

# Chapter 109

2024 Regular Session

Subject Education Policy

Bill S.F. 3567

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## Overview

This act modifies early childhood through grade 12 education provisions relating to literacy instruction, special education teachers, charter school governance and transparency, preschool programs, American Indian mascots, and access to library materials, and makes other changes.

## Article 1: General Education

This article requires districts to adopt cell phone policies, modifies the postsecondary enrolment options act, modifies flexible learning year program requirements, and makes other changes.

### Section Description - Article 1: General Education

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- School cell phone policy.**

Requires districts and charter schools to adopt a policy on students' possession and use of cell phones in school by March 15, 2025. Requires the principals' associations to collaborate to make best practices available to schools on strategies to minimize the impact of cell phones on student behavior, mental health, and academic attainment.
- Authorization; notification. [PSEO]**

Requires a postsecondary institution to notify a pupil's school as soon as practicable if the student withdraws from the enrolled course, or if the pupil has been absent from a course for 10 consecutive days and the pupil is not receiving instruction at home, in a hospital, or another facility.
- Digital instruction. [Online instruction act]**

Adds reference to federal law relating to accessibility.

**Section Description - Article 1: General Education**

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- 4 **Supplemental online courses. [Online instruction act]**  
Allows a student to enroll in additional courses with an online learning provider under a separate agreement that involves paying tuition or course fees.
- 5 **Purpose of flexible learning year programs. [Four-day week]**  
Requires the commissioner to establish clear criteria for evaluating a district's application to use a four-day school week plan, accept applications for a four-day week plan, and determine whether an application meets the criteria. Requires approval of a four-day plan to remain in effect for at least six years.
- 6 **Lease purchase; installment buys. [Capital levies]**  
Substitutes references to desegregation plans with references to achievement and integration plans. Adds cross-reference to statutory definition of "acquisition" in chapter on municipal debt. Modifies review and comment requirements for school construction projects funded under this subdivision.
- 7 **Revisor instruction.**  
Instructions the revisor of statutes to remove the term "state-approved" in sections 125A.15 (placement of a child with a disability in another district for care and treatment), 125A.51 (placement of a child without a disability who is placed in care and treatment for an illness or disability), and 125A.515 (placement of students in residential facilities) for education in care and treatment facilities.

## **Article 2: Education Excellence**

This article renames the state school accountability system, makes technical changes to statutes on state assessments, extends the deadline for schools to change mascots, establishes protections for student journalists, and makes other changes.

**Section Description - Article 2: Education Excellence**

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- 1 **Directory information. [Educational data]**  
Allows an educational agency or institution to share personal student contact information and directory information for students in special education with postsecondary transition planning and services, with the Department of Employment and Economic Development as required to coordinate services to students with disabilities.

**Section Description - Article 2: Education Excellence**

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- 2 Absence from school for religious and cultural observances.**  
Requires a district to make reasonable efforts to accommodate a student who wishes to be excused from a curricular activity for an American Indian cultural practice, observance, or ceremony.
- 3 Required academic standards.**  
Strikes language that the department may modify SHAPE standards, which are used for physical education, and requirement that the department make available sample physical education assessments.
- 4 World language and culture; proficiency certificates. [Elective standards]**  
Modifies description of proficiency required to obtain the Minnesota World Language Proficiency Certificate.
- 5 State bilingual and multilingual seals. [Elective standards]**  
Modifies description of how proficiency is measured to qualify for bilingual or multilingual seals. Allows a student to obtain a seal for showing proficiency in an Indigenous American Indian language. Strikes requirement that a student demonstrate mastery of English language proficiency to obtain a seal. Requires the commissioner to establish guidelines on interpreting scores or ratings from approved assessments.
- 6 Graduation requirements. [Credits]**  
Delays requirement that students complete a course in government and citizenship in grade 11 or 12 by one year. Modifies credit requirement necessary to satisfy the state standards in physical education.
- 7 School district process for reviewing curriculum, instruction, and student achievement goals; striving for comprehensive achievement and civic readiness.**  
Renames the world's best workforce statute. Directs school districts to include goals for preparing students to be lifelong learners.
- 8 Planning for students' successful transition to postsecondary education and employment; personal learning plans.**  
Requires a student's personal learning plan to be reviewed at least annually to ensure the student is on track for graduation.
- 9 Rigorous course taking information; AP, IB, and PSEO. [Advanced Placement and International Baccalaureate programs]**  
Modifies deadline for department report on rigorous course taking. Requires 2025 report to include data from the 2022-2023 and 2023-2024 school years.

