikes examples of teacher preparation programs.
- 9 **Teacher preparation program provider. [Definitions]**
Adds examples of teacher preparation program providers.
- 10 **District. [Definitions]**
Defines a “district” as a school district or charter school.
- 11 **Transfer pathway. [Definitions]**
Defines a “transfer pathway” as an established pathway to licensure between a two-year college and a board-approved preparation provider.
- 12 **Administration. [PELSB]**
Strikes obsolete language regarding PELSB offices.
- 13 **Licensing and approval. [Duties]**
Requires PELSB to approve teacher preparation providers.

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- 14 **Register of persons licensed. [Duties]**
Modifies the register of licensed teachers PELSB must maintain. Requires the list to be available on the board’s website.
- 15 **PELSB must adopt rules. [Duties]**
Adds sections to the list of sections that require PELSB to adopt rules. Makes technical changes.
- 16 **Permissions. [Duties]**
Expands types of teacher preparation programs PELSB must encourage to develop alternative pathways for licensing career and technical education teachers.
- 17 **Teacher and administrator preparation and performance data; report. [Reports]**
Modifies PELSB report on teacher preparation providers.
- 18 **Teacher preparation program reporting. [Reports]**
Modifies PELSB report to the legislature regarding teacher candidates.
- 19 **Teachers. [Teachers, supervisory and support personnel, definitions, licensure]**
Modifies sections to which the definition of “teacher” for purposes of licensure applies.
- 20 **Authority to license. [Board to issue licenses]**
Makes technical change.
- 21 **Support personnel qualifications. [Board to issue licenses]**
Corrects statutory reference relating to support personnel qualifications.
- 22 **Licensure via portfolio. [Board to issue licenses]**
Limits the licensure via portfolio process to initial Tier 3 licenses or to add a licensure field to a Tier 3 or Tier 4 license.
- 23 **Staff automated reporting. [Board to issue licenses]**
Requires PELSB to collect data on educators’ employment and assignments from all districts and charter schools. Allows report to include data on educators’ demographics and licensure.
- 24 **Application requirements. [Tier 1 license]**
Requires application to be submitted jointly by applicant and district, and to be paid for.

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- 25 **Professional requirements. [Tier 1 license]**
Makes technical change.
- 26 **Exemptions from a bachelor’s degree. [Tier 1 license]**
Expands list of applicants exempt from requirement to hold a bachelor’s degree for a Tier 1 license to include persons teaching world languages and culture, and the performing or visual arts. Requires PELSB to adopt rules.
- 27 **Term of license and renewal. [Tier 1 license]**
Strikes provision allowing PELSB to submit written comments to the district or charter school that requested a Tier 1 license renewal.
- 28 **Application. [Tier 1 license]**
Allows PELSB to review applications for Tier 1 license before July 1, and removes 30-day deadline for issuing or denying the license.
- 29 **Limitations on license. [Tier 1 license]**
Allows a Tier 1 teacher to be part of the teacher bargaining unit.
- 30 **Requirements. [Tier 2 license]**
Requires applications to be submitted jointly by applicant and district and to be paid for.
- 31 **Coursework. [Tier 2 license]**
Makes technical change.
- 32 **Exemptions from a bachelor’s degree. [Tier 2 license]**
Expands list of applicants exempt from the requirement to hold a bachelor’s degree for a Tier 2 license to include persons teaching world languages and culture, and the performing or visual arts. Requires PELSB to adopt rules.
- 33 **Application. [Tier 2 license]**
Allows PELSB to begin renewing license applications before July 1 and removes 30-day deadline for issuing or denying the license.
- 34 **Requirements. [Tier 3 license]**
Eliminates licensure exam requirements. Strikes provision allowing a candidate to obtain a Tier 3 license without a bachelor’s degree; it is recodified in section 35.

Requires PELSB to issue a Tier 3 license to a candidate who either: (1) completed a teacher preparation program from a culturally specific minority serving institution and is eligible for a teacher license in another state; or (2) completed a university

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teacher preparation program in another country and has taught at least two years. Requires a candidate to have completed student teaching comparable to Minnesota requirements.

35 Exemptions from a bachelor’s degree. [Tier 3 license]

Expands list of applicants exempt from the requirement to hold a bachelor’s degree for a Tier 3 license to include persons teaching world languages and culture, and the performing or visual arts. Requires PELSB to adopt rules.

