

**H.F. 1711**

Delete everything amendment (H1711DE1)

**Subject** K-12 Education Policy Bill**Authors** Youakim**Analyst** Cristina Parra  
Tim Strom**Date** March 8, 2019**Article 1: General Education**

Modifies requirements relating to transportation of homeless students with individualized education programs, and enrollment of a student in foster care. Allows a district to consider community's religious observance when determining school calendar, and to begin school year before Labor Day in the 2020-2021 and 2021-2022 school years. Modifies definition of "textbook." Requires a school district to take control of extracurricular activities. Modifies grant requirements. Makes technical changes.

Section	Description
1	<b>Education, residence, and transportation of homeless students.</b> Allows the initial serving school district to continue to provide transportation services to and from a cooperative program for a homeless student with an individualized education program who changes serving school districts during the school year. Allows the initial and current serving school district to mutually agree to an alternative transportation arrangement.
2	<b>Enrollment of a student in foster care.</b> Requires a student in foster care to be enrolled in school within seven school days of being placed in a foster home. Allows a student already enrolled in a district to remain enrolled in that district, even if the student's foster home is in another district.
3	<b>Absence from school for religious holiday.</b> Requires a school district to provide annual notice to parents of the district's policy on student absence for religious observance.
4	<b>School calendar.</b> Allows a school board to consider the community's religious observance when it determines the school calendar.
5	<b>Duty to maintain elementary and secondary schools.</b> Requires a district to provide kindergarten.

Section	Description
6	<b>Superintendent; contracts; duties.</b> Makes technical changes.
7	<b>Textbook.</b> Expands the definition of “textbooks” to include a teacher’s edition, teacher’s guide, or other materials that a pupil uses when the teacher’s edition, teacher’s guide, or other teacher materials are required to be purchased for student use
8	<b>Individualized instructional or cooperative learning materials.</b> Expands the definition of “individualized instructional or cooperative learning materials” to include teacher materials that accompany materials that a pupil uses.
9	<b>Cost; limitation.</b> Makes technical changes and eliminates obsolete language.
10	<b>Board control of extracurricular activities.</b> Requires a school board to take charge of and control all extracurricular activities. Requires a school district to reserve revenue raised for extracurricular activities and spend the revenue only for extracurricular activities.
11	<b>Use of general education revenue for kindergarten and prekindergarten.</b> Strikes language that prohibits a district from using fees for an all-day kindergarten program on programs for three- and four-year old children.
12	<b>Evidence-based education grants.</b> Requires applicants for grants administered by the commissioner of education to include in their applications a statement of the goals of the grant. The grant goals should be aligned to the World’s Best Workforce goals, and the state ESSA plan goals. The applicants must include strategies used to meet the goals, and a plan to measure the effectiveness of the strategies. A grant recipient must report to the commissioner and the legislature on the effectiveness of the strategies.
13	<b>School start date for the 2020-2021 and 2021-2022 school years only.</b> Allows school districts to start school on August 31 for the 2020-2021 school year and August 30 for the 2021-2022 school year.
14	<b>Repealer.</b> Repeals section 127A.14 (commissioner purchase of annuity for employees).

## Article 2: Education Excellence

Lowers the age of compulsory instruction to begin at six. Modifies student discipline requirements. Requires civics and personal finance instruction. Requires districts to adopt student journalism policy. Amends world's best workforce requirements. Makes technical changes.

Section	Description
1	<b>Compulsory instruction; ages and terms.</b> Lowers the age of compulsory instruction to begin at six. Modifies description of kindergarten programs based on hours of program.
2	<b>Compulsory instruction; children under age six.</b> Lowers the age of compulsory instruction to begin at six.
3	<b>Compulsory instruction; assessment of performance.</b> Modifies language in assessment subdivision to reflect the change in the age for compulsory instruction.
4	<b>Reports to superintendent.</b> Modifies language in superintendent report requirement to reflect change in the age for compulsory instruction.
5	<b>Graduation requirements.</b> Modifies high school graduation requirements by: reducing the number of elective credits required from seven to six and a half, and requiring at least one-half credit for a course in personal finance; and requiring a course for credit in government and citizenship in either 11 <sup>th</sup> or 12 <sup>th</sup> grade be included in the three and one-half credits of social studies currently required. Applies new requirements to students beginning 9 <sup>th</sup> grade in the 2020-2021 school year and later.
6	<b>World's best workforce; adopting plans and budgets.</b> Amends world's best workforce requirements. Adds requirements regarding access to culturally relevant or ethnic studies curriculum; inexperienced, ineffective, or out-of-field teachers; inclusive and respectful learning and work environments; and retaining qualified, racially and ethnically diverse staff effective at working with diverse students.
7	<b>World's best workforce; district advisory committee.</b> Requires the district advisory committee to recommend to the school board strategies to ensure the curriculum and learning and work environments are inclusive and respectful toward all racial and ethnic groups.

