

Chapter 55

2023 Regular Session

Subject K-12 Omnibus Bill**Bill** H.F. 2497**Analyst** Tim Strom
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Overview

Chapter 55 is the K12 education finance and policy act for 2023. The bill increases funding to school programs, modifies school district responsibilities, and modifies student opportunities and responsibilities.

Article 1: General Education

Article 1 increases general education aid through a higher basic formula allowance (4 percent higher in FY 24, 2 percent higher in FY 25 and linked to inflation for subsequent years).

Increases English learner revenue, authorizes existing operating referenda to be renewed by school boards, and makes other changes.

Section	Description – Article 1: General Education
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1	Access to menstrual products.
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Requires a school district or charter school to provide access to menstrual products at no charge. Requires the menstrual products to be available to all menstruating students in restrooms regularly used by students in grades 4 to 12 according to a plan developed by the school district. Defines “menstrual products.”

This section is effective January 1, 2024.

2	Opiate antagonists.
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Requires a school district or charter school to maintain a supply of opiate antagonists at each school site. Requires two doses of nasal naloxone to be available on-site in each school building. Requires the commissioner of health to develop and disseminate a training video on administering an opiate antagonist.

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3 Publication. [Review and Comment for school 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.

This section is effective for elections conducted on or after August 9, 2023.

4 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 district's nonpublic pupil transportation aid remains unaffected by the nonpublic pupil transportation provided under the plan.

5 Area learning center transportation aid.

Creates a new categorical aid to reimburse school districts for the costs of transporting students to and from an ALC program. Requires school districts to submit their costs for the transportation services to the commissioner of education in the form and manner established by the commissioner. Limits the total aid to not more than \$1,000,000 per year.

6 Career and Technical Education (CTE) consortium.

Adds the Career and Technical Education (CTE) consortia to state statutes and describes the consortia's activities. Increases the consortia's appropriation from \$3,000,000 to \$5,000,000 per year and extends the program statewide. Requires an advisory committee and reporting.

7 English learner.

Qualifies early childhood special education students for English learner (EL) services and revenue and excludes the years of service prior to kindergarten from the seven-year limit on funded services.

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8 School district EL revenue.

Moves the EL funding components into one subdivision. Increases the EL basic allowance from \$704 to \$1,228 per qualifying EL student for fiscal years 2024 to 2026 and \$1,775 per qualifying EL student for fiscal year 2027 and later. Increases EL concentration revenue from \$250 to \$436 per EL student for fiscal years 2024 to 2026 and to \$630 per EL student for fiscal year 2027 and later.

Creates a new component of EL revenue that funds an increasing percentage of the difference between a school's EL spending and its EL revenue. Sets the percentage at 25 percent of the difference in fiscal year 2027 and later.

9 School unemployment aid.

Establishes an unemployment aid account in the special revenue fund. Appropriates \$135 million on a one-time basis (in the appropriations section) to fund the account. Creates a procedure for the commissioner of education to reimburse each school district, charter school, and cooperative unit for their unemployment costs associated with hourly workers over the summer term. Expires the account June 30, 2027.

10 General education basic revenue.

Increases the general education basic formula allowance from \$6,863 to \$7,138 per pupil for fiscal year 2024 (4 percent increase) and to \$7,281 per pupil for fiscal year 2025 (2 percent increase). Increases the general education basic formula allowance for fiscal year 2026 and later by the rate of inflation as measured by the Consumer Price Index, with the increase limited to a band of not less than 2 percent or greater than 3 percent per year.

11 Extended time revenue.

Expands extended time revenue to include summer services to students who are attending a day treatment program or who are placed at a children's residential facility.

Defines "children's residential facility" as a residential facility for children, including a psychiatric residential treatment facility (PRTF), licensed by the Department of Human Services or the Department of Corrections and subject to Minnesota Rules, chapter 2960, or an inpatient hospitalization that includes mental health services.

12 Local optional revenue.

Updates the second tier local optional levy equalizing factors starting in fiscal year 2025 so that the bill does not increase total statewide levies above the amount estimated under the February 2023 forecast.

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- 13 Compensatory education revenue.**
Requires compensatory revenue to be calculated for fiscal year 2025 with the hold harmless created in the free meals act (ensuring no loss of revenue between fiscal year 2024 and 2025).

Creates a new formula for fiscal years 2026 and later by multiplying a compensatory allowance by the number of pupils eligible at each site.
- 14 Definitions. [Compensatory revenue]**
Defines terms for the new compensatory hold harmless.
- 15 Free and reduced-price meals.**
Requires the commissioner to determine the number of free and reduced-price meals eligible students at each school site through the direct certification process and other means as necessary at the discretion of the commissioner.
- 16 Statewide compensatory allowance.**
Establishes a statewide compensatory allowance inflator for fiscal years 2026 and later to link the growth in compensatory revenue to the growth in the general education basic formula allowance.
- 17 Basic skills revenue.**
Moves the concentration portion of the EL revenue formula (up to \$250 per EL pupil) to the EL revenue section of statute.
- 18 Total operating capital revenue. [General education revenue]**
Adds \$2 per adjusted pupil unit to a district's operating capital revenue. The increased revenue is to supply menstrual products to students and at least two doses of opiate antagonists at each school site.
- 19 Uses of total operating capital revenue. [General education revenue]**
Adds the costs of supplies and equipment necessary to provide students free access to menstrual products and the cost of opiate antagonists to the uses of total operating capital revenue.

This section is effective July 1, 2023.
- 20 Pupil transportation sparsity adjustment.**
Increases the portion of a school district's unfunded pupil transportation expenses that are funded through state aid from 18.2 percent to 35 percent of the unfunded amount.

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- 21 **Reporting.**
Requires a school district to report class size ratios under learning and development revenue by each grade to the commissioner of education starting in the 2023-2024 school year. Requires the department to submit a report to the legislature by December 1, 2024.
- 22 **Uses of revenue. [Compensatory revenue]**
Restructures, narrows, and reorganizes the acceptable uses of compensatory revenue for fiscal year 2024 and later.
- 23 **Building allocation. [Compensatory revenue]**
Requires at least 80 percent of a school district's compensatory revenue to remain at the site where the revenue was generated (current law requires 50 percent of compensatory revenue to remain at the site where the revenue was generated).
- 24 **Annual expenditure report. [Compensatory revenue]**
Requires a school district to report whether programs funded with compensatory revenue are consistent with best practices demonstrated to raise student achievement.

Requires the Minnesota Department of Education (MDE) and the regional centers of excellence to provide schools with resources to identify best practices when implementing compensatory revenue programs.
- 25 **Renewal by school board. [Operating referendum]**
Authorizes a school board to renew an operating referendum previously approved by the voters by board action once. Limits the term of the renewal to no more than 10 years. Requires the school board to adopt a written resolution authorizing the referendum after holding a meeting and allowing public testimony.
- 26 **Payment to unemployment insurance program trust fund by state and political subdivisions.**
Excludes any summer term hourly worker unemployment insurance cost from a school district's annual levy for its unemployment insurance costs (allowing a school board to continue to levy for the employee costs for those employees currently eligible for benefits).
- 27 **Qualifications.**
Strikes obsolete language regarding the first appointment of a School Trust Lands Director.

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28 Duties; powers.

Clarifies the duties of the School Trust Lands Director as a fiduciary and temporary trustee of certain school trust lands.

29 Board.

Increases the number of board members of the Minnesota High School League by two members from 20 to 22 members.

30 School employees; between terms denial.

Makes school employees working in other than instructional, research, or principal administrative capacities eligible for unemployment benefits between school terms if they otherwise meet unemployment eligibility requirements. Modifies section 268.085, subdivision 7, to allow this group to use their wages credits for unemployment insurance benefit purposes between school terms.

For K-12 employees, other than an instructional position means one that does not require licenses from the Professional Educator Licensing and Standards Board (PELSB) or the Board of School Administrators (BOSA).

Makes technical changes to existing law clarifying that school employees continue to be ineligible for unemployment benefits during vacation or holiday recess periods.

Effective May 28, 2023.

31 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.

32 Fund transfer; Burnsville-Eagan-Savage school district.

Authorizes Independent School District No. 191, Burnsville-Eagan-Savage, to transfer the net proceeds from building lease payments, and the net proceeds from the sale of a facility, after bond obligations for that facility have been satisfied (or a sufficient amount to cover future bond payments has been deposited in the debt redemption fund), to the unreserved general fund.

33 Unemployment insurance report.

Requires the commissioners of education and employment and economic development to annually report to the legislative committees with jurisdiction over education on the annual reimbursable costs and the numbers of school workers receiving unemployment during the summer term.

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34 Replacing paper forms.

Requires MDE to report to the education committees of the legislature about whether paper school meals eligibility forms may be eliminated without any consequences to school formulas or other data collection processes.

35 Appropriations given effect only once.

Ensures that a program that is intended to be funded only once is funded just once should the same provision be enacted in a separate omnibus funding bill.