**Section Description - Article 2: Education Excellence**

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- 10      **Assessments. [General requirements; statewide assessments]**  
Changes cross-reference based on recodification of assessment statutes.
- 11      **Test administration. [General requirements; statewide assessments]**  
Strikes requirement for accommodations or alternative assessments. Section 120B.305, subdivision 3, clause (1) requires the commissioner to include accommodations and alternate assessments in the public reporting system.
- 12      **Retaliation prohibited. [General requirements; statewide assessments]**  
Prohibits retaliation against an employee who discloses information to the commissioner or a parent or guardian about service disruptions or technical interruptions related to administering assessments. This language is currently in section 120B.31, subdivision 6.
- 13      **General requirements; test design.**  
Strikes language added in other sections and obsolete language, adds language stricken in other sections.
- 14      **Assessment reporting requirements.**  
Strikes language added in other sections, adds language stricken in other sections.  
  
Strikes requirement that commissioner report data comparing performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations. Strikes requirement that commissioner determine testing process, and aggregate data at site and district level.  
  
Allows a school, district or charter school to provide a student's parent access to student's individual student performance data and achievement report when it is made available to the school, district, or charter school.
- 15      **Student performance data.**  
Strikes requirement that commissioner aggregate and disaggregate student data to report student performance and growth levels, and student learning and outcome data.
- 16      **School performance reports and public reporting.**  
Delays deadline for department to post school performance reports on the department's website in years with new performance standards for academic standards-based assessments or new performance standards for English language proficiency assessments.

**Section Description - Article 2: Education Excellence**

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- 17      **Prohibition on American Indian mascots.**  
Allows school districts with an American Indian mascot, nickname, logo, letterhead, or team name one additional year, until September 1, 2026, to comply with the prohibition on American Indian mascots. Requires a district with a prohibited mascot to report to the legislature on its progress to comply with prohibition.
- 18      **Exemption. [American Indian mascots prohibited.]**  
Allows school districts with an American Indian mascot, nickname, logo, letterhead, or team name one additional year, until September 1, 2026, to comply with the prohibition on American Indian mascots.
- 19      **Smudging permitted.**  
Allows an American Indian student or staff member to use tobacco, sage, sweetgrass, and cedar to conduct smudging in a public school.
- 20      **Consultation.**  
Requires a school district or charter school to consult the exclusive representative for paraprofessionals regarding special education paraprofessional training requirements.
- 21      **Student journalism; student expression.**  
**Subd. 1. Definitions.** Defines “school-sponsored media,” “school official,” “student journalist,” and “student media adviser.” School-sponsored media does not include a yearbook.  
**Subd. 2. Student journalists; protected conduct.** States that a student journalist has a right to exercise freedom of speech and freedom of the press in school-sponsored media. Prohibits a school district or charter school from disciplining a student journalist for exercising rights or freedoms under this paragraph or the First Amendment. Prohibits a school district or charter school from retaliating against a student media adviser for supporting a student journalist exercising free speech rights. States that section does not inhibit a student media adviser from teaching professional standards of English and journalism to students.  
**Subd. 3. Unprotected expression.** States that section does not authorize or protect certain types of student expression, and does not authorize publication of an advertisement that promotes the purchase of a product or service that is unlawful for purchase or use by minors. Prohibits a school or district from authorizing any prior restraint of school-sponsored media unless it is student expression that is not protected by this subdivision.

**Section Description - Article 2: Education Excellence**

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**Subd. 4. Student journalist policy.** Requires districts and charter schools to adopt and post a student journalist policy consistent with this section.

**22 Language access plan.**

Starting in the 2025-2026 school year, requires a district to adopt a language access plan that includes the district's process and procedures to render effective language assistance to students and adults who communicate in a language other than English.

**23 Boards shall not withhold grades or diplomas for nonpayment of student fees.**

Clarifies that the protections of the Fee Law for fee debt balances apply to Tribal contract schools.

**24 Dissemination of information; notification of intent to enroll. [PSEO]**

Modifies deadline for a student to inform a district of the student's intent to enroll in postsecondary courses.

**25 Courses according to agreements. [PSEO]**

Requires secondary schools and postsecondary institutions that enroll students in PSEO courses according to an agreement (these are courses where the higher education institution and the school district directly contract to provide PSEO courses using higher education faculty to teach the courses) to report to the commissioner the participation rates of students, including the number of students enrolled and the number of courses taken for postsecondary credit.

