

Subject Education Policy

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Date March 18, 2024

## Overview

This education policy bill modifies requirements related to state assessments, language seals, special education teacher licenses, charter schools, postsecondary enrollment options programs, mental health instruction, reports from state agencies, and makes other changes.

## Article 1: General Education

This article modifies requirements related to digital instruction, four-day school weeks, and data sharing, requires districts to adopt a cell phone policy, and makes other changes.

### Section Description - Article 1: General Education

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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.
- 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 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.

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

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- 4      **Digital instruction. [Online instruction act]**  
Adds reference to federal law relating to accessibility.
- 5      **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.
- 6      **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.
- 7      **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.
- 8      **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 modifies the World’s Best Workforce requirements, recodifies and reorganizes provisions related to state assessments, modifies requirements for postsecondary enrollment options (PSEO) programs, and makes other changes.

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

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- 1      **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.

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

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- 2 World language and culture; proficiency certificates. [Elective standards]**  
Modifies description of proficiency required to obtain the Minnesota World Language Proficiency Certificate.
- 3 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.
- 4 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.
- 5 Definitions. [World’s Best Workforce]**  
Defines “on track for graduation” to mean that a student is on track if at the end of grade 9, the student has earned at least five credits and has received no more than one failing grade in a semester in a course in language arts, math, science, or social studies.
- 6 Performance measures. [World’s Best Workforce]**  
Adds performance measures for the 2025-2026 school year and later in a district’s World’s Best Workforce plan to include (1) participation in honors or gifted and talented programming and (2) students on track for graduation. Requires districts to report on participation and performance on advanced placement, international baccalaureate, and dual enrollment programs starting in the 2025-2026 school year. Requires reporting on performance measures for student subgroups.
- 7 Adopting plans and budgets. [World’s Best Workforce]**  
Requires a district’s World’s Best Workforce plan to include a language access plan to provide effective language assistance to students and adults who communicate in a language other than English, starting in the 2025-2026 school year. Requires the plan to include how the district and schools use trained or certified spoken language interpreters, how families and communities will be notified of their rights under the plan, and a language access continuous improvement training plan for leadership and staff.

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

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- 8      **Assessments. [General requirements; statewide assessments]**  
Changes cross-reference based on recodification of assessment statutes.
- 9      **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.
- 10     **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.
- 11     **General requirements; test design.**  
Strikes language added in other sections and obsolete language, adds language stricken in other sections.
- 12     **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.
- 13     **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.
- 14     **School performance reports and public reporting.**  
Modifies deadline for department to post school performance reports on the department's website.
- 15     **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-

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

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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.

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

**16 Purpose. [PSEO]**

Adds facilitating career preparation to the list of purposes of the Postsecondary Enrollment Options Act.

**17 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.

**18 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.

**19 Enrollment priority. [PSEO]**

Eliminates limits on how a postsecondary institution may recruit or solicit a secondary pupil. Eliminates obsolete language regarding recruiting or soliciting.

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

Requires secondary schools and postsecondary institutions that enroll students in concurrent enrollment 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.

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- 21 **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.
- 22 **Participation in high school activities. [PSEO]**  
Prohibits a student participating in postsecondary enrollment options courses from being barred from accessing scholarships awarded, sponsored, or disbursed by the school, or participating in leadership roles or national organizations sponsored by the student's high school.
- 23 **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.
- 24 **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.
- 25 **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.
- 26 **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 a special education Tier 1 or Tier 2 license, prohibits certain teachers from being placed in a teaching assignment, modifies heritage language and culture teacher program requirements, and makes other changes.

**Section Description - Article 3: Teachers**

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- 1 Special education requirements. [Tier 1 license]**  
Establishes requirements for a Tier 1 special education license.
- 2 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.
- 3 Special education requirements. [Tier 2 license]**  
Establishes requirements for a Tier 2 special education license.
- 4 Coursework. [Tier 3 license]**  
Modifies requirement for using the portfolio process to obtain a Tier 3 license.
- 5 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.
- 6 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.
- 7 Testing accommodations. [Teacher licensure assessment]**  
Strikes skills exams from provision requiring testing accommodations.
- 8 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.
- 9 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.