36 Appropriations.

This section appropriates money for general education, enrollment options transportation, abatement aid, consolidation aid, nonpublic pupil education aid, nonpublic pupil transportation aid, the Angle Inlet school, career and technical aid, and the pregnant and parenting teen pupil transportation reimbursement.

See fiscal worksheet for details:

<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

37 Repealer.

(a) Repeals the existing manner of computing compensatory pupil units and replaces it with the new method proposed in sections 12, 13, and 14.

(b) Repeals Laws 2023, chapter 18, section 4, subdivision 5 (Additional general education aid for compensatory revenue and reappropriates amount into Section 23).

(c) Repeals Minnesota Statutes, section 268.085, subdivision 8, to remove any remaining limitation on school contractors receiving unemployment benefits. Many school contractors already qualify for unemployment between school terms, and their eligibility would not change.

Makes paragraph (a) effective for fiscal year 2026 and later, makes paragraph (b) effective May 28, 2023, and makes paragraph (c) effective the day following final enactment.

Article 2: Education Excellence

This article modifies requirements relating to academic standards, graduation requirements, e-learning days, student discipline, and full-service community schools. It establishes a new funding formula for student support personnel and makes other changes.

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- 1 Requirements for instructors. [Compulsory instruction]**
Modifies requirements for a person providing home school instruction.
- 2 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.
- 3 Required standard. [Definitions]**
Modifies definition of “required standard.” Requires districts to adopt state arts standards.
- 4 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 science standards to include earth and space science, life science, and the physical sciences. Requires districts to adopt state arts standards. Adds media arts as a fifth arts area. Modifies physical education standards requirements. Strikes civics test requirement from social studies standards.
- 5 Rulemaking. [Required academic standards]**
Strikes prohibition on MDE amending or repealing academic standards without specific legislative authorization.
- 6 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.
- 7 Graduation requirements. [Credits]**
Modifies math, science, and social studies credit requirements. Requires students to complete a course for credit in government and citizenship in grade 11 or 12 and to complete sufficient credits to satisfy the state standards in physical education. Requires students to complete a course for credit in personal finance.

This section is effective for the 2024-2025 school year and later.
- 8 Credit equivalencies. [Credits]**
Modifies reference to agriculture and business education programs. Allows a student to use an ethnic studies course to fulfill a social studies, language arts, science, math,

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- arts, or elective credit if the credit meets the applicable academic standards or other requirements.
- 9 **Definitions. [World’s best workforce]**
Defines “ethnic studies curriculum,” “antiracist,” “culturally sustaining,” and “institutional racism.”
- 10 **Adopting plans and budgets.**
Requires a school board’s world’s best workforce strategic plan to include integration of curriculum that is rigorous, accurate, antiracist, and culturally sustaining; a learning and work environment that supports and integrates cultural and community strengths for all students, families, and employees; provide a collaborative professional culture that seeks to retain qualified, racially and ethnically diverse staff effective at working with diverse students; and identify a list of suggested and required materials, curricula, and pedagogical skills that accurately reflect the diversity of the state of Minnesota.

Excludes literacy from plan and reporting requirements.
- 11 **District advisory committee. [World’s best workforce]**
Requires a district advisory committee to recommend strategies to ensure the curriculum is rigorous, accurate, antiracist, culturally sustaining, and reflects the diversity of the student population; and strategies regarding the learning and work environments.
- 12 **Gifted and talented students programs and services.**
Adds “services” to statute on gifted programs.
- 13 **Ethnic studies.**
Defines “ethnic studies.”
- 14 **Ethnic studies.**
 Subd. 1. Definition. Defines “ethnic studies.”

 Subd. 2. Requirements. Requires a district or charter school high school to offer an ethnic studies course starting in the 2026-2027 school year, and to provide ethnic studies instruction in elementary and middle schools in accordance with state academic standards by the 2027-2028 school year. Allows an ethnic studies course to focus on a particular group of national or ethnic origin.

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Subd. 3. Department of Education. Requires the department to hire dedicated ethnic studies staff to fulfill specified duties, including supporting implementation of ethnic studies courses.

15 Holocaust and genocide education.

Subd. 1. Definitions. Defines terms including “Holocaust,” “genocide,” “incidents of mass violence,” and “Holocaust and genocide studies.”

Subd. 2. Requirements. Requires a school district to offer Holocaust and genocide education as part of its social studies curriculum for middle and high school. Requires specific elements to be included in the curriculum. Encourages school districts to include Holocaust, genocide of Indigenous Peoples, other genocides, and incidents of mass violence in middle and high school English language arts curriculum. Requires a school district to provide Holocaust and genocide education in middle school and high school curriculum by the 2026-2027 school year in accordance with rules on social studies standards and benchmarks.

16 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.

17 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.

18 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.

19 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.

20 Student progress and other data. [School accountability]

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

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21 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.

22 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 gender identity, and sexual exploitation by a district or school staff member, independent contractor, or student against a staff member, independent contractor, 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.

23 Students safe at school.

Subd. 1. Definitions. (a) Defines the following terms for the purposes of this section.

(b) Defines “active shooter drill” as an emergency preparedness drill designed to teach students, teachers, school personnel, and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school.

(c) Defines “active shooter simulation” as an emergency exercise including full-scale or functional exercises designed to teach adult school personnel and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school.

(d) Defines “evidence-based” as a program or practice that demonstrates any of the following:

- 1) a statistically significant effect on relevant outcomes; or
- 2) a rationale based on high-quality research findings or positive evaluations that the program or practice is likely to improve relevant outcomes.

(e) Defines “full-scale exercise” as an operations-based exercise that is typically the most complex and resource-intensive of the exercise types and often involves multiple agencies, jurisdictions, organizations, and real-time movement of resources.

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(f) Defines “functional exercises” as an operations-based exercise designed to assess and evaluate capabilities and functions while in a realistic, real-time environment.

Subd. 2. Criteria. Requires an active shooter drill conducted with students in early childhood through grade 12 to be:

- 1) accessible;
- 2) developmentally appropriate and age appropriate;
- 3) culturally aware;
- 4) trauma-informed; and
- 5) inclusive of accommodations for students.

Subd. 3. Student mental health and wellness. Requires active shooter drill protocols to include a reasonable amount of time immediately following the drill for teachers to debrief with their students before regular classroom activity may resume. Prohibits an active shooter drill from being combined or conducted consecutively with any other type of emergency preparedness drill. Requires an announcement to be made before conducting an active shooter drill.

Subd. 4. Notice. (a) Requires a school district or charter school to provide 24-hour notice of a pending active shooter drill to parents before conducting an active shooter drill and inform parents of their right to opt their student out of participating.

(b) Prohibits negative consequences for students opting out of participating in an active shooter drill.

(c) Requires the commissioner to ensure the availability of alternative safety education for students who opt out of participating or exempted from an active shooter drill.

Subd. 5. Participation in active shooter drills. Prohibits a student from participating in an active shooter drill that does not meet the requirements of subdivision 2.

Subd. 6. Active shooter simulations. Prohibits a student from participating in an active shooter simulation. Requires students in grades 9 through 12 to have the opportunity to participate in an active shooter simulation.

Subd. 7. Violence prevention. (a) Requires a school conducting an active shooter drill to provide students in middle and high school at least one hour, or one standard class period, of violence prevention training annually.

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(b) Requires the violence prevention training to be evidence-based. Requires the training to, at a minimum, teach students the following:

- 1) how to identify observable warning signs and signals of an individual who may be at risk of harming themselves or others;
- 2) the importance of taking threats seriously and seeking help; and
- 3) the steps to report dangerous, violent, threatening, harmful, or potentially harmful activity.

(c) Directs the commissioners of public safety and education to jointly develop a list of evidence-based trainings that a school district or charter school may use to fulfill the requirements of this section. The list must be posted publicly on the Minnesota School Safety Center’s website and updated every two years.

(d) Requires a school district or charter school to ensure that students can contribute to their school’s safety and violence prevention planning.

Subd. 8. Board meeting. Requires a school board that has conducted an active shooter drill to consider, at a regularly scheduled meeting, the effect of the active shooter drills on the safety of students and staff; and the effect of active shooter drills on the mental health and wellness of students and staff.

24 Multitiered System of Supports (MTSS) and Collaborative Minnesota Partnerships to Advance Student Access (COMPASS).

Requires districts and charter schools to be offered training and support in implementing MTSS through the department COMPASS team and the service cooperatives. Describes COMPASS and MTSS. Lists required elements of the MTSS framework.

25 Suicide prevention information; identification cards.

Requires a school district or charter school that issues identification cards to students in middle school, junior high school, or high school to provide 988 Suicide and Crisis Lifeline, Crisis Text Line, and county mobile crisis services contact information on the cards. Encourages nonpublic schools to provide the same information consistent with this section.

26 Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal.

Defines “nonexclusionary disciplinary policies and practices” as policies and practices that are alternatives to dismissing a pupil from school. Lists examples of nonexclusionary disciplinary policies and practices.

