

**Subject** K12 and Children and Families Finance Bill

**Authors** Youakim and others

**Analyst** Annie Mach  
Cristina Parra  
Sarah Sunderman  
Tim Strom

**Date** May 17, 2024

## Overview

This bill is the K12 and children and families finance bill for the 2024 legislative session. The bill contains funding for and makes policy and technical changes to programs that are related to the care and education of the state's children and students, and their families.

## Article 1: General Education

This article creates a student attendance pilot project, establishes a student attendance truancy legislative study group, provides money for Promise Fellows to expand student connectivity and attendance, creates an English learner task force, and makes other adjustments to general education programs.

### Section Description – Article 1: General Education

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| 1 | <b>Length of school year; hours of instruction.</b><br>Removes an obsolete reference to certain kindergarten students.   |
| 2 | <b>Area learning center transportation aid.</b><br>Clarifies that either a school district or a cooperative unit may provide reimbursable pupil transportation services for students attending area learning center (ALC) programming. |
| 3 | <b>School district EL revenue.</b><br>Makes technical corrections. Strikes language recodified in a later section of the bill. Effective July 1, 2024.   |
| 4 | <b>English learner cross subsidy aid.</b><br>Defines “qualifying English learner services” as the services necessary to implement the Language Instruction Education Program for English learners. Recodifies the                      |

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

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- English learner cross subsidy aid program stricken from a previous section of the bill. Effective July 1, 2024.
- 5 **Money appropriated [for unemployment benefits aid program].**  
Modifies the payment schedule for the school unemployment aid from the account in the special revenue fund. Proposes to pay 90 percent of the aid in the current fiscal year and 10 percent in the next fiscal year on a schedule determined by the commissioner. Effective for fiscal year 2024 and later.
- 6 **Learning year pupil units.**  
Makes technical changes to conform to a provision enacted in 2023 that eliminated funding disparities for kindergartners with a disability. Effective for the 2023-2024 school year and later.
- 7 **Local optional revenue.**  
Increases equalization aid in fiscal year 2025 in the local optional revenue program, reducing the local optional levy to offset other statewide increases in market value levies attributable to additional voluntary prekindergarten (VPK) seats authorized under this bill. Effective for fiscal year 2025 and later.
- 8 **Compensatory education revenue.**  
Modifies the compensatory education revenue program to continue including the amount of a district's 2017 compensatory revenue pilot grant in the district's compensatory revenue for fiscal year 2026 and later. Extends the statewide compensatory revenue hold harmless beyond fiscal year 2027. Strikes language recodified in a later section of the bill. Strikes other redundant language. Effective for revenue in fiscal year 2025 and later.
- 9 **Definitions [applicable to the compensatory revenue program].**  
Recodifies language stricken from a previous section of the bill. Makes other technical changes. Effective for revenue in fiscal year 2025 and later.
- 10 **Statewide compensatory allowance.**  
Strikes duplicative and conflicting language. Effective July 1, 2024.
- 11 **Basic skills revenue.**  
Clarifies a cross reference.
- 12 **Operating capital levy.**  
Clarifies that the portion of operating capital revenue for menstrual products and opiate antagonists is paid in state aid. Increases equalization aid in fiscal year 2025 in the operating capital revenue program, reducing the operating capital levy to offset

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

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- other statewide increases in net tax capacity levies attributable to additional voluntary prekindergarten (VPK) seats authorized under this bill. Effective for fiscal year 2024 and later.
- 13     **Pupil transportation adjustment.**  
Includes a district’s area learning center transportation aid in the calculation of the pupil transportation adjustment. Effective for revenue in fiscal year 2025 and later.
- 14     **Statewide average revenue.**  
Clarifies an errant statutory cross reference.
- 15     **General education aid.**  
Increases the general education aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats. Effective July 1, 2024.
- 16     **One-room schoolhouse.**  
Modifies an existing funding stream to the Warroad School District to operate the Angle Inlet School. Changes the annual funding from a grant to an aid to reduce administrative burdens on the school district and the department. Effective July 1, 2024.
- 17     **Windom School District onetime supplemental aid.**  
Cancels a portion of the Laws 2023 appropriation for onetime supplemental aid to Windom School District. (The final aid amount has already been calculated and paid to the district.) Effective immediately.
- 18     **Basic skills revenue account transfers.**  
Authorizes a school district to transfer certain basic skills revenue funds held in a restricted fund balance into another restricted fund balance for use consistent with current statutory program requirements. Effective immediately.
- 19     **Task force on English learner programs.**  
Establishes a task force to analyze how public schools use English learner (EL) revenue at the site level and the administrative level. Requires the task force to examine how microcredentials or other certifications may improve collaboration. Specifies task force members. Sets the duties for the task force. Requires the Minnesota Department of Education (MDE) to provide administrative support for the task force.

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

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**20 Student attendance pilot program.**

Creates a pilot program to demonstrate and model ways to improve student attendance. Names the 12 participating school districts, including a lead district.

Requires the districts to designate a lead staff person for the pilot project. Lists the strategies the participants may pursue. Requires periodic coordination of the pilot participants' activities. Requires reporting from the pilot program districts to the legislature of their activities and requires data to be reported on different rates of absenteeism.