**26 Concurrent enrollment advisory board; membership; duties. [PSEO]**

Requires the advisory board of a postsecondary institution offering courses taught by a secondary teacher to include secondary and postsecondary students, if practical.

**27 Credits; grade point average weighting policy. [PSEO]**

Requires a district to adopt the same weighted grade point average policy for credits earned via PSEO as for credits earned via concurrent enrollment coursework.

**28 Notice. [Rights of parents]**

Modifies deadline for providing notice to the parent of an English learner that the student has been enrolled in an instructional program for English learners.

**29 General requirements for programs.**

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

**Section Description - Article 2: Education Excellence**

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- 30 **Alternative to publishing.**  
Allows listed districts to publish their official proceedings on their websites instead of publishing them in a newspaper. Expires August 1, 2026. A separate act has a similar provision that applies to all school districts.
- 31 **Revisor instruction.**  
Instructs the Revisor to substitute the term “comprehensive and civic readiness” for “world’s best workforce” wherever it appears in statute.
- 32 **Repealer.**  
Repeals section 120B.31, subdivisions 2 (requires districts to give a uniform statewide test to students) and 6 (prohibits retaliation against employee who discloses information to the commissioner or a parent about testing service disruptions or technical interruptions). Note: these provisions are duplicative of other provisions or recodified elsewhere in this article.

### **Article 3: Teachers**

This article modifies requirements for Tier 1 and Tier 2 special education teachers, teacher evaluation requirements, and PELSB report deadlines, and makes other changes.

**Section Description - Article 3: Teachers**

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- 1 **Reporting. [Increasing percentage of teachers of color and American Indian teachers in Minnesota]**  
Moves PELSB report from odd-numbered years to even-numbered years after first report is submitted by November 3, 2025.
- 2 **Supply and demand report. [Reports]**  
Modifies deadline for PELSB’s teacher supply and demand report. Modifies data that must be included in report.
- 3 **Ableism and disability justice. [Teacher preparation programs]**  
Encourages a teacher preparation program to include instruction for teacher candidates on ableism and disability justice, provided by a person with a disability.
- 4 **Authority to license. [Board to issue licenses]**  
Authorizes PELSB to collect nonlicensed staff data on behalf of the department, and share the data with the department as required under the data sharing agreement between the agencies.

**Section Description - Article 3: Teachers**

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- 5      **Special education requirements. [Tier 1 license]**  
Establishes requirements for a Tier 1 special education license.
- 6      **Professional requirements. [Tier 1 license]**  
Requires an applicant for a Tier 1 license to have a bachelor’s degree unless the applicant meets an exemption under subdivision 2a.
- 7      **Special education requirements. [Tier 2 license]**  
Establishes requirements for a Tier 2 special education license.
- 8      **Coursework. [Tier 3 license]**  
Modifies requirement for using the portfolio process to obtain a Tier 3 license.
- 9      **Requirements. [Tier 4 license]**  
Expands eligibility for a Tier 4 license to include a teacher who obtained a Tier 3 license through the portfolio process or holds a national board certification from the National Board for Professional Teaching Standards.
- 10     **Tests. [Teacher licensure assessment]**  
Allows a teacher who obtained national board certification from the National Board for Professional Teaching Standards to obtain a Tier 3 or 4 license without taking the pedagogy or content exams.
- 11     **Testing accommodations. [Teacher licensure assessment]**  
Strikes skills exams from provision requiring testing accommodations.
- 12     **Prohibition on teaching assignment. [Suspension or revocation of licenses]**  
Prohibits a district or charter school from placing a teacher in a teaching assignment if the teacher has been criminally charged with certain offenses or an offense that requires the person to register as a predatory offender, or a crime under a similar law of another state or the United States.
- 13     **Annual contract. [License and degree exemption for head coach]**  
Requires a school board to provide written notice to a coach whose contract it declines to renew for the following school year not more than 60 days after the end of the regular season. Notice requirement does not apply if nonrenewal is based on misconduct, failure to perform duties, or district’s financial limitations.

**Section Description - Article 3: Teachers**

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- 14     **Development, evaluation, and peer coaching for continuing contract teachers. [Employment; contracts; termination]**  
Requires the teacher evaluation rubric to be based on the standards of effective practice established in rules.  
  
Effective date: This section is effective July 1, 2025.
- 15     **Development, evaluation, and peer coaching for continuing contract teachers. [Teacher tenure act; cities of the first class; definitions]**  
Requires the teacher evaluation rubric to be based on the standards of effective practice established in rules.  
  