Section	Description
8	<p><b>Identification; report.</b></p> <p>Requires a school district to screen for characteristics of dyslexia all students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2. Requires a district to screen for characteristics of dyslexia students in grade 3 or higher who demonstrate a reading difficulty, unless a different reason for the reading difficulty has been identified.</p>
9	<p><b>Nonexclusionary disciplinary policies and practices.</b></p> <p>Defines nonexclusionary disciplinary policies and practices as alternatives to removing a pupil from class or dismissing a pupil from class, and lists examples. These policies and practices require school officials to intervene in, redirect, and support a pupil's behavior before removing a pupil from class or beginning dismissal proceedings.</p>
10	<p><b>Pupil withdrawal agreements.</b></p> <p>Defines pupil withdrawal agreements as verbal or written agreements between an administrator and parent to withdraw a student to avoid expulsion or exclusion dismissal proceedings; agreements may be no longer than 12 months.</p>
11	<p><b>Provision of alternative programs.</b></p> <p>Requires a school to use nonexclusionary disciplinary policies and practices before a dismissal proceeding or pupil withdrawal agreement, unless it appears the pupil will create an immediate and substantial danger to self or other persons or property.</p>
12	<p><b>Suspensions exceeding five consecutive school days.</b></p> <p>Requires a school administrator to ensure that when a pupil is suspended for more than five consecutive school days, alternative education services are provided.</p>
13	<p><b>Minimum education services.</b></p> <p>Requires school officials to give suspended pupils a reasonable opportunity to complete school work assigned during the suspension and receive full credit for completing the assignments. Encourages principal to designate a liaison to work with the pupil's teachers to allow the pupil to receive timely course materials, and complete assignment and receive feedback.</p>
14	<p><b>Written notice.</b></p> <p>Requires written notice of intent to exclude or expel to describe nonexclusionary disciplinary policies and practices accorded the pupil to try to avoid the expulsion proceedings. Requires department to post on its website a list of legal assistance resources.</p>

Section	Description
15	<p><b>Admission or readmission plan.</b></p> <p>Requires admission or readmission plan to address measures to improve the pupil's behavior, and adds examples of such measures. Requires parental involvement in the admission or readmission process.</p>
16	<p><b>Exclusions and expulsions; student withdrawals; physical assaults.</b></p> <p>Requires a school board to report pupil withdrawal agreements, and nonexclusionary disciplinary policies and practices given to a pupil in response to an assault, to the department.</p>
17	<p><b>Policies to be established.</b></p> <p>Requires school district policy to include nonexclusionary disciplinary policies and practices. Requires that alternative educational services be provided to a pupil during dismissal period. Requires, for all exclusion and expulsion dismissals, and pupil withdrawal agreements: district continues to review pupil's work and grades to ensure pupil is on track for readmission; pupil remains eligible for school-based mental health services until the pupil is enrolled in a new district; and school district provides to parent a list of mental health and counseling services after expulsion.</p>
18	<p><b>Student journalism; student expression.</b></p> <p><b>Subd. 1. Definitions.</b> Defines "school-sponsored media," "school official," "student journalist," and "student media adviser."</p> <p><b>Subd. 2. Student journalists; protected conduct.</b> 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.</p> <p><b>Subd. 3. Unprotected expression.</b> States that section does not authorize or protect certain types of student expression. 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.</p> <p><b>Subd. 4. Student journalist policy.</b> Requires districts and charter schools to adopt and post a student journalist policy consistent with this section.</p>
19	<p><b>Kindergarten instruction.</b></p> <p>Requires a school board to provide kindergarten free of charge to all eligible children in the district.</p>