**21 Student attendance and truancy legislative study group.**

Establishes a student attendance and truancy legislative study group consisting of four House members and four Senators. Requires the study group to evaluate ways to increase student attendance and reduce truancy. Requires the group to review current laws, available attendance data, the effects of existing attendance programs, and the roles of school principals, MDE, and county officials. Requires the group to examine how data is transferred when students move among counties.

Requires the Legislative Coordinating Committee to provide administrative and technical support for the study group. Requires MDE to provide data and information as needed. After consulting with stakeholders, requires the study group to prepare and submit a report to the legislature by December 31, 2024.

**22 Appropriations.**

Appropriates money in fiscal year 2025 as follows:

- \$4.687 million for aid payments to the 12 school districts participating in the student attendance pilot program;
- \$625,000 to the Minnesota Alliance with youth for the Promise Fellow program;
- \$64,000 for transfer to the Legislative Coordinating Commission for the student attendance and truancy legislative study group; and
- \$117,000 for the English learner program task force.

## **Article 2: Education Excellence**

This article requires MDE to adopt state standards in health education, allows districts to adopt a model cardiac emergency response plan, modifies the P-TECH program, clarifies computer science grant eligibility, and makes other changes.

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

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- 1 Required standard. [Definitions]**  
Adds health to the list of content areas for which statewide standards are required but maintains local standards until statewide rules implementing state standards are required to be implemented in the classroom.
- 2 Required academic standards. [Required academic standards]**  
Requires statewide standards in health education but maintains locally developed academic standards until statewide rules implementing state standards are required to be implemented in the classroom.
- 3 Standards development. [Required academic standards]**  
Adds health standards to statute relating the process for developing state academic standards. Adds current students to the list of groups from whom the commissioner must consider advice when developing standards.
- 4 Rulemaking. [Required academic standards]**  
Requires the commissioner to adopt statewide rules for implementing state standards in health education.
- 5 Revisions and reviews required. [Required academic standards]**  
Adds health standards to the statute requiring a ten-year cycle of review and revision for each set of standards.  
  
Requires health standards review to begin in the 2034- 2035 school year.
- 6 Graduation requirements. [Graduation requirements]**  
Requires students to complete sufficient credits to satisfy the state health standards.
- 7 Crisis management policy.**  
Requires the commissioner to make available a model cardiac emergency response plan. Allows districts and charter schools to adopt the model cardiac emergency response plan. Effective July 1, 2025.
- 8 Approval process [for P-TECH schools].**  
Strikes obsolete language.
- 9 P-TECH implementation grants: support; start-up; and mentoring grants.**  
Modifies the P-TECH grant program. Authorizes P-TECH schools to partner with schools in other districts. For fiscal year 2026 and later, limits the amount of a P-TECH support grant to no more than \$500,000 per year. Limits the amount of a start-up

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

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- grant or a mentoring and technical assistance grant to no more than \$50,000. Authorizes administrative costs. Effective July 1, 2024.
- 10     **Establishment and membership. [Minnesota Youth Council]**  
Changes the student eligibility standards for members of the Minnesota Youth Council from students between the ages of 13 and 19 to students in grades 8 through 12.
- 11     **Emergency medical training [grants].**  
Provides for a grant in fiscal year 2025 to the St. Cloud School District for an emergency medical services education facility. Increases the fiscal year 2025 appropriation.
- 12     **Computer science educator training.**  
Clarifies language relating to computer science grants or contracts.
- 13     **Achievement and integration aid.**  
Increases the achievement and integration aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats.
- 14     **Computer science education advancement. [Appropriation]**  
Requires part of the fiscal year 2025 computer science education appropriation to be transferred to PELSB for computer science teacher licensure activities.
- 15     **Ethnic studies school grants.**  
Extends the availability of the fiscal year 2024 appropriation for the ethnic studies school grants.
- 16     **Full-service community schools [grants].**  
Extends the availability of the fiscal year 2024 appropriation for the full-service community schools grants.
- 17     **Minnesota Council on Economic Education [grant].**  
Aligns the distribution timeline for the grant to the Minnesota Council on Economic Education to align with standard Office of Grant Management policies related to reimbursement, budgets, and progress monitoring.
- 18     **Nonexclusionary discipline [grants].**  
Extends the availability of the fiscal year 2024 nonexclusionary discipline grants.

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

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**19 P-TECH schools.**

Cancels the previous fiscal year 2025 appropriation for P-TECH schools. (The money is reappropriated in a later section of the bill.) Extends the availability of the fiscal year 2024 appropriation. Provides an amount for administrative costs.

**20 Alternative to publishing.**

Authorizes a school district to publish its official notices online and to post the notices at the local public library if the community's newspaper closes. Sunsets this authority on August 1, 2026.

**21 Health education standards.**

**Subd. 1. Statewide standards.** Requires the commissioner to begin rulemaking to adopt statewide academic standards in health. Requires the rules to include the expectations listed in subdivision 2 and allows the rules to include the expectations in subdivision 3, in addition to other expectations.

**Subd. 2. Required health-related subject areas.** Requires the commissioner to include specific expectations in the health standards; the listed expectations are currently required under other statutes, except for mental health education, which is currently encouraged.