Effective date: This section is effective July 1, 2025.
- 16     **Ableism and disability justice.**  
Encourages a district or charter school to include training on ableism and disability justice provided by a person with a disability in professional activities for teachers and certain other staff.
- 17     **Definition. [Supporting heritage and language culture teachers]**  
Modifies the definition of “heritage language and culture teacher” to require the teacher to be proficient in the language and engaged in the culture. Includes certain American Sign Language teachers as heritage language and culture teachers.
- 18     **Heritage language and culture teacher licensure pathway program. [Supporting heritage and language culture teachers]**  
Requires the program to support heritage language and culture teachers to prioritize the participation of teachers whose own heritage language is one of the top languages spoken by Minnesota students and for which there are fewer teacher preparation programs for the licensure area or fewer teachers that hold a license in that area.
- 19     **Board grants. [Teacher mentorship and retention of effective teachers]**  
Allows a Tribal contract school or group of schools, a coalition of districts, teachers, and teacher education institutions to apply for a mentorship grant.
- 20     **Repealer.**  
Repeals section 122A.2451, subdivision 9 (alternative teacher preparation provider report), and section 122A.185, subdivision 4 (remedial assistance on skills examination).

## Article 4: Read Act

This article defines new terms, modifies training requirements for teachers, requires schools to administer a third screener each school year, requires schools to use only evidence-based interventions, modifies local literacy plan requirements, requires PELSB to audit teacher preparation programs, and makes other changes. Funding under the Read Act is provided in a separate act.

Section	Description - Article 4: Read Act
1	<b>Title; the Read Act.</b> Makes technical change to reflect renumbering of some statutes in the Read Act.
2	<b>Certified trained facilitator. [Definitions]</b> Defines “certified trained facilitator” as a person employed by a district or regional literacy network, who has completed particular training, and meets other requirements.
3	<b>Literacy specialist. [Definitions]</b> Strikes deadline for literacy specialist at the Department of Education or as a literacy lead by a district to complete approved training by August 30, 2025.
4	<b>Oral language. [Definitions]</b> Modifies definition of “oral language” to include sign language.
5	<b>Literacy goal. [Read Act goal and interventions]</b> Adds meeting grade level proficiency to legislature’s literacy goal. Strikes timeline for training requirements; the timeline is provided in section 120B.123, subdivision 5 (section 13 of this article).
6	<b>Identification; report. [Read Act goal and interventions]</b> Requires districts to screen students in kindergarten through third grade three times each school year.
7	<b>Parent notification and involvement. [Read Act goal and interventions]</b> Requires districts to administer approved screeners by February 15 each year in addition to other two times during the school year.
8	<b>Intervention. [Read Act goal and interventions]</b> Requires districts to use only evidence-based literacy interventions starting in the 2025-2026 school year. Requires a paraprofessional or other unlicensed person providing a Tier 2 literacy intervention to complete approved training and be a

**Section Description - Article 4: Read Act**

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- supervised teacher who has completed approved training, starting in the 2026-2027 school year.
- 9      **Staff development. [Read Act goal and interventions]**  
Modifies requirements for teacher and instructional staff training. Requires the literacy plan to identify professional development. Requires approved training for classroom teachers in early childhood programs.
- 10     **Local literacy plan. [Read Act goal and interventions]**  
Requires district literacy plan to include the plan and timeline for adopting approved curricula and materials, the number of teachers and other staff proposed for training, and how the district used funding under the Read Act. Requires commissioner's summary of local literacy plans to include the number of teachers and other staff required to complete training. Requires the commissioner to submit updated reports by December 1, 2026, and December 1, 2027.
- 11     **Approved screeners. [Read Act implementation]**  
Requires districts to administer approved screeners to students in kindergarten through third grade three times each school year. Requires district staff, contracts, and volunteers to use only screeners approved by the department. Starting 2024-2025, schools may only use MDE approved screeners.
- 12     **Progress monitoring. [Read Act implementation]**  
Makes technical change to reflect renumbering of statutes.
- 13     **Professional development. [Read Act implementation]**  
Sets two phases for training to be completed. Phase one is for teachers and staff that must complete training by July 1, 2026, and phase two is for teachers who must complete training by July 1, 2027. Allows training provided by a department-approved certified trained facilitator to satisfy the professional development requirements. Lowers the number of hours of required instruction by 5.5 hours for the 2024-2025 school year only to allow teachers to receive training required under the Read Act, if the district and teachers' collective bargaining representative enter into an agreement.
- 14     **Department of Education. [Read Act implementation]**  
Requires the department to partner with CAREI to approve literacy intervention models, post a list of the approved models, and ensure the models are reviewed by a contracted third party for culturally responsive guidance and materials, and make the findings available to districts. Requires the department to notify districts of the two-step review process for all materials approved under the Read Act. Requires the