Section	Description
20	<b>Postsecondary enrollment options; definitions.</b> Modifies accreditation requirement for an opportunities industrialization center.
21	<b>Early learning scholarships; family eligibility.</b> Eliminates income verification requirement for a child in need of protective services or foster care, or designated as homeless.
22	<b>Minnesota Foundation for Student Organizations; creation of foundation.</b> Changes “vocational” to “career and technical” in description of student organizations.
23	<b>Minnesota Foundation for Student Organizations; board of directors.</b> Changes “vocational” and “school-to-work” to “career and technical” in description of student organizations.
24	<b>Minnesota Foundation for Student Organizations; foundational programs.</b> Changes “vocational” and “school-to-work” to “career and technical” in description of student organizations.
25	<b>Minnesota Foundation for Student Organizations; powers and duties.</b> Changes “school-to-work” to “career and technical” in description of student organizations.
26	<b>Minnesota Foundation for Student Organizations; public funding.</b> Changes “school-to-work” to “career and technical” in description of student organizations.
27	<b>Minnesota Foundation for Student Organizations; student organizations.</b> Changes “vocational” to “career and technical” in description of student organizations.
28	<b>American Indian education; resolution of concurrence.</b> Requires that American Indian education parent advisory committee submit reasons for nonconcurrence with educational programs for American Indian students offered by the school board directly to the board.

## Article 3: Teachers

Modifies teacher licensure requirements, including background checks. Adopts new language and modifies existing statutes aimed at increasing the number of teachers who are of color or American Indian. Includes adult basic education and early childhood and family education teachers in the definition of “teacher” under the continuing contract and tenure statutes.

Section	Description
1	<p><b>Increasing the percentage of teachers of color and American Indian teachers in Minnesota.</b></p> <p><b>Subd. 1. Purpose.</b> States purpose of addressing students’ and families’ persistent inequitable access to diverse teachers by setting short-term and long-term goals.</p> <p><b>Subd. 2. Equitable access to diverse teachers.</b> States that the percentage of teachers who are of color or American Indian in Minnesota should increase at least two percentage of points per year to have a teaching workforce that more closely reflects the state’s student population and ensure all students have access to effective and diverse teachers by 2040.</p> <p><b>Subd. 3. Rights not created.</b> States that attainment goal does not exclude other goals and does not confer a right or create a claim for any person.</p> <p><b>Subd. 4. Reporting.</b> Requires Professional Educator Licensing and Standards Board (PELSB) to collaborate with the department of education and the office of higher education to summarize reports from the programs they administer and other programs aimed at increasing the racial and ethnic diversity of the state’s teacher workforce. Requires the board to report on the effectiveness of the programs and make recommendations every odd-numbered year.</p>
2	<p><b>Teacher.</b></p> <p>Modifies definition of teacher to include a person with a permission from the Professional Educator Licensing and Standards Board (PELSB).</p>
3	<p><b>Field.</b></p> <p>Modifies definition of field to be synonymous with licensure area.</p>
4	<p><b>Teacher preparation program.</b></p> <p>Eliminates examples of types of teacher preparation programs.</p>
5	<p><b>Teacher preparation program provider.</b></p> <p>Modifies definition of teacher preparation program provider to include postsecondary institutions and alternative teacher preparation providers.</p>

Section	Description
6	<b>Appointment of members.</b> Adds three members to PELSB.
7	<b>Eligibility; board composition.</b> Modifies board composition.
8	<b>Administration.</b> Eliminates requirement that Department of Education provide board office space at reasonable cost until January 1, 2020, and allowing the board thereafter to contract for space from the Department of Education or Department of Administration.
9	<b>Public employer compensation reduction prohibited.</b> Prohibits a public employer of a member from reducing the member's compensation or benefits for the member's absence from employment while on board business.
10	<b>PELSB must adopt rules.</b> Requires board to adopt rules under section 122A.2451, which governs alternative teacher preparation programs and providers.
11	<b>Teacher and administrator preparation and performance data; report.</b> Makes technical changes.
12	<b>Reading strategies.</b> Makes reading strategies requirement applicable to all program providers.
13	<b>Technology strategies.</b> Makes reading strategies requirement applicable to all program providers.
14	<b>Validity of certificates or licenses.</b> Eliminates obsolete language.
15	<b>Background check account.</b> Eliminates obsolete reference to Department of Education. Eliminates requirement that background check be performed by Bureau of Criminal Apprehension (BCA).
16	<b>Temporary military license.</b> Modifies license fee.