36 Requirements. [Tier 4 license]

Requires an applicant to have field-specific teaching experience from any state, rather than only Minnesota, and complete Tier 3 renewal requirements if the applicant previously held a Tier 3 license. Strikes requirement that candidate’s most recent summative evaluation not have placed the candidate on an improvement process.

37 Tests. [Teacher licensure assessment]

Eliminates the following tests:

- Skills in reading, writing, and math for a Tier 4 license to provide direct instruction in elementary, secondary, or special education programs
- Pedagogy and content exams for an applicant that has completed a PELSB-approved preparation program, or a state-approved teacher preparation program in another state and passed licensure exams in that state, if applicable.
- Reading instruction for Tier 3 and 4 licenses to teach elementary students

Requires PELSB to adopt rules requiring performance assessments as alternative to examinations of pedagogy and content.

Requires testing centers to provide monthly opportunities for untimed content and pedagogy exams. Requires the exam vendor to: waive test fees for some test takers, provide free practice tests and study guides, and make content and pedagogy exams available in languages other than English for some teachers.

38 Remedial assistance. [Teacher licensure assessment]

Strikes requirement that PELSB-approved teacher preparation programs provide students remedial assistance if they do not pass the skills exam.

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- 39 **License form requirements. [Expiration and renewal]**
Strikes requirement that PELSB require satisfactory evidence of teaching or administrative experience to renew license. Strikes requirement that PELSB establish requirements for renewing coach license.
- 40 **Teacher preparation programs. [Bilingual and English as a second language teachers, licenses]**
Expands organizations that can have teacher preparation programs.
- 41 **Exceptions. [Community education teachers; licensure requirements]**
Allows adult basic education and early childhood family education teachers to obtain tenure or continuing contract.
- 42 **Probationary period. [Employment; contracts; termination]**
Reduces from 120 to 60 the number of days of teaching service a probationary teacher must complete during the probationary period.

Modifies probationary period for a teacher who has taught for three consecutive years in a single district or charter school in Minnesota or another state by allowing the teacher to obtain continuing contract status after serving a one-year probationary period.

Effective date: This section is effective for collective bargaining agreements effective July 1, 2023.
- 43 **Development, evaluation, and peer coaching for continuing contract teachers. [Employment; contracts; termination]**
Requires a teacher evaluation process to include a rubric of performance standards for teacher practice that is based on professional teaching standards established in rule, includes culturally responsive methodologies, and provides common descriptions of effectiveness using at least three levels of performance.

This section is effective July 1, 2025.
- 44 **Probationary period; discharge or demotion. [Teacher Tenure Act; cities of the first class; definitions]**
Modifies the teacher probationary period to be the same as it is for districts in cities not in the first class. Sets the probationary period in a subsequent district at one year for a teacher that completes the three-year period in the first district. Reduces from 120 to 60 the number of days of teaching service a probationary teacher must complete during the probationary period.

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Modifies probationary period for a teacher who has taught for three consecutive years in a single district or charter school in Minnesota or another state by allowing the teacher to obtain tenure after serving a one-year probationary period.

Effective date: This section is effective for collective bargaining agreements effective July 1, 2023.

45 Development, evaluation, and peer coaching for continuing contract teachers. [Teacher tenure act; cities of the first class; definitions]

Requires a teacher evaluation process to include a rubric of performance standards for teacher practice that is based on professional teaching standards established in rule, includes culturally responsive methodologies, and provides common descriptions of effectiveness using at least three levels of performance.

This section is effective July 1, 2025.

46 Short-call substitute teacher pilot program.

Establishes pilot program for the 2023-2024 and 2024-2025 school years. Allows a district or charter school and an applicant to jointly request PELSB approve an application for a short-call substitute license. Requires an applicant to meet one of the following requirements: have an associate's degree or equivalent and receive substitute training from the district or school; or have a high school diploma or equivalent and have been employed as an education support professional or paraprofessional in the district or charter school for at least one year. Requires the district or charter school to have requested a background check and provide substitute teacher training. Allows PELSB to issue a license pending a background check and to immediately suspend or revoke the license upon receiving the background check. Allows PELSB to prioritize short-call substitute teaching license applications. Sets minimum rate of pay for substitute teachers under the pilot program.