**Section Description - Article 4: Read Act**

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- department and CAREI to provide ongoing coaching and support to certified trained facilitators.
- 15     **Reconsideration. [Read Act implementation partnership]**  
Strikes screener reconsideration requirements. Requires the department and CAREI to conduct a final review of previously submitted curriculum by March 3, 2025, to review curriculum that is available to districts at no cost.
- 16     **Ongoing review of literacy materials. [Read Act implementation partnership]**  
Requires the department to partner with one or more institutions of higher education to conduct independent and object reviews of curriculum and intervention materials; the department must decide whether to conduct ongoing reviews by June 1, 2026. Requires a publisher to pay for the cost of the review.
- 17     **Comprehensive review of literacy materials. [Read Act implementation partnership]**  
Allows the department and an institution of higher education to partner to do a comprehensive review of curriculum and intervention materials starting in 2033.
- 18     **Minnesota reading corps program. [Reading and math corps]**  
Requires reading corps to use evidence-based reading instruction and interventions focused on structured literacy, and demonstrate to the department that its training meets or exceeds the requirements for training for volunteers. Exempts reading corps members from volunteer training.
- 19     **PELSB reading audit report.**  
Requires PELSB to conduct an audit that evaluates whether an approved teacher preparation program for candidates in a specified licensure area meets subject matter standards for reading. Requires PELSB to report its findings to the legislature.
- 20     **Revisor instruction.**  
Instructs the revisor of statutes to renumber two statutes in the Read Act.

## **Article 5: Special Education**

This article clarifies requirements for early childhood special education, modifies requirements for developmental adapted physical education assessments, and establishes a special education licensure reciprocity working group.

**Section Description - Article 5: Special Education**

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- 1 Children birth through age six experiencing developmental delays.**  
Updates the ages related to the definition of developmental delay for early childhood special education to include children age three through age six.
- 2 Individualized education programs.**  
Allows a district to conduct an assessment for developmental adapted physical education as a stand-alone evaluation without conducting a comprehensive evaluation of the student. Allows a parent to request that a school district conduct a comprehensive evaluation of the student.
- 3 Eligibility for Part C.**  
Adds a specific reference to Minnesota Rules.
- 4 Requirement.**  
Clarifies that the requirements for alternative instruction before a special education evaluation apply to children in kindergarten through grade 12.
- 5 Special education licensure reciprocity working group.**  
Establishes a working group on special education licensure. It requires the Professional Educator Licensing and Standards Board to appoint members from particular organizations or groups to the working group. The working group must make recommendations on statutory or rule changes necessary to streamline requirements for out-of-state applicants, and submit a report to PELSB for inclusion in the board's legislative priorities, and to the legislature.

## **Article 6: Charter Schools**

This article modifies governance, accountability, and transparency provisions relating to charter schools and authorizers, modifies enrollment preference requirements, requires charter schools to have procurement policies, modifies conflict of interest provisions, and makes other changes.

**Section Description - Article 6: Charter Schools**

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- 1 Purposes.**  
Modifies statement declaring purpose of charter schools. Requires a charter school to identify the purposes it will address in the charter contract and document the implementation of those purposes in the school's annual report. Adds implementation of the purposes to the authorizer's performance review of the school.

**Section Description - Article 6: Charter Schools**

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- 2        **Definitions.**  
Modifies definition of “charter management organizations” (CMO) to mean only nonprofit entities or organizations, and “educational management organizations” (EMO) to mean for-profit entities or organizations. Modifies descriptions of what CMOs and EMOs do. Modifies definition of “immediate family.”
- 3        **Certain federal, state, and local requirements. [Applicable law]**  
Strikes reference to a charter school plan under the World’s Best Workforce. Restates requirement that charter schools comply with certain statutes on student discipline.
- 4        **English learners. [Applicable law]**  
Requires a charter school to adopt and review a language access plan as though it were a district.
- 5        **Roles, responsibilities, and requirements of authorizers. [Authorizers]**  
Modifies duties of authorizers. Requires an authorizer to ensure schools it authorizes have autonomy, fulfill purposes of a charter school, and are accountable under the terms of the charter contract. Adds responsibilities relating to approving or denying applications, and oversight and evaluation of the school’s performance, and other duties. Requires the authorizer to document staff’s completion of training requirements.
- 6        **Application process. [Authorizers]**  
Clarifies that process applies to an organization applying to be approved as an authorizer.
- 7        **Review by commissioner. [Authorizers]**  
Modifies duties of commissioner related to review of authorizer’s performance. Prohibits the commissioner from penalizing an authorizer for not chartering additional schools or for the absence of complaints against an authorizer.
- 8        **Individuals eligible to organize. [Forming a school]**  
Strikes requirement that a charter school application include a statement of assurances of legal compliance prescribed by the commissioner.
- 9        **Authorizer’s affidavit; approval process. [Forming a school]**  
Strikes requirement that authorizer’s affidavit state how the authorizer intends to oversee the fiscal and student performance of the charter school and compliance with the terms of the charter. Requires grades and number of primary enrollment sites in an approved affidavit to be modified under requirements in subdivision 5.