**Subd. 3. Other health-related subject areas.** Allows the commissioner to include listed expectations in the health standards; the listed expectations are currently allowed or encouraged under other statutes. Allows the commissioner to include other expectations identified through the standards development process.

**22 Appropriations.**

Appropriates the following:

- \$150,000 for civic education grants to the YMCA;
- \$750,000 for the activities of the Minnesota Youth Council;
- \$627,000 to MDE for the health standards rulemaking process; and
- \$791,000 for P-Tech implementation grants.

## **Article 3: The Read Act**

This article requires MDE and other entities to develop volunteer and paraprofessional training, modifies literacy lead training, modifies uses of literacy incentive aid, modifies fiscal year 2024 appropriations and appropriates additional funds to compensate teachers for approved training, and other uses.

**Section Description - Article 3: The Read Act**

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- 1 Resources. [Read Act implementation partnership]**  
Modifies requirements relating to cultural responsiveness of approved materials. Encourages a district that buys approved curriculum before the cultural responsiveness review is completed to work with the publisher to obtain updated materials. Strikes reference to using state funds to purchase approved curricula. Modifies requirements for literacy lead training. Requires the department and CAREI to develop a coaching and mentorship program for certified trained facilitators and identify at least 15 evidence-based literacy intervention models. Requires the department to contract with a third party to develop culturally and linguistically responsive supplemental materials and guidance for the approved literacy curricula. House has July 1, 2024, effective date.
- 2 Volunteer and paraprofessional training. [Read Act implementation partnership]**  
Requires the department and CAREI to develop and provide training for volunteers and other unlicensed persons that regularly provide Tier 2 intervention to students in Minnesota school districts on a regular basis by June 10, 2025. Requires the regional literacy networks to develop and provide the same type of training. Requires CAREI and the regional literacy networks to collaborate to ensure trainings are consistent across providers, and to provide trainings at no cost to unlicensed school staff who regularly provide Tier 2 interventions.
- 3 Literacy incentive aid uses. [Literacy incentive aid]**  
Expands uses of literacy incentive aid to include employing an intervention specialist, screeners, and stipends for teachers completing training required under the Read Act.
- 4 Read Act curriculum and intervention materials reimbursement. [Appropriations in 2023 session law]**  
Modifies distribution of 2024 appropriation for curriculum and intervention materials. Requires funding to be distributed as aid to districts, charter schools, and cooperatives at the greater of \$2,000 or \$39.91 times the number of students served. Requires districts, charter schools, and cooperatives to place the aid in a reserved account used to implement the requirements of the Read Act or for literacy incentive aid uses.
- 5 Read Act professional development. [Appropriations in 2023 session law]**  
Appropriates \$4 million for professional development in fiscal year 2025. Requires the department to develop a data collection system for the local literacy plans and student screening data. Allows funding to be used to provide training to fourth and fifth grade teachers and literacy professors from the Minnesota institutions of higher



**Section Description - Article 3: The Read Act**

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- education. Requires unspent funds to be transferred to the Read Act account in the special revenue fund. Effective immediately.
- 6 **Read Act deaf, deafblind, and hard of hearing working group.**  
Requires the commissioner to establish a working group to make recommendations on literacy training, screeners, and curriculum for students who cannot fully access sound-based approaches. Requires the working group to make recommendations for adapting curriculum, screeners, and training, and report to the legislature.
- 7 **Teacher compensation for Read Act training.**
- 8 **Appropriations; supplemental Read Act funding.**  
Appropriates \$33,225,000 to the Read Act account in the special revenue fund, and sets aside the following amounts:
- \$31,375,000 for districts, charter schools, and cooperatives to compensate teachers required to complete training;
  - \$1,000,000 for the department to issue a request for proposals to contract to develop supplemental culturally responsive materials for approved curricula;
  - \$375,000 for the regional literacy networks to develop training for paraprofessionals and volunteers;
  - \$375,000 for CAREI to develop training for paraprofessionals and volunteers; and
  - \$100,000 for the deaf, deafblind, and hard of hearing working group.

**Article 4: American Indian Education**

This article requires MDE to consult with Tribal Nations and the Tribal Nations Education Committee about funding for developing curriculum resources, modifies the availability of unspent American Indian education aid funds, and provides supplemental aid to Tribal Contract schools.

**Section Description - Article 4: American Indian Education**

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- 1 **Indigenous education for all students.**  
Requires MDE to consult with Tribal Nations and the Tribal Nations Education Committee about funding for developing curriculum resources, and report to the legislature.

**Section Description - Article 4: American Indian Education**

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- 2 **Carry forward of [American Indian education aid] funds.**  
Extends the availability of any unspent funds carried forward from a previous fiscal year. Effective for revenue in fiscal year 2024 and later.
- 3 **School endowment fund; apportionment.**  
Provides that American Indian schools are included in the apportionment of the interest and dividends from the permanent school fund. (Under current Minnesota Statutes, only school districts and charter schools are eligible to receive apportioned interest and dividends.) Effective July 1, 2024.

## **Article 5: Teachers**

This article modifies paraprofessional training requirements, requires school employees to be compensated when schools close, modifies Grow Your Own grant eligibility, and makes other changes.

**Section Description - Article 5: Teachers**

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- 1 **Paraprofessional training.**  
Clarifies that cooperative units, the Perpich Center for Arts Education, and the Minnesota State Academies are subject to the paraprofessional training requirements.  
  