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27	Pupil withdrawal agreement. [Definitions] Defines “pupil withdrawal agreement.”
28	Full and equitable participation in 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. Prohibition does not apply to a dismissal from school for less than one school day, with certain exceptions.
29	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.
30	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.
31	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.
32	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.
33	Admission or readmission plan. Requires a readmission plan to include measures to improve the pupil’s behavior and to require reasonable attempts to obtain 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.
34	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.

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35 Policies to be established.

Requires a school board to establish nonexclusionary disciplinary policies and practices. Establishes requirements relating to expulsions and exclusions and pupil withdrawal agreements, including ensuring the pupil is on track for readmission, continued eligibility for school-based mental health services, and access to information on accessing mental health services.

36 Corporal punishment; prone restraint; and certain physical holds.

Defines “prone restraint.” Prohibits an employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, from using 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. States that prone restraints are not per se corporal punishment.

37 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.

38 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, and prohibit exclusionary procedures for early learners or to address attendance and truancy issues.

39 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.

40 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.

41 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

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- detention. Prohibits a district or charter school from withholding or excessively delaying a student's participation in scheduled mealtimes.
- 42 **Paraprofessional training.**
Requires a paraprofessional, Title I aide, or other instructional support staff to be provided at least 8 hours of paid orientation or professional development annually. Requires a school administrator to provide the commissioner an annual certification of compliance.
- Provides reimbursement to districts, charter schools, intermediate districts and cooperatives, the Perpich Center, and Minnesota State Academies for prior year compensation expenses associated with providing up to eight hours of paid paraprofessional training and orientation.
- 43 **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.
- 44 **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.
- 45 **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.
- 46 **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.
- 47 **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.

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48 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.

49 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 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. Establishes an online learning program fee administration account in the special revenue fund.

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.

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- 50 **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.
- 51 **Full-service community schools.**
Defines terms. Sets full-service community school grants equal to \$100,000 per site for the first year for planning activities, and \$200,000 per year for each site for up to three years of implementation. Modifies requirements for baseline analysis that occurs before creation of a full-service community school.
- 52 **Credit for Employment with Healthcare Providers.**
Allows a student in grade 11 or 12 to earn up to two elective credits for their time working in an institutional long-term care or licensed assisted living facility, a home and community-based services and supports provider, a hospital or health system clinic, or a child care center, at the discretion of the enrolling school district or charter school.
- 53 **English learner; limited or interrupted formal education. [Definitions]**
Modifies definition of an English learner with limited or interrupted formal education (SLIFE).
- 54 **Eligible pupils. [Graduation incentives program]**
Allows students participating in early middle college programming to continue to qualify for the program under the current law characteristics of a SLIFE student.

Allows a pupil with a disability to participate in the graduation incentives program until age 22.
- 55 **Eligible programs. [Graduation incentives program]**
Raises to 17 the minimum age of participation in an adult basic education program.
- 56 **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.

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57 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.

58 Individualized education programs.

Requires a paraprofessional assigned to work alone with a student with a disability to be given paid time or time during the school day to review the student's individualized education program or be briefed on the student's specific needs within five days of beginning to work alone with the student.

59 Innovative Incubator Service-Learning Grants.

Subd. 1. Definitions. Defines terms including "eligible school" and "eligible service-learning partnership."

Subd. 2. Establishment; eligibility criteria; application requirements. (a)

Establishes a five-year technical assistance and grant program to initiate or expand and strengthen innovative service-learning opportunities for students in kindergarten through grade 12, help close the academic achievement gap, and create a positive school climate.

(b) Requires at least one program staff member and at least one service-learning specialist who is designated to develop and share expertise in implementing service-learning best practices to work with students to form a student-adult partnership. Requires a participating student to work with at least one adult from the initial partnership to identify a need or opportunity to pursue through a service-learning partnership before developing and submitting a grant application to the department. States that the fiscal agent for the grant to an eligible service-learning partnership is an eligible school who is a member or has a program that is a member of the partnership.

(c) Requires an eligible service-learning partnership that receives an innovation service-learning grant to include at least two or more enrolled students; two or more school employees of an eligible school; and an eligible community-based organization, community education program, state or federal agency, or political subdivision. Requires an eligible service-learning partnership that receives an innovation service-learning grant to assist students in actively participating in service-learning experiences that meet needs; operate collaboratively with service-learning partnership members; align service-learning experiences with at least one state or local academic standard; apply students' knowledge and skills in their community; foster students' civic engagement; and explore or pursue career pathways and support career and college readiness.

Section Description – Article 2: Education Excellence

(d) Requires an eligible service-learning partnership to apply to the commissioner of education in the form and manner determined by the commissioner. Requires the eligible service-learning partnership plan to include various components.

Subd. 3. Innovation grants. Requires the commissioner to award up to 32 grants of up to \$50,000 each that are equitably distributed throughout Minnesota by congressional district. Allows the commissioner to designate start-up or leader grant categories with differentiated maximum grant dollar amounts up to \$50,000. Requires a partnership to provide a 50 percent match in funds or in-kind contributions to receive a grant unless the commissioner waives the match requirement for an applicant serving a high number of students whose families meet federal poverty guidelines.

Subd. 4. Report. Requires a grantee to report to the commissioner on the educational and developmental outcomes of participating students and the eligible school's progress toward meeting at least one goal of the world's best workforce goals and community outcomes achieved through student service-learning experiences. The commissioner must submit a report to the legislature by February 15, 2025.

60 **Ethnic Studies Working Group.**

Establishes a working group to advise the commissioner on an ethnic studies framework. Requires the working group to develop an ethnic studies framework, recommend professional learning requirements, recommend resources and materials, and complete other pertinent tasks.

61 **Computer science education advancement program.**

Subd. 1. Definitions. Defines "computer science," "computer science courses and content," and other terms.

Subd. 2. Computer science education supervisor. Requires the department to create a full-time computer science supervisor position, to implement the computer science education strategic plan.

Subd. 3. Computer science working group. Requires a working group to develop a computer science state strategic plan. Provides required elements of the state strategic plan. Requires the department to publish the proposed state strategic plan by February 29, 2024, and present the adopted plan to the legislature by March 22, 2024.

Subd. 4. Computer science educator training and capacity building. Requires the department to develop, contract for, or awards grants for teacher recruitment and training for computer science courses and content.

Section Description – Article 2: Education Excellence

Subd. 5. Teacher preparation. Requires a teacher preparation program to include computer science instruction, starting July 1, 2027.

Subd. 6. Computer science education data collection. Requires the department to require all high schools to report computer science course offerings and enrollment data. Requires the department to develop a plan for secure and regular reporting of data from all kindergarten through grade 8 public schools within 90 days of enactment. Requires data to be disaggregated.

Subd. 7. Adoption of rules. Allows the department and the Professional Educator Licensing and Standards Board to adopt rules under this section.

62 Pilot program to improve educational outcomes and accountability.

Establishes a pilot program requiring participating schools to use an equity-focused framework to assess school performance. Limits participation to up to eight charter high schools authorized by Pillsbury United Communities.

Subd. 1. Program goal. Establishes a pilot program to redesign performance frameworks for high schools to improve educational outcomes for students. States that the performance measures and reporting requirements of the world's best workforce do not apply to a school participating in the pilot program. Requires a participating school to administer state standardized tests.

Subd. 2. Performance measures. Requires a school in the pilot program to use an equity-focused framework with specific components.

Subd. 3. Reports. Requires Pillsbury United Communities to report to the legislature by September 1, 2025, on the pilot program.

63 Holocaust and Genocide Education Working Group.

Establishes a working group to develop resources necessary to implement Holocaust and genocide education requirements. Specifies members of the working group, and duties of the working group, including identifying training materials, professional learning opportunities, and other resources. Requires the working group to report to the legislature by November 15, 2025.

64 Appropriations.

See fiscal worksheet for details:

<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

65 Revisor instruction.

Instructs the revisor to renumber statutes in chapter 120B.

Section	Description – Article 2: Education Excellence
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66	Repealer.
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Repeals section 120B.02, subdivision 3 (civics test); section 120B.35, subdivision 5 (improving graduation rates for students with emotional or behavioral disorders); and section 124D.095, subdivisions 1 to 8 (Online Learning Option Act).

Article 3: Read Act

This article modifies literacy instruction requirements, literacy plan requirements, and professional development requirements, and provides funding for literacy curriculum and professional development, among other things.

Section	Description – Article 3: Read Act
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1	Title; the Read Act.
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Provides citation to sections 120B.1117 to 120B.124 as the Reading to Ensure Academic Development, or Read Act.

2	Read Act definitions.
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Defines “evidence-based reading instruction,” “foundational reading skills,” and other terms.

3	Read Act goal and interventions.
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Subd. 1. Literacy goal. Modifies goal related to students reading at grade level. Requires districts to provide teachers with approved training and provide students evidence-based instruction. Encourages districts to adopt a MTSS (Multitiered Systems of Support) framework.