**Section Description - Article 6: Charter Schools**

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**10 Adding grades or sites. [Forming a school]**

Modifies requirements for charter school to add grades or enrollment sites and reorganizes some existing requirements.

**11 Board of directors.**

**Subd. 1. Initial board of directors.** Requires the initial board of directors and school developers to comply with training requirements in statute upon incorporating the school.

**Subd. 2. Ongoing board of directors.** Modifies requirements for transitioning to ongoing board.

**Subd. 3. Membership criteria.** Modifies board membership criteria; modifies requirements for a teacher on the board and prohibits an administrator or supervisor from serving on the board. Prohibits a person from serving on more than one charter school board at the same time.

**Subd. 4. Board structure.** Modifies requirements for changing board's governing structure to include majority vote in favor of the change by the school's teachers.

**Subd. 5. Board elections.** Requires board to establish and publish election policies and procedures, and provide eligible voters information about candidates at least 10 calendar days before the election.

**Subd. 6. Duties.** Requires board to adopt a nepotism policy that prohibits employing immediate family members of a board member, a school employee, or a teacher that provides instruction under a contract with a cooperative, and a process to waive the policy.

**Subd. 7. Training.** Modifies board training requirements, including required subjects of training for new and current members.

**Subd. 8. Meetings and information.** Requires meeting minutes to be posted within 30 days of the date of board approval or the next regularly scheduled meeting.

**12 Limits on charter school agreements. [Charter contract]**

Requires a charter school to disclose to the commissioner any potential contract, lease, or purchase of service from a board member, employee, contractor, volunteer, or agent of an authorizer. Allows a charter school to enter into a contract for legal services without opening a bidding process.

**Section Description - Article 6: Charter Schools**

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- 13      **Causes for nonrenewal or termination of charter school contract. [Charter contract]**  
Requires hearing on authorizer’s decision to not renew or terminate the contract to be recorded by audio recording, video recording, or a court reporter. Requires authorizer to preserve recording for three years and make it available to the public.
- 14      **Mutual nonrenewal. [Charter contract]**  
Limits mutual nonrenewal process to only charter schools already serving enrolled students.
- 15      **Admission requirements and enrollment.**  
Requires a staff member to be employed for at least 480 hours in a school calendar year for the staff member’s child to be eligible for an enrollment preference. Expands prohibition on providing incentives to parents to enroll students in a charter school. Modifies list of conditions for determining when a student formally withdraws from a charter school.
- 16      **Teachers. [Employment]**  
Prohibits a charter school from contracting with a CMO or EMO to provide necessary teachers.
- 17      **Administrators. [Employment]**  
Requires charter school to establish qualifications for persons who hold administrative, academic supervision, or instructional leadership positions. Provides minimum qualifications. Requires a person performing administrative, academic supervision, or instructional leadership positions with and without an administrator’s license to complete specific training. Prohibits an administrator from serving as a paid administrator or consult with another charter school unless the board approves it by two-thirds vote. Prohibits a charter school administrator from serving on the board of another charter school.
- 18      **Conflicts of interest.**  
Prohibits a charter school employee or board member from serving on the board or decision-making committee of the school’s authorizer. Requires an employee or school board member to disclose to the board any paid compensation received from an authorizer.
- 19      **Audit report. [Reports]**  
Strikes requirement that a charter school comply with statutes governing government property and financial investments and municipal contracting. New provisions regarding investments and contracting are added in section 124E.26.

**Section Description - Article 6: Charter Schools**

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**20 Dissemination of information.**

Requires charter schools to disseminate information about the school's offerings and enrollment procedures to families that reflect the diversity of Minnesota's population and targeted groups; lists persons included in targeted groups. Requires dissemination activities to be included in school's annual report and in authorizer's performance review of the school.