Section	Description
17	<b>Background check.</b> Makes technical changes. Modifies background check requirement. Eliminates language allowing PELSB or BOSA to issue a license pending completion of a background check.
18	<b>Licensure via portfolio.</b> Makes licensure portfolio available for only Tier 3 license candidates. Makes technical changes. Strikes language regarding fees for portfolios and adds a cross-reference to statute on fees.
19	<b>Tier 1 license; term of license and renewal.</b> Limits tier 1 license to one renewal, unless there is good cause for additional renewals.
20	<b>Tier 1 license; limitations on license.</b> Allows a teacher with a tier 1 license to be included in the teachers' bargaining unit.
21	<b>Tier 2 license; requirements.</b> Eliminates coursework requirements for tier 2 candidates, and modifies other eligibility requirements.
22	<b>Tier 2 license; term of license and renewal.</b> Limits tier 2 license to two renewals.
23	<b>Tier 3 license; coursework.</b> Eliminates language that allows a teacher to obtain a tier 3 license based on three years of teaching experience with a tier 2 license without being placed on an improvement process.
24	<b>Tier 3 license; mentorship and evaluation.</b> Modifies mentorship requirement. Prevents a teacher with a tier 3 license from being required to serve as a mentor to another teacher to fulfill mentorship requirement.
25	<b>Tier 4 license; requirements.</b> Eliminates requirement that a candidate for a tier 4 license prove the candidate's most recent summative evaluation did not place the candidate on an improvement process.
26	<b>Tier 4 license; mentorship and evaluation.</b> Modifies mentorship requirement. Prevents a teacher with a tier 4 license from being required to serve as a mentor to another teacher to fulfill mentorship requirement.

Section	Description
27	<p><b>Teacher licensure assessments; tests.</b></p> <p>Allows an employing school or district to verify through a tier 3 teacher's performance the teacher's skills in reading, writing, and math for teaching in the licensure field so the teacher may obtain a tier 4 license. Allows pedagogy to be assessed through a performance assessment. Requires testing centers to provide monthly opportunities for untimed skills examinations and advertise these opportunities on the test registration website.</p>
28	<p><b>Professional growth.</b></p> <p>Modifies continuing education requirements for tier 3 and 4 teachers.</p>
29	<p><b>Cultural competency training.</b></p> <p>Requires the board to adopt rules requiring teachers renewing tier 3 or 4 licenses to have cultural competency training.</p>
30	<p><b>Teacher preparation program.</b></p> <p>Allows the board to approve all teacher preparation programs, rather than only programs at colleges and universities, for purposes of licensing bilingual and English as a second language teachers.</p>
31	<p><b>Grounds for revocation, suspension, or denial.</b></p> <p>Allows PELSB or BOSA to issue nondisciplinary corrective action for certain teacher behaviors, including engagement in sexual conduct or contact with a student. Modifies grounds for refusal to issue or renew, or revoke a teacher's license without the right to a hearing. Allows PELSB or BOSA to refuse to issue or renew, or revoke a teacher's license to teach upon receiving a copy of a conviction of certain offenses. Allows PELSB or BOSA to suspend a teacher's license pending an investigation into a report of conduct that would be grounds for revocation on certain grounds.</p>
32	<p><b>Mandatory reporting.</b></p> <p>Adds a superintendent, charter school board, charter school executive director, and charter school authorizer to mandatory reporting statute.</p>
33	<p><b>Teachers' and administrators' licenses; fees.</b></p> <p>Adds portfolio fees requirement.</p>
34	<p><b>District verification and reporting of teacher licenses.</b></p> <p>Requires a superintendent or charter school to provide the school board with the number of teachers in each school building with tier 1, 2, 3, and 4 licenses. Requires the school board and department of education to publish this data.</p>