Subd. 2. Identification; report. Requires districts to screen students in kindergarten through grade 3 twice a year, and to screen students in grade 4 and above who are not demonstrating mastery of foundational reading skills. Requires districts to report data in the annual local literacy plan rather than in separate report. Encourages districts to adopt a MTSS framework.

Subd. 2a. Parent notification and involvement. Requires districts to administer a reading screener twice per year to students in kindergarten through grade 3. Replaces “locally adopted assessment” with “approved screener.”

Subd. 3. Intervention. Requires by the 2025-2026 school year, intervention programs to be taught by an intervention teacher or special education teacher who has completed approved training. Prohibits retaining a student solely due to delays in literacy or not demonstrating grade-level proficiency.

Section Description – Article 3: Read Act

Subd. 4. Staff development. Requires training in evidence-based reading instruction for teachers and instructional support staff. Requires training for staff in early childhood programs.

Subd. 4a. Local literacy plan. Requires literacy plan to be updated by June 15 each year and be submitted to the commissioner. Requires the plan to include screeners used by school site and grade level, the literacy curriculum used by school site and grade level, state whether the district has adopted MTSS, student data using measures of foundational literacy skills and mastery identified by the department, and the number of teachers and other staff that have completed approved training. Requires the commissioner to develop a literacy plan template, and report to the legislature on districts' literacy plans.

Subd. 5. Approved screeners. Requires the commissioner to recommend to districts tools that may be used to both screen students for dyslexia and to assess reading proficiency.

4 Purpose [Dyslexia specialist]

Requires dyslexia specialist recommendations to be consistent with the Read Act; replaces reference to repealed definition.

5 Read Act implementation.

Subd. 1. Screeners. Requires a district to administer an approved reading screener to students in kindergarten through grade 3 within the first six weeks of the school year and again within the last six weeks of the school year.

Subd. 2. Progress monitoring. Requires a district to implement progress monitoring a student not reading at grade level.

Subd. 3. Curriculum. Requires a district to use evidence-based literacy curriculum and intervention materials.

Subd. 4. MTSS framework. Encourages a district to use a data-based decision-making progress within the MTSS framework.

Subd. 5. Professional development. Requires districts to provide evidence-based training on reading instruction to all reading intervention teachers, literacy specialists, and other specified teachers by July 1, 2025, and to other teachers in the district, prioritizing particular teachers, by July 1, 2027, unless the commissioner grants an extension.

Section Description – Article 3: Read Act

Subd. 6. Literacy lead. Requires a district to employ or contract with a literacy lead by August 30, 2025, or be actively supporting a designated literacy specialist through the process of becoming a literacy lead.

Subd. 7. Department of Education. Requires the department to: partner with CAREI to approve literacy professional development; identify approved evidence-based screeners; provide districts information about professional development opportunities on reading instruction; identify training required for a literacy specialist position; employ a literacy specialist; and develop a local literacy plan template.

6 Read Act implementation partnership.

Subd. 1. Resources. Requires the department and CAREI to partner for two years to support the implementation of the Read Act in specified ways, including identifying at least five evidence-based literacy curricula, at least three professional development programs, and other resources.

Subd. 2. Reconsideration. Requires the department and CAREI to establish a process for a district to request that additional curricula or professional development programs be approved.

Subd. 3. Support. Requires the department and CAREI to support district efforts to implement the Read Act.

7 Reading strategies. [Teacher preparation programs]

Replaces reference to repealed definition in teacher preparation programs requirements on reading instruction.

8 Reading preparation. [Expiration and renewal]

Replaces reference to repealed definition in requirement that teachers have further reading preparation to renew their licenses.

9 Minnesota reading corps program. [Reading and math corps]

Replaces reference to repealed definition in section on reading corps program.

10 Literacy incentive aid uses. [Literacy incentive aid]

Requires districts to use literacy incentive aid to implement evidence-based reading instruction in specified ways.

11 Appropriations; Read Act.

See fiscal worksheet for details:

<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

Section	Description – Article 3: Read Act
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12	Repealer.
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Repeals section 122A.06, subdivision 4 (definitions related to reading instruction).

Article 4: 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 4: American Indian Education
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1	Private data; when disclosure is permitted. [Educational data]
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Allows private educational data to be disclosed to federally recognized Tribal Nations about Tribally enrolled or descendant students.

2	Conduct of school on certain holidays.
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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]
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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]
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Requires the commissioner to embed Indigenous education for all students consistent with recommendations from Tribal Nations and urban Indigenous communities into the state's academic standards. Requires the commissioner to embed ethnic studies into state academic standards.

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

6	American Indian mascots prohibited.
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Prohibits a public school from having an American Indian mascot, nickname, logo, letterhead, or team name starting September 1, 2025. Allows a public school to seek

Section Description – Article 4: American Indian Education

- an exemption from the 11 federally recognized Tribal Nations in Minnesota and the Tribal Nations Education Committee.
- Exempts a public school located within the reservation of a federally recognized Tribal Nation with at least 95 percent of students that meet the state definition of American Indian student.
- 7 **Minnesota Indian teacher training program account. [Grants to prepare Indian teachers]**
Establishes an account in the special revenue fund known as the “Minnesota Indian teacher training program account” for the Minnesota Indian teacher training program. Grants may be used for up to 60 months. Appropriates up to \$75,000 annually to the commissioner to administer and monitor the program.
- 8 **American Indian student.**
Defines “American Indian student” for the purposes of the American Indian Education Act to mean a student who identifies as American Indian or Alaska Native, as defined by the state, instead of the federal definition.
- 9 **Program described. [American Indian education programs]**
Limits American Indian education programs to programs to support American Indian students.
- 10 **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.
- 11 **Location of programs. [American Indian education programs]**
Modifies where American Indian education programs must be located.
- 12 **American Indian culture and language classes. [American Indian education programs]**
Requires districts or participating schools to provide American Indian culture and language classes if they meet certain thresholds for the number or percent of students that are American Indian under the state definition.
- 13 **American Indian education program coordinators, paraprofessionals.**
Requires dedicated American Indian education program coordinators and strikes references to community coordinator and home/school liaisons.

Section Description – Article 4: American Indian Education

- 14 **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.
- 15 **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.
- 16 **Duties; powers. [Indian education director]**
Modifies the duties of the American Indian education director.
- 17 **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.
- 18 **American Indian education aid.**
Includes cooperative units in the American Indian school aid formula. Increases the minimum American Indian aid per district from \$20,000 to \$40,000 and increases the amount for each student served above the minimum from \$358 to \$500 per American Indian student. Allows a district to carry forward unspent American Indian aid into the first six months of the following fiscal year if certain conditions are met.
- 19 **Online learning students.**
Includes a pupil attending a Tribal contract school as a pupil eligible to generate online learning aid.
- 20 **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.
- 21 **Appropriations.**
See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

Article 5: Teachers

This article establishes new teacher recruitment programs, modifies licensure requirements, establishes a new student support personnel aid, and makes other changes.

Section	Description – Article 5: Teachers
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1	Plan. [E-learning days]
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	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.
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	Prohibits a school board from discriminating or disciplining a teacher or principal for incorporating into curriculum contributions by persons in a protected class if the contributions are aligned with state standards and benchmarks.
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3	Closing educational opportunity gaps.
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	Subd. 1. Grant program established. Directs the commissioner to establish a grant program to support implementation of certain world's best workforce strategies and collaborative efforts that address opportunity gaps.
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	Subd. 2. Definitions. Defines terms including “curricular” and “environmental,” and incorporates definitions in section 120B.11.
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	Subd. 3. Applications and grant awards. Directs the commissioner to determine application procedures and deadlines, select districts and charter schools to participate in the grant program, and determine the award amount and payment process for grants. Encourages the commissioner to award grants equally between districts in greater Minnesota and those in the Twin Cities metro.
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	Subd. 4. Description. Requires the grant program to support collaborative efforts that close opportunity gaps by the following methods:
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| | <ol style="list-style-type: none">1) ensuring school environments and curriculum validate, affirm, embrace, and integrate cultural and community strengths from all racial and ethnic backgrounds; and2) addressing institutional racism with equitable school policies, structures, practices, and curricular offerings. |
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	Subd. 5. Report. Requires grant recipients to annually report to the commissioner on efforts planned and implemented that engaged students, families, educators, and community members of diverse racial and ethnic backgrounds in making improvements to school climate and curriculum. Requires the commissioner to publish a summary report on the grant recipient's activities.
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Section Description – Article 5: Teachers

- 4 **Increasing percentage of teachers of color and American Indian teachers in Minnesota.**
Establishes goal of increasing the percentage of teachers in Minnesota who are of color or American Indian by at least two percentage points each year to have a teaching workforce that more closely reflects the state’s student population and ensure equitable access to effective and diverse teachers by 2040. Requires the Professional Educator Licensing and Standards Board (PELSB) to report every two years on state programs that receive state appropriations to increase teacher diversity.
- 5 **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.
- 6 **Scope. [Definitions]**
Expands the sections that the definitions in section 122A.06 apply to. Includes the new section 4 above, and sections relating to teacher licensure.
- 7 **Teacher. [Definitions]**
Modifies definition of “teacher.”
- 8 **Field. [Definitions]**
Modifies definition of “field” by adding “licensure area” as synonymous term.
- 9 **Shortage area. [Definitions]**
Modifies definition of “shortage area” and how a shortage area is determined.
- 10 **Teacher preparation program. [Definitions]**
Strikes examples of teacher preparation programs.
- 11 **Teacher preparation program provider. [Definitions]**
Adds examples of teacher preparation program providers.
- 12 **District. [Definitions]**
Defines a “district” as a school district or charter school.
- 13 **Transfer pathway. [Definitions]**
Defines a “transfer pathway” as an established pathway to licensure between a two-year college or Tribal college and a board-approved preparation provider.