Requires an authorizer to make its financial statements available upon request.

**21 Use of state money.**

Requires a charter school to adopt a procurement policy before expending state funds. Requires purchases made using state funds to be consistent with the procurement policy. Requires a procurement contract worth over \$25,000 to be awarded through a competitive bid process. Requires procurement policy to include specific elements. Allows the commissioner to reduce a charter school's state aid in an amount equal to a purchase not in conformity with the procurement policy, or if there is no procurement policy. Requires a charter school to comply with statutes governing government property and financial investments, and municipal contracting.

## **Article 7: Nutrition and Libraries**

This article modifies eligibility to become a sponsor for a federal meal program, requires a public library to have a policy relating to access to library materials, and modifies the requirements for the executive director of the metropolitan library service agency.

**Section Description - Article 7: Nutrition and Libraries**

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

Modifies eligibility to become a sponsor for the federal child and adult care food program or the federal summer food service program.

**2 Access to library materials and rights protected.**

**Subd. 1. Book banning prohibited.** Prohibits a public library from banning, removing, or otherwise restricting access based solely on the viewpoint, message, idea, or opinion conveyed.

**Subd. 2. Definitions.** Defines "public library" and "governing body."

**Section Description - Article 7: Nutrition and Libraries**

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**Subd. 3. Limitations.** Allows a public library to decline to purchase, lend, or shelve, or to remove or restrict access to books and other materials for practical reasons, legitimate pedagogical concerns, or compliance with state or federal law.

**Subd. 4. Collection management.** Prohibits a governing body or other body with personnel authority from discriminating or disciplining an individual for complying with the law governing access to library materials.

**Subd. 5. Library materials policy.** Requires the governing body of a public library to adopt a policy establishing procedures for selection, challenge to, and reconsideration of library materials. Requires certain policy components related to parental authority and administrative control. Requires policy to be administered by persons with certain qualifications. Requires a governing body to report a challenge to the commissioner of education.

**3 Metropolitan library service agency.**

Allows the Metropolitan Library Service Agency (MELSA) to hire an executive director who does not hold a master's degree in library science between April 1, 2024, and June 30, 2027. Prohibits MELSA from terminating an executive director hired in that period based solely on the executive director not having a master's degree in library science.

## **Article 8: Health and Safety**

This article requires public schools to provide mental health instruction to certain grades starting in the 2026-2027 school year, requires public schools to provide students with access to space for mental health care through telehealth to the extent space is available, modifies requirements relating to the administration of drugs and medicine in schools, requires the high school league to provide coaches education resources on eating disorder awareness, and makes other changes.

**Section Description - Article 8: Health and Safety**

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**1 Legitimate exceptions.**

Provides that a student may be excused from school attendance for instruction conducted by a Tribal spiritual or cultural advisor. Clarifies that child medical appointments include appointments conducted through telehealth.

**Section Description - Article 8: Health and Safety**

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- 2 Mental health education.**  
Changes encouragement that districts and charter schools provide mental health instruction for students in grades 4 to 12 aligned with local health standards, to a requirement starting in the 2026-2027 school year.
- 3 Definition. [Licensed school nurse]**  
Strikes requirements that the health services specialist at the Department of Education have experience overseeing a budget and supervising personnel, and have a graduate degree in nursing, public health, or a related field.
- 4 Access to space for mental health care through telehealth.**  
Starting October 1, 2024, requires a district or charter school, to the extent space is available, to provide secondary school students with access during regular school hours, and outside regular school hours if the site is available to other persons, to space in school that a student can use to receive mental health care through telehealth from a licensed mental health provider. Requires a secondary school to develop a plan with procedures to receive requests for access to space that provides a student privacy to receive mental health care.
- 5 Exclusions. [Administration of drugs and medicine]**  
Modifies exception to requirements for administration of drugs and medicine by including licensed nurses as school personnel that may determine that drugs or medicine should be given without delay.
- 6 Administration. [Administration of drugs and medicine]**  
Modifies list of persons that a district must consult with regarding the administration of drugs and medicine.
- 7 Districts and schools permitted to maintain supply. [Life-threatening allergies in schools; stock supply of epinephrine auto-injectors]**  
Allows registered nurses and licensed practical nurses to administer epinephrine auto-injectors in a school setting according to a condition-specific protocol.
- 8 School [definition for Pupil Fair Dismissal Act].**  
Clarifies that the Pupil Fair Dismissal Act also applies to charter schools.
- 9 Unscheduled student removal from class; school policy.**  
Encourages a public school to adopt a policy on parental notification for unscheduled student removal from class. Requires a public school to consult with child abuse prevention experts to incorporate best practices into the school policy. Encourages a

**Section Description - Article 8: Health and Safety**

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- nonpublic school or Tribal contract school to adopt a policy consistent with this section.
- 10     **Eating disorder awareness.**  
Requires the Minnesota State High School League to provide school coaches with eating disorder prevention education resources.
- 11     **Facilities and schools. [Agency responsible for screening and assessment or investigation; maltreatment]**  
Clarifies age range of students with regards to whom the department must investigate maltreatment allegations.