Section	Description
35	<p><b>Community education teachers; licensure requirements; exceptions.</b></p> <p>Includes community education teachers that are required to have licenses (adult basic education and early childhood and family education teachers), except for those that teach driver training courses, within the definition of “teacher” under the continuing contract and tenure statutes.</p>
36	<p><b>Development, evaluation, and peer coaching for continuing contract teachers.</b></p> <p>Limits placement of students in classroom of teacher who holds a tier 1 or 2 license.</p>
37	<p><b>Development, evaluation, and peer coaching for continuing contract teachers.</b></p> <p>Limits placement of students in classroom of teacher who holds a tier 1 or 2 license.</p>
38	<p><b>Code of ethics for teachers.</b></p> <p>Moves code of ethics currently in rule to statute. Adds prohibition on engaging in sexual conduct or contact with a student. Allows a teacher to delegate authority to nonlicensed personnel in accordance with law.</p>
39	<p><b>Grants to prepare Indian teachers; establishment.</b></p> <p>Requires grantees to enter into contracts with tribal, technical, and community colleges and four-year postsecondary institutions to identify and provide grants to students interested in the field of education. Allows a grantee to contract with partner institutions to provide professional development and supplemental services to a tribal, technical, or community college or four-year postsecondary institution.</p>
40	<p><b>Grants to prepare Indian teachers; grant amount.</b></p> <p>Removes student loans from list of allowable uses for grants.</p>
41	<p><b>Grants to prepare Indian teachers; information to student applicants.</b></p> <p>Makes technical change corresponding to removal of student loans from list of allowable uses for grants. Requires that information provided to student applicants be acquired and updated by contract partner institutions of recipients.</p>
42	<p><b>Grants to prepare Indian teachers; eligibility for scholarships.</b></p> <p>Amends eligibility for scholarships. Requires an applicant to have origins in any of the original peoples of North America and maintain cultural identification through tribal affiliation or community recognition. Expands eligibility to include students or employees of contracted partner institutions. Eliminates language related to student loans. Establishes priority for a student who is tribally enrolled and then to first- and second-generation descendants.</p>

Section	Description
43	<p><b>Grants to prepare Indian teachers; eligible programming.</b></p> <p>Requires grantee institutions and contracted partner institutions to provide scholarships to students progressing toward educational goals in any area of licensure, including a degree in listed areas. Requires grantees or their contracted partner institutions to hire an American Indian work-study student or other American Indian staff to work on recruitment. Requires at least 80 percent of grants to be used for student scholarships, and no more than 20 percent to be used for recruitment or administration.</p>
44	<p><b>Teacher mentorship and retention of effective teachers.</b></p> <p><b>Subd. 1. Teacher mentoring, induction, and retention programs.</b> Encourages school districts to develop mentoring programs for teachers who are American Indian or in license shortage areas. Requires teacher mentoring programs to be aligned with existing teacher evaluation and peer review processes. Allows a district to use staff development revenue to pay a stipend to a mentor, and for certain other activities. Allows achievement and integration funding for mentoring activities. Allows schools or districts to negotiate additional retention strategies or protection from layoffs for teachers of color or teachers who are American Indian.</p> <p><b>Subd. 2. Applications.</b> Allows a coalition of schools, teachers, or nonlicensed educators to apply for grant funds. Requires approved applications to reflect professional development and retention components, to the extent practicable.</p> <p><b>Subd. 3. Criteria for selection.</b> Adds a commitment to retain teachers who are American Indian as grant criteria.</p> <p><b>Subd. 6. Report.</b> Requires recipients to report to PELSB on program efforts and impacts.</p>
45	<p><b>Postsecondary enrollment; courses according to agreements.</b></p> <p>Expands eligibility for grants to develop introduction to teaching courses. Expands reporting requirements for grant recipients.</p>
46	<p><b>Achievement and integration; plan implementation; components.</b></p> <p>Allows achievement and integration plan to include recruitment and retention of specified staff from racial and ethnic backgrounds represented in the student population. Requires plan to include strategies to make curriculum and environments more inclusive and respectful of diversity and address structural inequities, and provides examples of activities that may be included in plans.</p>
47	<p><b>Student teacher candidate grants in shortage areas.</b></p> <p><b>Subd. 1. Establishment.</b> Requires candidates to be student teachers. Amends definition of "licensure shortage areas."</p>