For the 2024-2025 school year only, reduces the annual required minimum hours of training for paraprofessionals from 8 to 6 hours. Requires schools to pay the fees for paraprofessional training and testing for the 2024-2025 school year.  
  
Creates a process for MDE and PELSB to work with interested parties to adjust the paraprofessional test cut scores and the paraprofessional competency grid.
- 2 **Basic alternative teacher compensation aid.**  
Increases the basic alternative teacher compensation (Q-Comp) aid limit in fiscal year 2025 to account for additional voluntary prekindergarten (VPK) seats. Effective for fiscal year 2025 and later.
- 3 **[Alternative teacher compensation] revenue reserved.**  
Requires alternative teacher compensation revenue to be reserved in a restricted fund and used only for allowable purposes under the program. Effective for fiscal year 2025 and later.

**Section Description - Article 5: Teachers**

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- 4      **Grow Your Own district programs.**  
Authorizes the four Tribal contract schools to apply for a teacher preparation program grant.
- 5      **[Grow Your Own] grants for programs serving secondary school students.**  
Makes Tribal contract schools eligible for grants under the program. Allows the program to fund scholarships for students at postsecondary institutions that have articulated transfer pathways with a board-approved teacher preparation program.
- 6      **[Grow Your Own] grant procedure.**  
Authorizes the commissioner to allow existing grantees to optionally revise their grant agreements to be consistent with current statutory program requirements.
- 7      **Grant program established. [Special education teacher pipeline program]**  
Authorizes a Tribal contract school to participate in the special education teacher pipeline program.
- 8      **[Special education teacher pipeline] grant uses.**  
Expands the allowable uses of the grant to include any participant employed by the grantee or community members affiliated with the grantee.
- 9      **Paid leave for school closures.**  
Provides that a school district or charter school that alters its calendar due to a weather event, public health emergency, or any other circumstance, pay full wages and benefits to all school employees for their scheduled work hours if the district or charter school counts that day as an instructional day for any students in the district or charter school. Clarifies other remote work authority and e-learning day pay arrangements. Requires schools to pay employees of school fee-based programs when altering a day while collecting fees for the program. Effective for the 2024-2025 school year and later.
- 10     **[Student support personnel aid] definitions.**  
Expands the definition of “student support services personnel” to include certain individuals working to reduce chronic student absenteeism. Effective for revenue in fiscal year 2025 and later.
- 11     **Alternative teacher compensation aid.**  
Increases the alternative teacher compensation aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats.

**Section Description - Article 5: Teachers**

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- 12      **Closing educational opportunity gaps grants.**  
Extends the availability of the FY 2024 appropriation for the grants. Effective immediately.
- 13      **Statewide teacher mentoring program.**  
Expands the allowable uses of mentoring program grant funds to include mentorships for Tier 2 licensed special education teachers.
- 14      **Student support personnel workforce pipeline.**  
Extends the availability of the fiscal year 2024 appropriation for the grants. Effective immediately.
- 15      **Teacher residency program.**  
Makes a technical change relating to the availability of the appropriation from one year to the next. Effective immediately.
- 16      **Collaborative urban and greater Minnesota educators of color grants.**  
Clarifies that any balance in the fiscal year 2024 appropriation carries forward into fiscal year 2025.
- 17      **Mentoring, induction, and retention incentive program grants for teachers of color.**  
Clarifies that any balance in the fiscal year 2024 appropriation carries forward into fiscal year 2025.
- 18      **Pathway preparation grants.**  
Modifies eligibility for pathway preparation grants to include teachers holding Tier 1 or 2 licenses and seeking a Tier 3 or 4 license. Effective July 1, 2024.
- 19      **Grant program modifications authorized.**  
Allows the commissioner to allow a Grow Your Own or special education teacher pipeline grant recipient to modify its program to align with statutory changes under this act.
- 20      **Student teacher stipend pilot program.**  
Creates a student teaching stipend pilot program. Lists the seven public and one private postsecondary institutions qualifying for funding. Requires each qualifying postsecondary institution to provide a stipend to each student teacher placed in a Minnesota public school for a 12-week student teaching experience.  
  
Excludes the income from the stipend from the recipients' definition of income for purposes of eligibility for certain income assistance programs.

**Section Description - Article 5: Teachers**

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Requires PELSB to develop and administer a survey of student teachers participating in the stipend program and interview a representative sample. Requires PELSB to issue a preliminary report to the legislature by February 1, 2025, and a final report by July 1, 2025, summarizing quantitative and qualitative information about the stipend program.

**21 Paraprofessional qualifications examined.**

Requires MDE and PELSB, in consultation with school administrators and groups representing paraprofessionals, to examine and revise the test cut scores and competency grid used to qualify paraprofessionals. Requires the new cut scores and a revised competency grid to be implemented by September 1, 2024. Requires MDE and PELSB to post this information on their websites and notify schools of the new standards.

**22 Teacher and Paraprofessional Compensation Working Group.**

Establishes the Teacher and Paraprofessional Compensation Working Group and provides for its membership and duties. Requires the working group to make a report to the legislature. Effective immediately.