**Section Description - Article 3: Teachers**

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- 10     **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.
- 11     **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.
- 12     **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.
- 13     **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.
- 14     **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: Special Education**

This article modifies requirements related to a developmental adapted physical education evaluation, and establishes a special education licensure reciprocity working group.

**Section Description - Article 4: Special Education**

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- 1     **Individualized education programs.**  
Allows a district to conduct an assessment for developmental adapted physical education as a stand-alone evaluation without conducting a comprehensive



**Section Description - Article 4: Special Education**

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evaluation of the student. Allows a parent to request that a school district conduct a comprehensive evaluation of the student.

**2 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 5: Charter Schools**

This article modifies charter school governance, organizational, and conflict of interest procedures.

**Section Description - Article 5: 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.

**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. Requires charter schools to comply with certain statutes on student discipline.

**4 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

**Section Description - Article 5: Charter Schools**

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- duties. Requires the authorizer to document staff's completion of training requirements.
- 5     **Application process. [Authorizers]**  
Clarifies that process applies to an organization applying to be approved as an authorizer.
- 6     **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.
- 7     **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.
- 8     **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.
- 9     **Adding grades or sites. [Forming a school]**  
Modifies requirements for charter school to add grades or enrollment sites and reorganizes some existing requirements.
- 10    **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.

**Section Description - Article 5: Charter Schools**

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**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.

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

Requires a 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.

**12 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.

**13 Mutual nonrenewal. [Charter contract]**

Limits mutual nonrenewal process to only charter schools already serving enrolled students.

**14 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.

**15 Teachers. [Employment]**

Prohibits a charter school from contracting with a CMO or EMO to provide necessary teachers, unless the CMO or EMO is a cooperative under chapter 308A.

**Section Description - Article 5: Charter Schools**

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**16 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.

**17 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.

**18 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.

**19 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.

Eliminates requirement that charter school include financial information about its authorizer in school materials.

**20 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 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 6: Nutrition and Libraries

This article modifies eligibility for federal nutrition programs and allows the Metropolitan Library Service Agency to employ an executive director without a master's degree in library science.

Section	Description - Article 6: Nutrition and Libraries
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| 1 | <p><b>Federal child and adult care food program and federal summer food service program; criteria and notice. [School meals policies; lunch aid; food service accounting]</b></p> <p>Modifies eligibility to become a sponsor for the federal child and adult care food program or the federal summer food service program.</p> |
| 2 | <p><b>Metropolitan library service agency.</b></p> <p>Allows the Metropolitan Library Service Agency to employ an executive director who does not hold a master's degree in library science.</p>  |

## Article 7: Health and Safety

This article modifies requirements relating to the administration of drugs and medicine, and epinephrine in schools, requires districts to provide mental health education, and makes other changes.

Section	Description - Article 7: Health and Safety
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| 1 | <p><b>Mental health education.</b></p> <p>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.</p>   |
| 2 | <p><b>Access to space for mental health care through telehealth.</b></p> <p>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.</p> |

**Section Description - Article 7: Health and Safety**

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- 3 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.
- 4 Administration. [Administration of drugs and medicine]**  
Modifies list of persons that a district must consult with regarding the administration of drugs and medicine.
- 5 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.
- 6 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 8: State Agencies**

This article modifies reporting requirements for the department and the Professional Educator Licensing and Standards Board (PELSB), modifies requirements for the licensed school nurse position at the department, moves responsibility for serving as the state council for the Interstate Compact on Educational Opportunity from P-20 Partnership to a standalone council, and makes other changes.

**Section Description - Article 8: State Agencies**

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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 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 8: State Agencies**

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- 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 Supply and demand report. [Reports]**  
Modifies deadline for PELSB’s teacher supply and demand report. Modifies data that must be included in report.
- 5 Authority to license. [Board to issue licenses]**  
Authorizes PELSB to collect nonlicensed staff data on behalf of the department, and requires the department to manage the data.
- 6 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.
- 7 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 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.
- 8 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.



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