47 Practice or student teachers.

Strikes requirement that student teachers have completed at least two years of an approved teacher preparation program to have classroom experience.

48 Duties; evaluation. [Principals]

Requires a principal's annual evaluation to support and improve a principal's culturally responsive leadership practices and be linked to professional development that emphasizes culturally responsive leadership practices.

This section is effective July 1, 2024.

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49 Teacher. [Definitions]

Modifies the definition of “teacher” for purposes of PELRA, which determines what individuals can be in the teacher bargaining unit. Includes in the definition of teacher, a person creating and delivering instruction to children in a prekindergarten or early learning program but allows these teachers to stay in a different bargaining unit certified before January 1, 2023, with some exceptions.

50 Terms and conditions of employment. [Definitions]

Requires collective bargaining for school employees to include class sizes, student testing, and student-to-personnel ratios.

51 Revisor instruction.

Instructs the revisor to substitute the term “applicant” or “applicants” for “candidate” or “candidates” in specified sections.

52 Repealer.

Repeals the following:

- Minnesota Statutes, section 122A.07, subdivision 2a (obsolete language on first appointments to PELSB)
- Minnesota Statutes, section 122A.091, subdivisions 3 (school district reports to PELSB and BOSA), and subdivision 6 (obsolete language on PELSB report submitted in 2019)
- Minnesota Statutes, section 122A.18, subdivision 7c (temporary military licenses)
- Minnesota Rules, part 8710.0500, subparts 8 and 11 (teacher licensing exams)

Article 5: Charter Schools

This article requires market need and demand studies for charter schools, requires charter schools to comply with specific statutes, modifies charter school admissions requirements, and makes other changes.

Section Description – Article 5: Charter Schools

1 Definitions.

Defines “market need and demand study.”

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- 2 Certain federal, state, and local requirements. [Applicable law]**
Requires a charter school to comply with section on alternatives to pupil suspension.
- 3 English learners. [Applicable law]**
Requires a charter school to comply with the Education for English Learners Act.
- 4 Application content. [Authorizers]**
Modifies provision regarding the length of an authorizer’s term.
- 5 Withdrawal. [Authorizers]**
Modifies cross-reference providing reason for authorizer to withdraw as an approved authorizer; the new reference is to provision on corrective action against an authorizer.
- 6 Individuals eligible to organize. [Forming a school]**
Requires a charter school developer’s application to include a market need and demand study. Eliminates requirement that application include a statement of assurances of legal compliance.
- 7 Authorizer’s affidavit; approval process. [Forming a school]**
Requires an authorizer’s affidavit stating its intent to charter a school to include a market need and demand study.
- 8 Adding grades or sites. [Forming a school]**
Requires an authorizer to submit a market need and demand study to the commissioner when a school the authorizer charters wants to add grades or sites.
- 9 Contents. [Charter contract]**
Clarifies that a charter contract between a charter school board and an authorizer must include a statement of the school’s admission policies and procedures.
- 10 Admissions requirements and enrollment.**
Requires that admission to a charter school be free to an eligible pupil residing in Minnesota and requires an enrollment preference for Minnesota residents over out-of-state residents. Eliminates enrollment preference for children enrolled in a charter school’s fee-based preschool or prekindergarten program to enroll the following year.

Modifies admissions preferences for charter schools that serve at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf, hard-of-hearing, or deafblind.

Section Description – Article 5: Charter Schools

- 11 **Teachers. [Employment]**
Requires a charter school, excluding a preschool or prekindergarten program to employ or contract with a licensed teacher. Establishes qualifications for a charter school’s prekindergarten or preschool program teachers.
- 12 **Leased space. [Facilities]**
Requires a charter school to lease a building from its owner, rather than subleasing a space.
- 13 **Affiliated nonprofit building corporation. [Facilities]**
Limits an affiliated nonprofit building corporation to serve only one charter school.
- 14 **School closures; payments. [Payment of aids to charter schools]**
Strikes obsolete reference to chapter 308A (Cooperatives) with regards to closure plans.

Article 6: Special Education

This article modifies requirements for using restrictive procedures on students with disabilities and providing instruction to students in residential facilities and care and treatment, and makes other changes.