Section	Description – Article 5: Teachers
14	Licensing and approval. [Duties] Requires PELSB to approve teacher preparation providers.
15	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.
16	PELSB must adopt rules. [Duties] Adds sections to the list of sections that require PELSB to adopt rules. Makes technical changes.
17	Permissions. [Duties] Expands types of teacher preparation programs PELSB must encourage to develop alternative pathways for licensing career and technical education teachers.
18	Teacher and administrator preparation and performance data; report. [Reports] Modifies PELSB report on teacher preparation providers.
19	Teacher preparation program reporting. [Reports] Modifies PELSB report to the legislature regarding teacher candidates.
20	Teachers. [Teachers, supervisory and support personnel, definitions, licensure] Modifies sections to which the definition of “teacher” for purposes of licensure applies.
21	Authority to license. [Board to issue licenses] Makes technical change.
22	Support personnel qualifications. [Board to issue licenses] Corrects statutory reference relating to support personnel qualifications.
23	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.
24	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.

Section Description – Article 5: Teachers

- 25 **Application requirements. [Tier 1 license]**
Requires application to be submitted jointly by applicant and district, and to be paid for by the district or applicant.
- 26 **Professional requirements. [Tier 1 license]**
Makes technical change.
- 27 **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.
- 28 **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.
- 29 **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.
- 30 **Limitations on license. [Tier 1 license]**
Allows a Tier 1 teacher to be part of the teacher bargaining unit.
- 31 **Requirements. [Tier 2 license]**
Requires applications to be submitted jointly by applicant and district and to be paid for. Strikes coursework requirement and replaces it with requirement that applicant complete a state-approved teacher preparation program.
- 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 **Temporary eligibility for renewal. [Tier 2 license]**
Maintains eligibility for a Tier 2 license for applicants meeting coursework requirement until June 30, 2024. Allows a Tier 2 teacher who would otherwise be ineligible to renew the license based on changes in the bill, to renew the license for the 2023-2024, 2024-2025, and 2025-2026 school years only.

Section Description – Article 5: Teachers

- 34 **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.
- 35 **Requirements. [Tier 3 license]**
Strikes provision allowing a candidate to obtain a Tier 3 license without a bachelor's degree; it is recodified in section 37.

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 teacher preparation program in another country. Requires a candidate to have completed student teaching comparable to Minnesota requirements, and pass required licensure exams.
- 36 **Coursework. [Tier 3 license]**
Requires teaching experience to be field-specific.
- 37 **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.
- 38 **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.
- 39 **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, licensure via portfolio, 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

Section Description – Article 5: Teachers

- 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.
- 40 **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.
- 41 **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.
- 42 **American Indian history and culture. [Expiration and renewal]**
Requires PELSB to adopt rules that require all licensed teachers to have professional development in the cultural heritage and contemporary contributions of American Indians to renew their licenses.
- 43 **Teacher preparation programs. [Bilingual and English as a second language teachers, licenses]**
Expands organizations that can have teacher preparation programs.
- 44 **Exceptions. [Community education teachers; licensure requirements]**
Allows adult basic education and early childhood family education teachers to obtain tenure or continuing contract.
- 45 **Hiring, dismissing. [Continuing contracts (districts in cities outside the first class)]**
Requires a district to annually report to PELSB all new teacher hires and terminations by race and ethnicity, and the reasons for all teacher resignations and requested leaves of absence.
- 46 **Probationary period. [Employment; contracts; termination]**
Reduces from 120 to 90 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

Section Description – Article 5: Teachers

- the teacher to obtain continuing contract status after serving a one-year probationary period.
- 47 **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.
- 48 **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 90 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 tenure after serving a one-year probationary period.
- 49 **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.
- 50 **Reporting of hires and terminations. [Teacher Tenure Act; cities in the first class]**
Requires a district to annually report to PELSB all new teacher hires and terminations by race and ethnicity, and the reasons for all teacher resignations and requested leaves of absence.
- 51 **Basic alternative teacher compensation aid. [QComp]**
Increases the statewide cap for alternative teacher compensation aid (QComp) to reflect higher pupil numbers.

Section Description – Article 5: Teachers

52 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 obtained a completed 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.

53 Come Teach in Minnesota hiring bonuses.

Expands eligibility for hiring bonuses by including teachers from another country and teachers who qualify for Tier 2 license, rather than only Tier 3 or 4; and eliminating the requirement that the teacher be licensed in another state, and that the teacher move to the economic development region where the teacher was hired. The expanded eligibility is effective retroactively.

Increases the bonus amounts. Requires a teacher to have a Tier 3 or 4 license to receive the second half of the bonus. Requires a district to prorate the second half of the bonus if the teacher is nonrenewed for reasons unrelated to teaching effectiveness or misconduct.

Allows the commissioner to award participating districts and schools additional funds to administer the program, and to reserve up to five percent of the funding to administer the program.

54 Supporting heritage language and culture teachers.

Subd. 1. Purpose. States that purpose of statute is to increase the number of heritage language and culture teachers in Minnesota.

Subd. 2. Definitions. Defines "heritage language and culture teachers."

Subd. 3. Eligibility. Requires applicants for heritage language and culture licensure pathway program to have a license from PELSB or meet the criteria for a Tier 1 license, and seek licensure in a heritage language.

Subd. 4. Heritage language and culture teacher licensure pathway program. Requires PELSB to develop a program to support initial and additional licensure

Section Description – Article 5: Teachers

for heritage language and culture teachers. Establishes program requirements. Requires applicants seeking a license to meet the standards of effective practice, and content-specific pedagogical standards.

Subd. 5. Heritage language and culture educators seeking a world language license. Allows applicants seeking a world language license who demonstrate proficiency in specified ways to use this proficiency to show they meet required content-specific world language and culture standards.

55 Collaborative urban and greater Minnesota educators of color grant program.

Subd. 1. Establishment. Modifies purpose of grant.

Subd. 2. Competitive grants. Requires a higher education institution applying for a grant to submit a plan describing how the applicant will use grant funds, and modifies priority order for criteria.

Subd. 3. Grant program administration. Requires PELSB to establish a standard allowable dollar range for the amount of direct financial assistance an institution may provide to a candidate, and describes how range must be established.

Subd. 4. Report. Modifies reporting requirement for institutions awarded grants.

56 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.

57 Teacher mentorship and retention of effective teachers.

Modifies grant eligibility. Requires PELSB to prioritize grants for efforts to induct, mentor, and retain Tier 2 or 3 teachers who are of color or American Indian, and Tier 2 or 3 teachers in licensure shortage areas. Allows grants to be awarded for up to 24 months. Modifies reporting deadline. Requires PELSB to public summary report.

58 Grow Your Own district programs. [Grants for Grow Your Own programs]

Allows charter schools and cooperative units, alongside districts, to receive Grow Your Own program grants to establish a pathway for adults to obtain their first professional teaching license. Allows grant funds to be used to pay for teacher licensure exams and licensure fees. Expands the types of teacher preparation programs a grant recipient may partner with.

This section is effective July 1, 2024.

Section Description – Article 5: Teachers

59 Grants for programs serving secondary school students. [Grants for Grow Your Own programs]

Allows districts, charter schools, and cooperatives to apply for grants to develop innovative programs that encourage secondary school students, especially students of color and American Indian students, to pursue teaching. Allows grant funds to be used for postsecondary enrollment options courses for “Introduction to Teaching” or “Introduction to Education” courses. Caps grant award amounts.

60 Grow Your Own program account. [Grants for Grow Your Own programs]

Increases the amount transferred from the Grown Your Own program account for MDE’s administrative costs from \$100,000 to \$175,000 per year.

This section is effective July 1, 2024.

61 Special education teacher pipeline program.

Establishes a special education teacher pipeline grant program that provides grants to school districts, charter schools, or cooperative units that partner with an eligible teacher preparation program. A grant recipient must use the grant funds to support participants who are employed as paraprofessionals or other unlicensed staff or as Tier 1 or 2 teachers, as they complete the teacher preparation program to become special education teachers with a Tier 3 or 4 license. Prioritizes funding for Tier 1 or Tier 2 teachers to become Tier 3 teachers. Establishes a special education teacher pipeline program account in the special revenue fund.