**23 Appropriations; MDE.**

Appropriates a onetime grant of \$1,030,000 in fiscal year 2025 from the general fund to the Department of Education for grants to the four intermediate school districts for their special education registered apprenticeship program. Allows the grant proceeds to be used for:

- program oversight;
- stipends, tuition, fees, and program costs incurred by the apprentices;
- stipends for mentor teachers; and
- the cost of substitute teachers.

**24 Appropriations; PELSB.**

Appropriates:

- \$6,543,000 for paid student teacher pilot program grants for student teachers from specified teacher preparation program providers;
- \$150,000 for the Teacher and Paraprofessional Compensation Working Group; and
- \$1,000,000 for the aspiring teachers of color scholarship program.

Effective July 1, 2024.

## Article 6: Charter Schools

This article modifies provisions related to charter school lease aid.

Section	Description - Article 6: Charter Schools
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| 1 | <p><b>Leased space.</b></p> <p>Clarifies that the commissioner approves or disapproves applications to receive lease aid, not the leases themselves. Effective July 1, 2024.</p>  |
| 2 | <p><b>Building lease aid.</b></p> <p>Authorizes the commissioner to establish additional criteria and rubrics to evaluate components of individual charter school building leases. Effective July 1, 2024.</p>                                  |
| 3 | <p><b>Charter school building lease aid.</b></p> <p>Increases the building lease aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats. Effective July 1, 2024.</p> |

## Article 7: Special Education

This article modifies the adults with disabilities program, clarifies the 2023 law regarding medical assistance for third-party billing, and makes other changes.

Section	Description - Article 7: Special Education
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| 1 | <p><b>Program approval. [Adults with disabilities program]</b></p> <p>Simplifies the adults with disabilities program approval process. Eliminates a standalone approval process.</p> <p>Requires each school district to describe its program in its annual community education plan submitted to the Department of Education. Requires the local community education advisory council to evaluate their adults with disabilities program at least once every five years.</p> |
| 2 | <p><b>Special education services. [Medical assistance third- party billing]</b></p> <p>Clarifies the 2023 law authorizing certain school social worker services to be included in third-party billing to the state’s medical assistance program.</p>   |
| 3 | <p><b>Psychotherapy for crisis. [Medical assistance third-party billing]</b></p> <p>Defines “psychotherapy for crisis” as a treatment of client to reduce the client’s crisis through immediate assessment and psychotherapeutic interventions, including</p>  |

**Section Description - Article 7: Special Education**

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emergency assessment of the crisis situation, mental status exam, psychotherapeutic interventions to reduce the crisis, and development of a post-crisis plan.

Includes psychotherapy for crisis as eligible for medical assistance when the recipient is in need of an immediate response due to specific mental illness symptoms.

**4 Special education; regular.**

Increases the special education aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats. Effective July 1, 2024.

## **Article 8: School Facilities**

This article clarifies school district public finance provisions related to notice and timelines for school facility bond sales and adjusts the long-term facilities maintenance (LTFM) aid appropriation to accommodate the increased number of VPK students. Clarifies language.

**Section Description - Article 8: School Facilities**

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**1 Review and comment.**

Modifies the projects that are exempt from review and comment by the commissioner of education to include new construction, expansion, or remodeling of an educational facility. This section also clarifies that the review and comment requirement does not begin until the school district makes a final decision to enter into a contract or agreement. Effective July 1, 2024.

**2 Publication.**

Extends, from 60 days before a referendum to 70 days before a referendum, the requirement that a school board publish a summary of the commissioner of education's review and comments. Where no such referendum is required, the publication and public meeting requirements do not apply. Effective July 1, 2024.

**3 Lease purchase; installment buys.**

Clarifies that the review and comment requirements apply to projects that require an expenditure in excess of \$500,000 per school site if the school district has a capital loan outstanding, or

\$2,000,000 per school site if the school district does not have a capital loan outstanding. Effective July 1, 2024.

**Section Description - Article 8: School Facilities**

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- Requires the school board to discuss the commissioner’s review and comment, and if applicable, the district’s approved integration and achievement plan at a school board meeting for facility financing options that do not require voter approval.
- 4      **Grants for gender-neutral single-user restrooms.**  
Extends the availability of the fiscal year 2024 appropriation for the grants for gender-neutral single-user restrooms. Effective immediately.
- 5      **Long-term facilities maintenance equalized aid.**  
Increases the aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats. Effective July 1, 2024.

**Article 9: Nutrition and Libraries**

This article expands uses of the school service fund, establishes a state school librarian, requires schools to report on their use of library aid, and makes other changes.

**Section Description - Article 9: Nutrition and Libraries**

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- 1      **School food service fund.**  
Authorizes a school food service program to record the costs of lunchroom furniture in the food service fund if a surplus exists in the food service fund for three successive fiscal years. Ordinarily, the costs of lunchroom furniture must be recognized in the school’s general fund. Defines “lunchroom furniture” to mean tables and chairs regularly used by pupils in a lunchroom from which they may consume milk, meals, or snacks in connection with school or community service activities. Effective for revenue in fiscal year 2024 and later.
- 2      **State school librarian.**  
Requires the Department of Education to employ a state school librarian within the State Library Services Division of the department. Requires that the state school librarian must be or have been previously licensed as a school library media specialist. Provides for certain statutory duties of the state school librarian. (State Library Services is a division of the Department of Education and provides services to all types of libraries throughout the state.) Effective July 1, 2024.