Section	Description
	<b>Subd. 2. Eligibility.</b> Amends eligibility for grants.
	<b>Subd. 3. Administration; repayment.</b> Establishes priority for candidates who are of color or American Indian, and who have made satisfactory academic progress.
48	<b>Teacher shortage loan forgiveness program; definitions.</b> Amends eligibility requirements by expanding access to Head Start teachers and amending definition of “shortage area.”
49	<b>Teacher shortage loan forgiveness program; program established; administration.</b> Amends eligibility for loan forgiveness program.
50	<b>Teacher shortage loan forgiveness program; use of a report on teacher shortage areas.</b> Shifts responsibility for identifying shortage areas from MDE to PELSB, and requires PELSB to identify racial or ethnic groups experiencing a teacher shortage.
51	<b>Teacher shortage loan forgiveness program; application for loan forgiveness.</b> Amends commissioner verification requirement.
52	<b>Teacher shortage loan forgiveness program; amount of loan forgiveness.</b> Increases maximum loan forgiveness amount to \$2,000. Allows applicants who meet both licensure field and underrepresented racial or ethnic group eligibility to receive up to \$4,000. Increases the maximum number of awards a teacher may receive to ten.
53	<b>Non-health related licensing board.</b> Adds BOSA to definition of non-health-related licensing board.
54	<b>Background study; PELSB.</b> Allows the commissioner of human services to contract with PELSB to conduct background studies and obtain background study data. Requires the commissioner to conduct a national criminal history background check when required in chapter 122A.
55	<b>Maltreatment of minors; duties of local welfare agency and local law enforcement agency upon receipt of report; mandatory notification between police or sheriff and agency.</b> Requires law enforcement to inform PELSB or BOSA after determining a board’s licensee has physically abused, sexually abused, or neglected a child. Requires law enforcement to work collaboratively with the board.
56	<b>Maltreatment of minors; records.</b> Requires the commissioner of education to provide the full investigative file in a determination of maltreatment involving a board licensee to the licensing entity. Requires

Section	Description
	the commissioner to solicit the written consent of a student and student's parent to provide the licensing board with information that may aid the board in its investigation and license proceedings, upon request of the licensing board.
57	<p><b>Judgment on conviction; judgment roll; licensed teachers.</b></p> <p>Adds certain offenses to list of offenses that, if a court determines a person licensed to teach has been convicted of, the court must send a copy of the conviction to PELSB or BOSA within ten days of the conviction.</p>
58	<p><b>Repealer.</b></p> <p>(a) Repeals session law relating to portfolio fees.</p> <p>(b) Repeals coursework requirements for tier 2 candidates.</p> <p>(c) Repeals rule relating to teacher code of ethics.</p>

## Article 4: Special Education

Modifies individualized education program and alternative dispute resolution requirements. Allows students with individualized education programs to participate in alternative delivery of specialized instructional services. Recodes intermediate school district sections.

Section	Description
1	<p><b>Individualized education programs.</b></p> <p>Allows individualized education program team to eliminate benchmarks or short-term objectives, except for students who take alternative assessments. Allows districts to include in a student's individual education program the student's performance on general state or districtwide assessments related to the student's educational needs.</p> <p>Allows a school district to conduct a functional behavior assessment as a stand-alone evaluation without conducting a comprehensive evaluation of the student.</p>
2	<p><b>Alternative dispute resolution; additional requirements for prior written notice.</b></p> <p>Requires the prior written notice to state that a parent who objects to a proposal or refusal in the notice may identify the specific part of the proposal or refusal the parent objects to and request a meeting with appropriate members of the individualized education program team.</p>

Section	Description
3	<p><b>Alternative dispute resolution; conciliation conference.</b></p> <p>Requires a district to have a meeting of the individualized education program team when a parent who objects to a proposal requests the meeting. Requires a district to hold a conciliation conference within ten calendar days of when the district receives the parent's request for the conference, rather than from when the district receives the parent's objection to a proposal or refusal in the prior written notice.</p>
4	<p><b>Alternative delivery of specialized instructional services; commissioner approval.</b></p> <p>Allows a student who receives special education services to participate in an Alternative Delivery of Specialized Instructional Services program as long as the program is in a service area that the individualized education program team has determined is not an educational need that results from the student's disability.</p>
5	<p><b>Intermediate school district.</b></p> <p>Makes technical changes to the definition of "intermediate school district."</p>
6	<p><b>Other membership and powers.</b></p> <p>Adds sections to list of sections regarding intermediate school district powers.</p>
7	<p><b>Prior written notice working group.</b></p> <p>Requires the commissioner of education to appoint a working group to make recommendations for improving alignment between state guidance and federal law requirements on prior written notice.</p>
8	<p><b>Individualized education program; rule amendment.</b></p> <p>Requires the commissioner of education to amend rule to allow but not require an individualized education program to report a student's performance on general state or districtwide assessments.</p>
9	<p><b>Revisor's instruction.</b></p> <p>Requires the revisor to renumber intermediate school district statutes in chapter 136D to chapter 123C.</p>
10	<p><b>Repealer.</b></p> <p>Repeals obsolete statute relating to intermediate school districts.</p>