62 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.

63 Student support personnel aid.

Creates a new ongoing state aid program to help fund additional school support personnel.

Subd. 1. Definitions. Defines “student support services personnel” as school counselors, school psychologists, school social workers, school nurses, and chemical dependency counselors.

Subd. 2. Purpose. Establishes the purpose of student support personnel aid.

Subd. 3. Student support personnel aid. Sets the initial aid amount at the number of adjusted pupil units in the school district or charter school during the

Section Description – Article 5: Teachers

current year times the student support personnel allowance. For small school districts, guarantees a minimum aid amount of \$40,000, and for charter schools, guarantees a minimum aid amount of \$20,000. Creates a separate category of aid for intermediate school districts and other cooperative units serving students equal to the greater of \$40,000 or the student support personnel allowance times the adjusted pupil unit in the member school districts. Increases the student support personnel allowance from fiscal year 2024 to fiscal year 2025 and again in fiscal year 2026.

Subd. 4. Allowed uses. Allows a school district to contract for services with the money if the district is unable to hire a new full-time employee with the student support personnel aid.

Subd. 5. Report required. Requires each school district to report annually to the commissioner of education on the impact of the funds and how the money has affected at least two of the following measures: (1) school climate; (2) student health; (3) attendance rates; (4) academic achievement; (5) career and college readiness; and (6) postsecondary completion rates.

64 Appropriations; Department of Education.

See fiscal worksheet for details:

<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

65 Appropriations; PELSB.

See fiscal worksheet for details:

<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

66 Revisor instruction.

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

67 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).

Section	Description – Article 5: Teachers
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- Minnesota Statutes, section 122A.182, subdivision 2 (Tier 2 coursework requirements), effective July 1, 2024.
- Minnesota Rules, part 8710.0500, subparts 8 and 11 (teacher licensing exams).

Article 6: 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 6: Charter Schools
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| 1 | <p>Definitions.</p> <p>Defines “charter management organization” (CMO) as a nonprofit or for-profit entity that contracts with a charter school board to manage or oversee the school’s education program or administrative functions. Defines “educational management organization” (EMO) as a nonprofit or for-profit entity that provides, manages, or oversees the education program or the school’s administrative functions. Defines “market need and demand study.”</p> |
| 2 | <p>Certain federal, state, and local requirements.</p> <p>Requires charter schools to comply with statute on alternatives to suspension.</p> |
| 3 | <p>English learners.</p> <p>Requires charter schools to comply with the Education for English Learners Act.</p> |
| 4 | <p>Application content.</p> <p>Clarifies that the length of a charter authorizer’s term is until they formally withdraw, or the commissioner revokes the organization’s ability to authorize charter schools.</p> |
| 5 | <p>Withdrawal.</p> <p>Clarifies authorizer withdrawal requirements.</p> |
| 6 | <p>Individuals eligible to organize.</p> <p>Requires a charter school developer’s application to the authorizer for approval to establish a charter school to include a market need and demand study.</p> |

Section Description – Article 6: Charter Schools

- 7 **Authorizer’s affidavit; approval process.**
Requires an authorizer’s affidavit filed with the commissioner to include a market need and demand study.
- 8 **Adding grades or sites.**
Requires an authorizer approving a school’s application to add grades or primary enrollment sites to include a market need and demand study in the supplemental affidavit filed with the commissioner.
- 9 **Contents.**
Requires a charter school to include a statement of the specific school’s admission policies and procedures in the charter school contract.
- 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, deafblind, or hard-of-hearing.
- 11 **Teachers.**
Corrects the definition of teacher to indicate that a teacher is either directly employed by the school or under contract with a cooperative.
- 12 **Leased space.**
Requires a charter school to lease space from the owner of the space instead of subleasing the space.
- 13 **Affiliated nonprofit building corporation.**
Prohibits an affiliated building corporation from supporting more than one charter school.
- 14 **Reports.**
 Subd. 1. Audit report. Requires a charter school to include in its annual audit report a copy of a new management agreement or an amendment to a current agreement with a CMO or EMO.

Section Description – Article 6: Charter Schools

Subd. 2. Annual public reports. Requires an annual report to include information on management agreements with a CMO or EMO.

Subd. 3. Public accounting and reporting CMO and EMO agreements. (a)
Requires a charter school that enters an agreement with a CMO or an EMO to:

- 1) publish on the charter school website the proposed final agreement for public review and comment;
- 2) annually publish on the school website a statement of assurance that no member of the school board, staff, or any agent of the schools has been promised or received compensation or gifts from the CMO or EMO; and
- 3) conduct an independent review and evaluation of the services provided by the CMO or EMO.

(b) Requires the management agreement to contain the following:

- 1) the term of the contract, not to exceed five years;
- 2) the total dollar value of the contract;
- 3) a description and terms of the services to be provided;
- 4) notice that a charter school closure during the term of the contract results in the balance of the contract becoming null and void;
- 5) an annual statement of assurance to the charter school board that the CMO or EMO provided no compensation or gifts to any charter school board member, staff member, or agent of the charter school;
- 6) an annual statement of assurance that no charter school board member, employee, contractor, or agent of the CMO or EMO is a board member of the charter school or any other charter school;
- 7) the policies and protocols that meet federal and state laws regarding student and personnel data collection, usage, access, retention, disclosure and destruction, and indemnification and warranty provisions in case of data breaches; and
- 8) an annual assurance that all assets purchased on behalf of the charter school using public funds remain assets of the school.

(c) Requires the CMO or EMO to annually provide the charter school board with a financial report that accounts for income and expenditures for the previous fiscal year.

(d) Nullifies an agreement with a CMO or EMO if it contains any of the following:

- 1) restrictions on the charter school's ability to operate a school upon termination of the agreement;

Section	Description – Article 6: Charter Schools
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- 2) restrictions on the annual or total amount of the school’s operating surplus or fund balance;
- 3) authorization to allow a CMO or EMO to withdraw funds from a charter school account; or
- 4) authorization to allow a CMO or EMO to loan funds to the charter school.

(e) Prohibits a CMO or EMO, its employees, agents, or affiliates from contracting with, being employed by, or serving on the board of a charter school authorizer. Prohibits an authorizer, its affiliates, employees, or agents from contracting with, being employed by, serving as a paid consultant for, or serving as a board member of a CMO or EMO.

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| 15 | School closures; payments.
Strikes an obsolete reference. |
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Article 7: Special Education

This article increases special education cross subsidy aid, allows students with disabilities to remain in school until the student’s 22nd birthday, creates a new state aid for special education programs at cooperatives, requires rulemaking related to specific learning disabilities, and makes other changes.

Section	Description – Article 7: Special Education
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| 1 | Age limitations; pupils.
Extends admission for public school to all students with a disability to the pupil’s 22 nd birthday. |
| 2 | Pupils. [Pupil Fair Dismissal Act]
Extends the provisions of the Pupil Fair Dismissal Act to students with a disability until the student is 22 years of age. |
| 3 | Requirements for American sign language/English interpreters.
A person employed by a school district to provide American sign language/English interpretation or transliteration must hold one of two statutorily required certifications and have completed an accredited training program. This section adds Certified Deaf Interpreter (CDI) to the allowed types of certifications. CDI certifications are for individuals who are deaf or hard of hearing, have demonstrated understanding of interpreting and the deaf community and culture, have special |

Section Description – Article 7: Special Education

training in various communication methods, and have native or near native fluency in American sign language.

Also make employees with the required certifications or credentials for American sign language/English interpreters “essential personnel” under the section of statute governing special education aid, including their services as eligible special education services.

4 Definitions. [Pupil transportation for students in foster care]

Includes a student placed in a foster family in the class of students funded for pupil transportation under provision funding transportation for homeless and highly mobile pupils.

5 Commissioner designation. [State approved alternative program]

Authorizes a student with a disability to participate in a state approved alternative program until the student graduates or turns 22 years of age, whichever is earlier.

6 Eligible pupils. [Graduation incentives program]

Authorizes pupils with a disability to participate in the graduation incentives program until the age of 22.

7 Special instruction for children with a disability.

Adjusts the maximum age of service for a child with a disability until the student’s 22nd birthday.

8 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 grade 3 by September 1, 2024. Modifies requirements to report the use of restrictive procedures to the Department of Education.

Requires the commissioner of education, in cooperation with stakeholders, to report recommendations to the legislature for ending seclusion in Minnesota schools by February 1, 2024. Requires the commissioner to consult with interested stakeholders, including parents of students who have been secluded or restrained; advocacy organizations; legal services providers; special education directors; teachers; paraprofessionals; intermediate school districts and cooperative units; school boards; day treatment providers; county social services; state human services department staff; mental health professionals; autism experts; and representatives of groups

Section Description – Article 7: Special Education

disproportionately affected by restrictive procedures, including People of Color and people with disabilities. Requires the recommendations to include specific dates for ending seclusion by grade or facility. The recommendations must identify existing resources and the new resources necessary for staff capacity, staff training, children's supports, child mental health services, and schoolwide collaborative efforts.