Section Description – Article 6: Special Education

- 1 **Standards for restrictive procedures.**
Establishes additional requirements related to a school’s use of restrictive procedures, including review of disproportionate use of the procedures and the role of school resource officers in the use of restrictive procedures. Adds references to individualized family service plans. Requires documentation of a restrictive procedure to describe the post-use debriefing that occurred as a result of the use of the physical hold or seclusion. Prohibits the use of seclusion on children from birth through prekindergarten. Modifies requirements to report the use of restrictive procedures to the Department of Education.
- 2 **School of parents’ choice.**
Provides that a parent of a student with a disability who is not yet enrolled in kindergarten and not open enrolled in a nonresident district may elect a school in a nonresident district where the child is enrolled in a Head Start program or a licensed child care program if the child can be served in the same setting as other children in the nonresident district with the same level of disability.

Section Description – Article 6: Special Education

3 Placement in another district; responsibility.

Modifies requirements relating to a district’s educational program responsibility when a child with a disability is temporarily placed for care and treatment in a day program located in another district and the child continues to live in the district of residence during the care and treatment. Allows an enrolling district or charter school that is authorized to provide a state-approved online learning program to fulfill its responsibility through the online learning program.

Modifies requirements relating to a district’s educational program responsibility when a child with a disability is temporarily placed in a residential program for care and treatment located in another district. Allows the nonresident district to meet its requirement to provide an educational program by using a state-approved online learning program provided by the child’s enrolling district or charter school.

4 Placement of children without disabilities; education and transportation.

Modifies requirements relating to a resident district’s duty to provide instruction when a student without a disability is temporarily placed for care and treatment in a day program and the student continues to live within the resident district during the care and treatment. Allows the resident district to provide instruction through an authorized online learning program provided by the resident district, a district of open enrollment, or an enrolling charter school.

Modifies requirements relating to nonresident district’s duty to provide instruction when a student without a disability is temporarily placed in a residential program for care and treatment. Allows the district in which the student is placed to use a state-approved online learning program provided by the student’s resident district, district of open enrollment, or enrolling charter school.

5 Responsibilities for providing education. [Placement of students; approval of education program]

Modifies requirements for district in which a children’s residential facility is located to provide education services for children placed in the facility. Allows the district of the facility to use a state-approved online learning program provided by a child’s district of residence, district of open enrollment, or charter school to fulfill its responsibility.

Article 7: Nutrition and Libraries

This article modifies requirements relating to federal nutrition programs, prohibits additional practices that stigmatize a child with an outstanding meal balance, provides requirements for school libraries, and makes other changes.

Section Description – Article 7: Nutrition and Libraries

- 1 Federal child and adult care food program and federal summer food service program; criteria and notice. [School meals policies; lunch aid; food service accounting]**

Modifies requirements relating to the federal summer food service program (SFSP). Requires the department to evaluate financial eligibility as part of the application process. Specifies documentation an applicant must submit.
- 2 Respectful treatment. [School meals policies; lunch aid; food service accounting]**

Prohibits a participant in the national school lunch program from providing students alternative meals not specifically related to dietary needs or providing nonreimbursable meals.
- 3 Summer food service program and child and adult care food program (CACFP).**

Limits how often legally distinct CACFP and SFSP sites may transfer sponsoring organizations to once per year, except under extenuating circumstances. Requires a nongovernmental organization applying to sponsor a CACFP or SFSP site to provide documentation to the department verifying that staff members have completed program-specific training.

Prohibits the department from approving a new SFSP open site that is within a half-mile radius of an existing SFSP open site unless the new program would not serve the same group of children for the same meal type or if safety issues could present barriers to participation.
- 4 School libraries and media centers.**

Establishes requirements for a school library or school library media center.
- 5 Library service. [Department of Education; library responsibilities]**

Replaces reference to “citizen” with “resident.”
- 6 Services to people with visual and physical disabilities. [Department of Education; library responsibilities]**

Makes technical changes.
- 7 Special project grants. [Grant authorization; types of grants and aids]**

Updates reference to “Spanish-speaking” with “multilingual learners.”
- 8 Local support levels. [Regional library basic system support aid; requirements]**

States that regional library basic system support aid is subject to reduced maintenance of effort requirements.

Section Description – Article 7: Nutrition and Libraries

9 Revisor instruction.

Instructs the revisor to replace the terms “free lunch,” “reduced-price lunch,” and similar terms with “free meals,” “reduced-price meals,” and “free or reduced-price meals” wherever they appear in statute when used in context with the national school lunch and breakfast programs.



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