## Article 5: Health and Safety

Requires commissioner of education to provide mental health instruction resources to school districts, develop a model sexual health education program, and provide Title IX compliance assistance to districts. Requires districts to provide sexual health education. Modifies school district storage of drugs and medicine requirements. Allows students to have sunscreen at school. Modifies definition of “sexual abuse.”

Section	Description
1	<p><b>Mental health education.</b></p> <p>Encourages school districts and charter schools to provide mental health instruction for students starting in fourth grade. Requires the commissioner of education, in consultation with the commissioner of human services and mental health organizations, to provide districts and charter schools with model learning activities and a directory of resources, including resources on suicide and self-harm prevention.</p>
2	<p><b>Sexual health education.</b></p> <p><b>Subd. 1. Model program.</b> Requires the commissioner of education to use rulemaking process to identify one or more model comprehensive sexual health education programs for elementary and secondary school students, and make the program accessible to school districts and charter schools. Requires the model program to include instruction on particular topics. Defines “consent.”</p> <p><b>Subd. 2. School programs.</b> Requires school districts and charter schools to implement a comprehensive sexual health education program for elementary and secondary school students starting in the 2021-2022 school year. Requires the program to include instruction on topics in the model program. Requires a superintendent of a school district or person having administrative control over a charter school to submit to the commissioner an annual assurance of compliance with sexual health education requirements. Requires model program to notify students and employees on criminal penalties for engaging in sexual contact with minors and notify teachers and administrators of consequences for license of a teacher who engages in sexual contact with a student. Allows instruction in a sexual health education program to be provided by a person without a teaching license.</p> <p><b>Subd. 3. Parental review.</b> States that sexual health instruction is subject to parental curriculum review requirements.</p>
3	<p><b>School sexual harassment and sex discrimination policy compliance.</b></p> <p><b>Subd. 1. Duties.</b> Requires the Department of Education to provide guidance, technical assistance, training, and other resources to school districts regarding sexual violence and Title IX. Requires the department to serve as the state lead on Title IX for schools, parents, students, and community organizations.</p>



Section	Description
	<p><b>Subd. 2. Training.</b> Requires the Department of Education to provide training to Title IX coordinators on state and federal sexual harassment and sex discrimination laws every other year.</p>
4	<p><b>Administration of drugs and medicine; applicability.</b></p> <p>Requires the parent of a student to whom school personnel administer drugs or medicine at a parent's request or based on an IEP, to inform the school if the drug or medicine is a controlled substance. If the drug or medicine is not a controlled substance, the request must authorize the school district to transport the drug or medicine for purposes of destroying the unused drug or medication. If the drug or medicine is a controlled substance, the request must specify that the parent must retrieve the drug when requested by the school.</p>
5	<p><b>Administration of drugs and medicine; unclaimed drugs or medications.</b></p> <ul style="list-style-type: none"> <li data-bbox="404 810 1422 982">(a) Requires a school district to adopt a procedure to collect and transport unclaimed or abandoned prescription drugs or over-the-counter medications left with school personnel. The district must make a reasonable attempt to return the unused drug to the student's parent. The district's procedure must provide for at least annual transportation of unclaimed drugs.</li> <li data-bbox="404 1020 1422 1192">(b) Allows a school district to designate an individual to transport unclaimed drugs that are not controlled substances or are over-the-counter medications to a designated drop-off box or collection site, or to request that a law enforcement agency transport the drugs to a drop-off box or collection site on behalf of the district.</li> <li data-bbox="404 1230 1422 1402">(c) Prohibits a school district or school personnel from transporting unclaimed drugs that are controlled substances to a drop-off box or collection site. Requires a district to request that a law enforcement agency transport the drug to a collection bin that complies with Drug Enforcement Agency regulations, or under the agency's procedure for transporting drugs.</li> </ul>
6	<p><b>Possession and use of sunscreen.</b></p> <p>Allows a student to have and use sunscreen at school or school events without a prescription or note from a health professional. A school employee is not required to provide sunscreen or help apply it.</p>
7	<p><b>Reporting of maltreatment of minors; definitions.</b></p> <p>Modifies definition of "sexual abuse" to include solicitation of children to engage in sexual conduct and communication of sexually explicit materials to children.</p>