9 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.

10 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.

11 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.

Section Description – Article 7: Special Education

12 Special education aid.

Adjusts the regular special education aid calculation to reflect the creation of a new special education pupil transportation aid for transporting homeless students for those school districts subject to the adjusted 2016 base level of special education funding.

13 Cross subsidy reduction aid.

Increases the special education cross subsidy aid in fiscal years 2024 through 2026 by increasing the aid percentage from 6.43 percent to 44 percent of each school district's special education cross subsidy, then increases the cross subsidy aid percentage again in fiscal year 2027 to 50 percent.

14 Special education homeless pupil aid.

Creates a new category of special education aid called special education homeless pupil aid for those districts not eligible for full reimbursement of their transportation costs for homeless and highly mobile students.

15 Special education separate sites and programs aid.

Defines "special education separate site and program" as a public separate day school facility attended by students with disabilities for 50 percent or more of their school day. Makes an education cooperative, education district, service cooperative, and intermediate school district eligible for additional state funding under this section. Allows the funding to be used for the same purposes as are permitted for state special education aid under section 125A.76. Sets the aid equal to \$1,689 times the adjusted kindergarten through grade 12 pupil units served in special education separate sites and programs.

16 Special education services. [Third party reimbursement]

Makes certain school social work services provided by a mental health practitioner or mental health professional eligible for medical assistance payment, and outlines scope of practice requirements for mental health practitioners providing these services.

Authorizes a special education evaluation, individualized education program, or individual family service plan to be used to determine medical necessity and eligibility for school social work services instead of a diagnostic assessment, if the alternative evaluation or plan includes specified information. Lists covered social work services.

Makes effective January 1, 2024, or upon federal approval, whichever is later.

Section	Description – Article 7: Special Education
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| 17 | <p>Specific learning disability; rulemaking.</p> <p>Requires the commissioner to amend rule relating to specific learning disabilities and establish a workgroup to review current criteria in rule. Requires the workgroup to make recommendations aligned with related state and federal requirements.</p> <p>Requires the commissioner to establish technical assistance and training capacity on the amended criteria. Requires the amended rule to go into full effect no later than five years after the proposed revised rules are approved by the administrative law judge.</p> |
| 18 | <p>Appropriations; special education.</p> <p>See fiscal worksheet for details:
https://www.house.mn.gov/Fiscal/Home/TrackingSheets</p> |

Article 8: Facilities

This article modifies long-term facilities maintenance (LTFM) revenue, includes certain cooperative unit's costs in LTFM and lease levy revenue, requires districts to submit certain projects for department review and comment, adds cyber security measures to safe schools revenue, adds information about gender-neutral single-user restrooms to each district's LTFM 10-year facilities plans and review and comment requests, provides \$24 million in onetime grants for school security, including cyber security, and creates ongoing grant funding of \$1 million per year for gender-neutral, single-user restrooms.

Section	Description – Article 8: Facilities
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| 1 | <p>Long-term facilities maintenance (LTFM) revenue.</p> <p>Removes obsolete language.</p> |
| 2 | <p>LTFM for charter schools.</p> <p>Removes obsolete language.</p> |
| 3 | <p>Intermediate districts and other cooperative units. [LTFM]</p> <p>Expands the list of cooperative units that may issue deferred maintenance bonds backed by the member school districts' LTFM revenue to include other types of joint powers agreements.</p> |
| 4 | <p>LTFM facilities plans.</p> <p>For planning purposes, has school districts include any plans for gender-neutral single-user restrooms in the district's LTFM ten-year plan.</p> |

Section Description – Article 8: Facilities

- 5 **Long-term facilities maintenance revenue.**
Removes obsolete language.
- 6 **LTFM equalized levy.**
Removes obsolete language.
- 7 **LTFM unequalized levy.**
Removes obsolete language.
- 8 **LTFM equalized aid.**
Removes obsolete language.
- 9 **Allowed uses for LTFM revenue.**
Authorizes a school district to use LTFM revenue to remodel or construct a gender neutral single-user restroom at each school site.
- 10 **Restrictions on LTFM revenue.**
Under current law, LTFM funding cannot be used for new construction. Exempts new construction and remodeling of existing facilities for at least one gender-neutral single-user restroom at each site from the general prohibition of using LTFM revenue for new construction.
- 11 **Information required. [Review and comment]**
Includes in each district's review and comment for new facilities a description of the project's plans for gender-neutral single-user restrooms, locker room privacy stalls, or other spaces with privacy features, including single-user shower stalls, changing stalls, or other single-user facilities.
- 12 **Uses of total operating capital.**
Makes clear that a school district may use its current operating capital for gender neutral single-user restrooms, locker room privacy stalls, or other spaces with privacy features, including single-user shower stalls, changing stalls, or other single-user facilities.
- 13 **To lease building or land.**
Authorizes a school district to levy up to \$65 per pupil per year for facilities needs for cooperative school units and school joint powers districts (under current law, this additional lease levy authority is available only for expenses of intermediate school districts).

Section Description – Article 8: Facilities

- 14 **Lease purchase; installment buys.**
Requires school districts using lease purchase authority to submit those projects for review and comment in the same manner as other school construction projects.
- 15 **Safe schools revenue.**
Makes cyber security expenditures, including costs for updating computer hardware and software, and cyber security insurance an eligible use of safe schools revenue.
- 16 **Lease levy for transportation hub for Eastern Carver County school district.**
Authorizes Independent School District No. 112, Eastern Carver County, to levy for the costs of a pupil transportation hub provided the district can show significant financial savings resulting from the transportation hub and provided the district's overall lease levy does not exceed the current statutory cap of \$212 per pupil unit.
- 17 **Long-term facilities maintenance revenue adjustment (LTFM).**
Includes the costs of updating a school facility's air handling systems in the district's LTFM costs if the district can demonstrate that the overall construction costs are less than those associated with a newly constructed facility.
- 18 **Fund transfer; Moorhead Area Public Schools.**
Allows Moorhead Area Public Schools to permanently transfer up to \$5,000,000 from the long-term facilities maintenance reserve account to the operating capital reserve account. Requires transferred funds be used to pay for the increased costs of constructing, furnishing, and equipping the new Moorhead High School facility.
- 19 **Appropriations.**
Appropriates money for debt service equalization aid, LTFM aid, and building and cyber security grants.
- See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

Article 9: Nutrition and Libraries

Among other changes, this article modifies nutrition programs and the funding formula for regional public library basic support grants.

Section Description – Article 9: Nutrition and Libraries

- 1 School lunch aid amount.**
Clarifies that a state aid payment of 12.5 cents per meal remains for each school lunch served. This payment is in addition to the state aid payments for the free meals for students program enacted in chapter 18.
- 2 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.
- 3 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.
- 4 School breakfast program.**
Expands eligibility for free breakfast to early childhood special education students.
- 5 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.
- 6 Public school libraries and media centers.**
States that a school library or media center provides equitable and free access to students, teachers, and administrators. Requires a school library or media center to have the following characteristics:

 - 1) ensures every student has equitable access to resources and the ability to locate, access, and use organized and catalogued resources;
 - 2) has a collection development plan that includes materials selection and deselection, a challenged materials procedure, and an intellectual and academic freedom statement;

Section Description – Article 9: Nutrition and Libraries

- 3) is housed in a central location;
 - 4) has technology and internet access; and
 - 5) is served by a licensed school library media specialist or licensed school librarian.
- 7 **Library service. [Department of Education; library responsibilities]**
Replaces reference to “citizen” with “resident.”
- 8 **Services to people with visual and physical disabilities. [Department of Education; library responsibilities]**
Makes technical changes.
- 9 **Special project grants. [Grant authorization; types of grants and aids]**
Updates reference to “Spanish-speaking” with “multilingual learners.”
- 10 **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.
- 11 **Appropriation. [Library systems]**
Beginning in fiscal year 2026, increases basic system support aid by one plus the percent increase in the basic formula allowance from the previous year to the current year.
- 12 **Base aid distribution. [Regional library systems]**
Increases the portion of each of the 12 regional library system’s funding that comes from the basic aid from 5 to 15 percent of the total aid amount.
- 13 **Adjusted net tax capacity per capita distribution. [Regional library systems]**
Reduces the portion of regional library system aid that is distributed on Adjusted Net Tax Capacity (ANTC) from 15 to 5 percent. Uses the ANTC from the third previous year (instead of the second previous year) to calculate the portion of the funding that is distributed on the basis of this factor so that the data is final when the aid calculation is made.
- 14 **Population determination. [Regional library systems]**
Clarifies that the most recent population estimates should be used to compute this portion of the regional library system aid.
- 15 **School library aid.**
Creates a school library aid funding stream for school districts and charter schools equaling the greater of \$16.11 times the adjusted pupil units for the school year or a

Section Description – Article 9: Nutrition and Libraries

- minimum aid of \$40,000 per school district and \$20,000 per charter school. Requires school library aid to be reserved and used for specific listed purposes.
- 16 **School lunch appropriation.**
Adjusts the school lunch appropriation (approved as part of Laws 2023, Chapter 18) for February 2023 forecast changes.
- 17 **School breakfast appropriation.**
Adjusts the school breakfast appropriation (approved as part of Laws 2023, chapter 18) for February 2023 forecast changes.
- 18 **Appropriations.**
Appropriates money for school meals and for regional library services.