**Section Description - Article 9: Nutrition and Libraries**

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- 3 Payment percentage for certain aids. [Nutrition programs]**  
Makes a technical adjustment to the 100 percent payment percentage for school nutrition aid by moving this requirement from Minnesota Statutes, section 127A.45, subdivision 12, to subdivision 14a (there is no practical effect to this change).
- 4 Aid payment percentage. [Nutrition programs]**  
Clarifies a statutory cross reference.
- 5 State nutrition programs.**  
Clarifies a statutory cross reference.
- 6 State school librarian.**  
Beginning in fiscal year 2026, authorizes MDE to retain \$130,000 per year from the school district library aid program for the costs associated with the state school librarian.
- 7 Report.**  
Requires the commissioner to annually report to the legislature on how school districts and charter schools use school library aid. Effective July 1, 2024.
- 8 School lunch.**  
Increases the school lunch aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats. Effective July 1, 2024.
- 9 School breakfast.**  
Increases the school breakfast aid appropriation in fiscal year 2025 to pay the state aid costs attributable to additional voluntary prekindergarten (VPK) seats. Effective July 1, 2024.
- 10 Revisor instruction.**  
Recodifies the school library aid program into chapter 124D. Effective July 1, 2024.

## **Article 10: State Agencies**

This article modifies the authority of the Office of the Inspector General at MDE, establishes a task force on the distribution of earnings from permanent school fund endowment, appropriates funding for information technology at PELSB, and makes other changes.

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

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- 1 **Office of the Inspector General; access to data. [Prekindergarten to grade 12 educational data coded elsewhere]**

States that data involving the Office of the Inspector General (OIG) are governed by section 127A.21.
  
- 2 **Office of the Inspector General.**
  - Subd. 1. Establishment of the Office of the Inspector General.** Requires the inspector general to report directly to the commissioner. Requires discipline for inspector general to be for just cause only. Prohibits an employee from interfering with an investigation of the OIG.
  
  - Subd. 1a. Definitions.** Defines “abuse,” “department program,” “fraud,” “investigation,” “program participant,” and “waste.”
  
  - Subd. 2. Hiring; reporting.** Strikes existing data practices provisions related to the OIG.
  
  - Subd. 3. Subpoenas.** Authorizes the OIG to issue subpoenas and compel testimony related to OIG audits or investigations. Requires that a subpoena recipient may not disclose the fact that the subpoena was issued.
  
  - Subd. 4. Access to records.** Gives the OIG access to certain government data and other documents and records related to department programs. Requires records requested by the OIG to be provided in a format, place, and timeframe reasonably requested by the OIG.
  
  - Subd. 5. Sanctions; appeal.** Allows the OIG to recommend the commissioner impose temporary sanctions in certain circumstances. Allows the OIG to recommend the commissioner impose appropriate sanctions if an investigation finds, by clear and convincing evidence, fraud, waste, or abuse by a program participant. Authorizes the commissioner to implement the OIG recommendations, and provides examples of allowable sanctions. Requires the commissioner to notify a program participant within seven business days of imposing the sanction unless a law enforcement agency requests otherwise. Establishes an appeal process for the sanctions. Requires the commissioner to lift the sanctions if the OIG determines there is insufficient evidence of fraud, waste, or abuse.
  
  - Subd. 6. Data practices.** States that a government entity does not violate chapter 13 or another statute related to the confidentiality of government data when it provides data under this section. Subjects the OIG to the Government Data Practices Act.

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

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**Subd. 7. Retaliation prohibited.** Protects an employee who discloses information to the OIG about fraud, waste, or abuse in department programs under section 181.932 (whistleblower statute).

**3 Department [of Education].**

Increases the amount previously appropriated for fiscal year 2025, in fiscal year 2025 only, for the state school librarian. Effective July 1, 2024.

**4 Permanent school fund; distribution of endowment fund earnings task force.**

Establishes a task force to examine the distribution of earnings from the permanent school fund and provides for its members and duties. Requires the task force to make a report to the legislature. Effective July 1, 2024.

**5 Appropriation; Permanent School Fund Task Force.**

Appropriates money from the general fund for the administrative costs of the permanent school fund task force. Effective July 1, 2024.

**6 Professional Educator Licensing and Standards Board (PELSB). [Appropriation]**

Appropriates an additional \$2,767,000 to PELSB for information technology costs. Makes the appropriation onetime and allows the appropriation to be spent over three years.

**7 Repealer; federal education law implementation report.**

Eliminates the requirement that the Minnesota Department of Management and Budget prepare an annual report outlining the federal fiscal effects that could occur if Minnesota were to opt out of federal education accountability standard requirements.

## **Article 11: Early Childhood Education**

This article applies the funding appropriated in the 2023 legislative session for additional fiscal year 2025 VPK program seats to the specific statutory appropriations in earlier articles, adds the added VPK pupil count to statute, and repeals the onetime fiscal year 2025 line item appropriation for added VPK seats. The article also directs the Department of Education to make prospective, rather than retrospective, early learning scholarship payments to early care and learning providers, requires that the department create and implement new infrastructure technology systems for the scholarship program, and sets aside two percent of the state's Head Start appropriation for fiscal year 2025 for administrative purposes.