Section	Description
8	<b>Sexual health education report.</b> Requires the commissioner of education to report to the legislature on sexual health education programs.

## Article 6: Facilities

Modifies lead and radon testing requirements, and allows a school district to sell or give used computers or tablets to students.

Section	Description
1	<b>Lead in school drinking water; frequency of testing.</b> Adds charter schools to testing requirements. Requires a school district or charter school that finds lead in cooking or drinking water to formulate, make publicly available, and implement a plan consistent with established guidelines and recommendations to ensure student exposure to lead is minimized.
2	<b>Lead in school drinking water; reporting.</b> Adds charter schools to reporting requirement. Requires districts and charter schools to follow actions in guidance from commissioners of health and education. Requires districts and charter schools to remediate the presence of lead to below level set in guidance, verified by retest, or directly notify parents of the result. Requires district or charter school to make water source unavailable until hazard has been minimized.
3	<b>Disposing of surplus school computers.</b> Allows a school district to sell or give used computers or tablets to students.
4	<b>Radon testing.</b> <b>Subd. 1. Plan.</b> Adds charter schools to plan commissioners of health and education must adopt. Adds Minnesota State Academies and Perpich Center for Arts Education. <b>Subd. 3. Reporting.</b> Adds charter schools to reporting requirement. <b>Subd. 4. Testing requirements.</b> Requires a school district or charter school to adopt a radon testing schedule that tests every building serving students at least every five years, and to begin testing by July 1, 2020. Specifies requirements for how tests must be conducted.

Section	Description
5	<p><b>Uniform municipal contracting law; municipality defined.</b></p> <p>Adds charter schools to the definition of “municipality” for purposes of municipal contract law.</p>

## Article 7: Nutrition

Requires participants in the national school lunch program to adopt a meals policy and provide meals in a respectful manner.

Section	Description
1	<p><b>School meals policies; lunch aid; food service.</b></p> <p><b>Subd. 1. School meals policies.</b> Requires participants in the national school lunch program to adopt and post a school meals policy. The policy must address student meal charges and collections practices; prohibit withdrawals of meals served to students; ensure that a student eligible for free and reduced-price lunch is always served a reimbursable meal; and be provided to a third party meal services vendor.</p> <p><b>Subd. 1a. School lunch aid amounts.</b> Creates a new subdivision with language previously in subdivision 1.</p> <p><b>Subd. 4. No fees.</b> Prohibits a participant from denying school lunch to a student who qualifies for free or reduced-price lunch, regardless of whether the student has an outstanding balance in the student’s meal account for any reason.</p> <p><b>Subd. 5. Respectful treatment.</b> Requires a participant to provide meals to participating students in a respectful manner and conform to the school meals policy. Prohibits certain reminders of outstanding meal balances, and prohibits limiting student participation in school activities due to unpaid student meal balances. Requires the commissioner to send a letter of noncompliance to a participant that does not provide meals to participating students in a respectful manner, and the participant to respond and remedy the practice within 60 days.</p>

## Article 8: State Agencies

Modifies the duties of the dyslexia specialist, and prevents the expiration of the school safety technical assistance center and school safety technical assistance council.

Section	Description
1	<p><b>Duties.</b></p> <p>Modifies the duties of the dyslexia specialist at the Department of Education. Requires the specialist to provide guidance to school districts and charter schools on particular subjects, and provide guidance to the Professional Educator Licensing and Standards Board on developing license renewal requirements on dyslexia.</p>
2	<p><b>School safety technical assistance center.</b></p> <p>Prevents expiration of the school safety technical assistance center in June 30, 2019.</p>
3	<p><b>Repealer.</b></p> <p>Repeals expiration of school safety technical assistance council.</p>



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