See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>
- 19 **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.

Article 10: Early Childhood Education

Increases the number of children eligible for voluntary prekindergarten (VPK)/School Readiness Plus (SRP) funding. Beginning in fiscal year 2024 makes the 4,000 expiring seats permanent and adds another 5,200 VPK seats for fiscal years 2025 and later for a total 12,360 VPK/SRP seats.

Section Description – Article 10: Early Childhood Education

- 1 **Participation limits.**
Increases the number of children eligible for VPK/SRP funding. Beginning in fiscal year 2024 makes the 4,000 expiring seats permanent. Adds another 5,200 VPK/SRP seats for fiscal years 2026 and later resulting in a total of 12,360 VPK/SRP seats.
- 2 **Compensation revenue pupil units.**
Conforms the calculation of compensatory revenue pupil units to the permanent extension of the number of VPK/SRP program participants.

Section	Description – Article 10: Early Childhood Education
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3	Declining enrollment revenue. Makes conforming changes related to the permanent extension of VPK/SRP seats.
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4	Appropriations. Appropriates \$50,000,000 in fiscal year 2025 for a reserve for allocation for additional voluntary prekindergarten seats.
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See fiscal worksheet for details:

<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

Article 11: Community Education and Lifelong Learning

This article modifies after-school program grants, increases the adult basic education maximum hourly contract rate from \$22 to \$30 per contact hour, increases community education revenue and revenue for the adults with disabilities program, and makes other changes.

Section	Description – Article 11: Community Education and Lifelong Learning
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1	General community education revenue. Increases the basic community education revenue allowance from \$5.42 per capita to \$6.35 per capita beginning in fiscal year 2025.
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2	Total community education levy. Lowers the community education levy to adjust for the other net tax capacity levy changes in this act.
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3	After-school community learning programs. Amends the purpose of the after-school community learning grant program to include supporting eligible organizations that provide culturally affirming and enriching after-school and summer learning programs. Requires that grants be used to offer a broad array of academic enrichment activities that promote positive after-school and summer learning activities. Allows the commissioner to award grants to community or nonprofit organizations, culturally specific organizations, American Indian organizations, Tribal nations, political subdivisions, public libraries, or school-based programs that serve youth outside of school. Lists objectives of the after-school community learning program. Requires an applicant to submit a program proposal to the commissioner that includes listed criteria. Requires the commissioner to monitor and evaluate the performance of grant recipients, and provide technical assistance, capacity building, and professional development to grant recipients.
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Section Description – Article 11: Community Education and Lifelong Learning

- 4 **State total adult basic education aid.**
Increases the state total adult basic education aid for fiscal year 2024 to \$52,781,000 plus any amount that was not paid during the previous year due to formula cap limits. Sets the state total adult basic education aid growth factor to equal the lesser of 1.03 or the greater of one plus the percent change in the formula allowance from the previous fiscal year to the current fiscal year or the average growth in state total contact hours over the prior ten program years.
- 5 **Adult basic education program aid limit.**
Increases the maximum contact hour cap from \$22 per hour to \$30 per hour.
- 6 **Commissioner selected high school equivalency test fees.**
For fiscal years 2023 to 2027, authorizes the state to pay 100 percent of the fee charged to an individual for the full battery of the commissioner-selected high equivalency tests (these tests include the GED), subject to the overall appropriations for the program.
- 7 **Revenue amount. [Community education adults with disabilities programs]**
Replaces the current limited grant program with a funding formula of \$0.34 per capita (population of the school district) for each school district that operates an adults with disabilities program. Holds the levy constant so that the additional revenue is provided in state aid.
- 8 **Definitions. [Education Partnerships fund]**
Renames the Tier 1 education partnership grants “neighborhood partnership grants” and renames Tier 2 grants “regional neighborhood partnership grants.”
- 9 **Administration; design. [Education Partnerships]**
Makes technical updates related to section 8.
- 10 **Grants. [Education Partnerships]**
Makes technical updates related to section 8.
- 11 **Appropriations; community education and lifelong learning.**
Appropriates money for community education and lifelong learning programs.

See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

Article 12: State Agencies

This article expands the state’s statute for equal opportunity in athletics programs based on sex to include race and ethnicity, modifies when reasonable force may be used against a student, and provides funding for MDE, PELSB, the Minnesota State Academies, and the Perpich Center for Arts Education.

Section	Description – Article 12: State Agencies
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| 1 | Purpose. [Athletic programs; sex discrimination]
Amends the purpose statement for addressing sex discrimination in student athletics to include inequities in race and ethnicity. Replaces “both sexes” with “each sex.” |
| 2 | Equal opportunity in athletic programs. [Athletic programs; sex discrimination]
Expands athletic program equal opportunity statute currently based on sex to include race and ethnicity. Replaces “both sexes” with “each sex.” |
| 3 | Licensed school nurse.
Requires the department to employ a school health services specialist to provide technical assistance to school districts and charter schools for the education-related health needs of their students; to serve as the primary source of information related to health matters; and to serve as the primary liaison to the Department of Health and other state agencies. Lists specific duties for the position. Defines a “health service specialist.” Lists requirements for the position. |
| 4 | Reasonable force standard.
Paragraph (d) requires districts to report data on their use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another. Paragraph (e) requires districts, beginning with the 2024-2025 school year, to annually report data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another. |
| 5 | Appointment of members. [PELSB]
Expands PELSB from 11 to 13 members. |
| 6 | Eligibility; board composition. [PELSB]
Modifies the composition of PELSB. Removes the human resources director position from the board. Increases the number of teachers and modifies the required qualifications of some of the teacher positions. |
| 7 | Terms, compensation, removal, vacancies. [PELSB]
Requires board member to receive a stipend up to \$4,800 annually. |

Section Description – Article 12: State Agencies

- 8 **Administration. [PELSB]**
Strikes obsolete language regarding PELSB offices.
- 9 **District reimbursement for cost of substitute teachers. [PELSB]**
Requires PELSB to reimburse districts for the cost of substitute teachers to cover board member absences.
- 10 **Public employer compensation reduction prohibited. [PELSB]**
Requires a public employer to grant a board member time off for board activities.
- 11 **Rental income; appropriation. [Minnesota State Academies]**
Authorizes the Minnesota State Academies to keep any rent for land and living residences instead of forwarding these funds to the state general fund.
- 12 **Office of Inspector General.**
Establishes an Office of the Inspector General within the department to protect the integrity of the department and the state by detecting and preventing fraud, waste, and abuse in department programs. Requires the inspector general to hire a deputy inspector general and sufficient assistant inspector generals to carry out the duties of the office. Requires the Inspector general to report fraud to law enforcement and develop a public platform for the public to report fraud, waste, or abuse of public funds.
- 13 **Comprehensive school mental health services lead.**
Establishes a mental health services lead at the Department of Education to address mental health needs in schools.
- 14 **Department of Education; FY 22/23 appropriations.**
Cancels \$1,500,000 from MDE’s 2022 appropriation (unused legal fees and costs associated with litigation).
- 15 **Department of Education; administrative cuts; 2023 Laws.**
Cancels \$202,000 appropriation; the amount is included in the department’s total appropriation.
- 16 **Professional Educator Licensing and Standards Board membership.**
Requires the governor to nominate 13 members to PELSB by July 15, 2023. Sunsets the term of the current human resources director on December 31, 2023, and requires the governor to name a new member by January 1, 2024.

Section Description – Article 12: State Agencies

- 17 **Appropriations; Department of Education.**
See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>
- 18 **Appropriations; Minnesota State Academies.**
See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>
- 19 **Appropriations; Perpich Center.**
See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>
- 20 **Appropriations; PELSB.**
See fiscal worksheet for details:
<https://www.house.mn.gov/Fiscal/Home/TrackingSheets>

Article 13: Forecast

Makes adjustments to fiscal year 2023 appropriations to match the February 2023 Forecast data to the best estimates of the state aid required for each K12 program and appropriation.

Generally, a change in the estimated pupil counts, or a change in program participation is the most likely cause of a forecast adjustment. The changes in the appropriations are real and the changes must be enacted in law, but adjustments have no fiscal impact when measured against the K12 budget because the changes are built into the forecast estimate of the budget base.



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