**Section Description - Article 11: Early Childhood Education**

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**1 Participation limits.**

Increases the number of voluntary prekindergarten (VPK) and school readiness plus (SRP) seats from 7,160 to 12,360 for fiscal year 2025 (an increase of 5,200 seats for that fiscal year). Makes a conforming change related to the recodification of the participation limit allocation in an earlier section of the bill. Effective immediately.

**2 Administration. [Early learning scholarships]**

Beginning January 1, 2026:

- directs the commissioner to make scholarship payments to early care and learning programs prior to or at the beginning of the delivery of services, rather than after services have been provided; and
- directs the commissioner to implement a process for transferring scholarship awards between programs when initiated by a scholarship recipient.

Requires that the department have information technology systems in place that support specified functions by January 1, 2026. Directs the department to consider integration with the great start scholarships program when creating the information technology systems.

**3 Early learning scholarship account.**

Allows the commissioner to use up to \$12,000,000 in scholarship funds to create information technology systems for the program, and, beginning in fiscal year 2026, allows the commissioner to use up to \$2,400,000 annually in scholarship funds for information technology maintenance. Directs the commissioner to annually report to the legislature on the use of scholarship funds for any activities other than providing scholarships to children.

**4 Head Start programs.**

Beginning in fiscal year 2025, provides up to 2 percent of the Head Start state appropriation for administrative costs.

**5 Early childhood curriculum grants.**

Extends the availability of the fiscal year 2024 appropriation for the grants. Effective immediately.

**Section Description - Article 11: Early Childhood Education**

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- 6 **Direction to the commissioner of education; adjusting voluntary prekindergarten participation limits.**  
Directs the commissioner to retroactively adjust the prekindergarten seat allocation established for fiscal year 2025 to assign the additional seats authorized earlier in this bill.  
  
Effective immediately.
- 7 **Repealer.**  
Repeals the \$50 million reserved for additional prekindergarten seats in the 2024-2025 school year under Laws 2023 and returns that amount to the state general fund.  
Effective July 1, 2024.

## **Article 12: Child Protection and Welfare**

This article contains provisions modifying child critical incident and fatality review procedures; establishes notice, disclosure, use, accounting, and reporting requirements when a financially responsible agency applies for and receives benefits on behalf of a child in foster care; clarifies the definition of “child in need of protection or services;” makes technical and clarifying changes; invites the chief justice of the supreme court to establish a Supreme Court Council on Child Protection; requires a review of maltreatment reporting processes and systems; establishes grants for relative caregivers; and makes statutory changes for federal compliance related to labor trafficking and missing children.

**Section Description - Article 12: Child Protection and Support**

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- 1 **Department of Human Services systemic critical incident review team.**  
Amends § 256.01, subd. 12b. Clarifies that child fatalities or near fatalities in licensed facilities must be reviewed by the systemic critical incident review team. Makes this section effective July 1, 2025.
- 2 **Treatment of Supplemental Security Income.**  
Amends § 256N.26, subd. 12. Requires a financially responsible agency that applies to be the payee for a child’s SSI benefits to provide written notice by certified mail to:
- the child, if over 13 years of age;
  - the child’s parent, guardian, or custodian;
  - the guardian ad litem;
  - the legally responsible agency; and
  - the counsel appointed for the child.

**Section Description - Article 12: Child Protection and Support**

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For a child over 13 years of age living in Minnesota, requires the legally responsible agency and the guardian ad litem to disclose that a financially responsible agency receives SSI benefits under this subdivision, in an understandable manner.

Specifies that the financially responsible agency must only use a child's SSI benefits to pay for the care of that child; prohibits commingling of SSI benefits with any other funds.

Requires the financially responsible agency to keep accounting records for SSI benefits received; lists information that must be recorded.

Requires each financially responsible agency to submit a report to the commissioner annually by July 1, and requires the commissioner to submit a report to the legislature annually by September 1 compiling the information from the financially responsible agencies. Specifies a January 31, 2034, expiration for the paragraph.

**3 Treatment of Retirement, Survivor's, and Disability insurance, veteran's benefits, railroad retirement benefits, and black lung benefits.**

Amends § 256N.26, subd. 13. Establishes the same requirements as under section 2, for Retirement, Survivor's, and Disability insurance, veteran's benefits, railroad retirement benefits, or black lung benefits received on a child's behalf.

**4 Notice to Tribes of services or court proceedings involving an Indian child.**

Amends § 260.761, subd. 2. Updates terminology from "sex trafficking" to "human trafficking" for federal compliance purposes. Makes section effective July 1, 2025.

**5 Requirements for child-placing agencies and individual petitioners.**

Amends § 260.762, subd. 2. Adds requirement for child-placing agency or individual petitioner to notify an Indian child's Tribe or Tribes immediately (within 24 hours) after receiving information on a missing child.

**6 Child abuse.**

Amends § 260C.007, subd. 5. Adds cross-reference to labor trafficking in "child abuse" definition. Makes section effective July 1, 2025.

**7 Child in need of protection or services.**

Amends § 260C.007, subd. 6. Modifies the definition of "child in need of protection or services" to add labor trafficked youth. Makes section effective July 1, 2025.