## **Article 9: Early Learning**

This article modifies definitions, merges the school readiness plus program into the voluntary prekindergarten program, and modifies eligibility and priority for early learning scholarships.

**Section Description - Article 9: Early Learning**

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- 1     **Kindergarten.**  
Removes the definition of “prekindergarten” that is included in the definition of “kindergarten” and recodifies this definition in its own subdivision.
- 2     **Prekindergarten.**  
Defines “prekindergarten” in the same way it is defined as part of the “kindergarten” definition in Minnesota Statutes, section 120A.05, subdivision 10a.
- 3     **Voluntary prekindergarten program for eligible four-year-old children.**  
Merges the school readiness plus program into the voluntary prekindergarten program (VPK). Modifies the program requirements, including requiring that VPK teachers are licensed. Changes program eligibility to provide that a child must meet at least one specified criterion to be eligible to participate in the program free of charge. Requires that school districts and charter schools use state funding for eligible children and provides that children may participate in the program on a fee-for-service basis if they are not eligible or state funding is not available. Directs school districts and charter schools to adopt a sliding-fee schedule based on family income and waive the fee for a participant who cannot pay. Provides that, beginning in fiscal year 2026, the department must accept and approve applications for program seats every four years rather than every year.

**Section Description - Article 9: Early Learning**

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Increases the number of groups to which VPK seats are allocated from four to five by splitting the Minneapolis and St. Paul school districts into two separate groups. Ensures that any school sites that received seats in fiscal year 2024 would receive the same number of seats in future years.

Makes provisions relating to increasing the number of groups for purposes of allocating VPK seats effective July 1, 2024. Makes provisions related to merging the school readiness plus program into the VPK program effective July 1, 2025.

**4 Family eligibility. [Early learning scholarships]**

For purposes of determining a family's eligibility for an early learning scholarship, provides that an individual who needs child protection services or is placed in foster care is eligible for a scholarship for the individual's eligible child.

**5 Applications; priorities. [Early learning scholarships]**

Adds children who are in substance use or mental health treatment programs and children who have an IEP or an IFSP to the list of priority groups for scholarships.

**6 Revisor instruction. [School readiness plus program]**

Directs the revisor of statutes to remove references to the school readiness plus program in statute. Makes the section effective July 1, 2025.

**7 Repealer. [School readiness plus program]**

Repeals the school readiness plus program. Makes the section effective July 1, 2025.

## **Article 10: State Agencies**

This article shifts responsibility under the Interstate Compact on Educational Opportunity for Military Children from the P-20 partnership to a new state council, and establishes a Purple Star school designation.

**Section Description - Article 10: State Agencies**

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**1 Establishment; membership. [Minnesota P-20 education partnership]**

Strikes requirement that P-20 partnership be the state council for the Interstate Compact on Educational Opportunity for Military Children.

**2 Military interstate children's compact state council.**

**Subd. 1. Establishment; membership.** Establishes a Military Interstate Children's Compact State Council to coordinate the state's participation in and compliance

**Section Description - Article 10: State Agencies**

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with the Interstate Compact on Educational Opportunity for Military Children and Interstate Commission activities. Lists required members of the council.

**Subd. 2. Powers and duties; report.** Authorizes council to develop recommendations to the governor and legislature to facilitate successful educational transitions for children of military families. Requires the commissioner to hold meetings. Requires the council to produce publicly available agendas and minutes. Requires the council to report to the legislature every other year.

**3 Intrastate student transfers for children of military service members.**

States that the provisions of the Interstate Compact on Educational Opportunity for Military Children in section 127A.85 apply to minor dependent children of members of the active and activated reserve components of the uniformed services.

**4 Purple star school designation.**

Requires the department to designate Purple Star Schools. To achieve designation, a school must apply to the department and satisfy specified criteria, including designating a staff member as a military liaison, maintaining certain information on the school's website, and offering a program that helps new military-connected students transition into the school. The department would start awarding Purple Star School designations in the 2026-2027 school year.



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