**8 Labor trafficked youth.**

Amends § 260C.007 by adding subd. 33. Defines "labor trafficked youth" for purposes of chapter 260C.

**Section Description - Article 12: Child Protection and Support**

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- 9        **Human trafficking.**  
Amends § 260C.007 by adding subd. 34. Defines “human trafficking” for purposes of chapter 260C.
- 10       **Responding to missing children and youth and preventing human trafficking.**  
Amends § 260C.212, subdivision 13. Defines “missing child” for purposes of the subdivision; make clarifying and technical changes; and adds required documentation and contents of reports to law enforcement and the National Center for Missing and Exploited Children. Adds notification, interview, and reporting requirements for when a child or youth is located; and adds responsible social services requirements for identifying and documenting reasonable cause to believe a child is a victim of human or sex trafficking and providing access to appropriate services. Makes section effective July 1, 2024, but makes paragraph (f) effective July 1, 2025.
- 11       **Notice.**  
Amends § 260C.331 by adding subd. 7. Establishes the same notice, disclosure, and use requirements as under section 2, for benefits received under section 260C.4411, subdivision 2 (RSDI, SSI for the aged, blind, and disabled, or foster care maintenance payments under Title IV-E).  
  
Requires the county of financial responsibility to keep a record of the total amount it received on behalf of all children for whom the county receives benefits, and the total number of children for whom the county receives benefits, and to submit an annual report to the commissioner.
- 12       **Establishment of team.**  
Amends § 260E.02, subd. 1, as amended by Laws 2024, ch. 80, art. 8, sec. 31. Adds labor trafficking in multidisciplinary child protection team subdivision. Makes section effective July 1, 2025.
- 13       **Labor trafficking.**  
Amends § 260E.03 by adding subd. 11a. Defines “labor trafficking” for purposes of chapter 260E.
- 14-26   Sections 14-26 to update terminology from “sex trafficking” to “human trafficking” and add “labor trafficking” to applicable sections for federal compliance purposes in chapter 260E. Each section is effective July 1, 2025.
- 27       **Child fatality and near fatality review.**  
Proposes coding for § 260E.39. Outlines new process for child fatality and near fatality reviews.

**Section Description - Article 12: Child Protection and Support**

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**Subd. 1. Definitions.** Defines “critical incident;” “joint review;” “local review;” “local review team;” and “panel” for purposes of this section.

**Subd. 2. Local child mortality review teams.** Requires each county to establish a multidisciplinary local child mortality review team, participate in local critical incident reviews, and conduct critical incident reviews jointly with the child mortality review panel.

**Subd. 3. Child mortality review panel; establishment and membership.** Paragraph (a) requires the commissioner to establish a child mortality review panel to review critical incidents attributed to child maltreatment, identify systemic changes to improve child safety, and recommend regulatory and policy changes.

Paragraph (b) lists the members of the panel, and paragraph (c) requires the governor to appoint a chair. Paragraph (d) specifies member terms and removal procedures. Paragraph (e) requires the commissioner to employ an executive director for the panel, to provide administrative support and perform other listed duties.

**Subd. 4. Critical incident review process.** Outlines the critical incident review process. Paragraph (a) requires the local welfare agency to report the critical incident to the commissioner and the panel executive director within three business days of when the agency makes a maltreatment determination related to the critical incident.

Paragraph (b) requires the panel to conduct a joint review with the local review team for critical incidents that meet listed criteria. Paragraph (c) requires the local review team to review all critical incidents not subject to joint review.

Paragraph (d) requires the panel or local review team to complete the joint review or local review and compile a report within 120 days of initiating the review of a critical incident; specifies what the report must include. Paragraph (e) requires the local review team to provide its local review report to the panel within three business days of completion and allows the panel to conduct a further review after receiving the local review team report.

Paragraph (f) allows the panel to make recommendations to any state or local agency, branch of government, or system partner to improve child safety and well-being.

Paragraph (g) requires the commissioner to conduct additional information gathering at the request of the panel, and compile a summary report for each critical incident for which the team conducts information gathering. Paragraph



**Section Description - Article 12: Child Protection and Support**

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(h) allows the panel or local review team to conduct its review and compile its report after receiving this summary report and extend the timeline for its review and report accordingly.

Paragraph (i) requires critical incident reviews to proceed as specified in this section, regardless of the status of any pending litigation or active investigations.

**Subd. 5. Critical incident reviews; data practices and immunity.** Outlines access to not public data for entities involved in critical incident review processes. Specifies that data acquired by an entity involved in critical incident review is protected nonpublic or confidential data, and is not subject to subpoena or discovery; allows disclosure as necessary to carry out the purposes of the review team or panel.

Paragraph (c) requires the commissioner to disclose specified data upon request, but with specified limitations. Paragraph (d) outlines data disclosure prohibitions for meeting attendees and team members; specifies data classification for proceedings and records of review teams and the panel. Paragraph (e) prohibits a member of a review team or the panel or a person who presented information as part of a critical incident review from being prevented from testifying about matters within the person's knowledge; prohibits such a person from being questioned about participation in a critical incident review.

Paragraph (f) provides immunity from civil or criminal liability for specified persons, if acting in good faith and assisting in information gathering or a critical incident review.

**Subd. 6. Child mortality review panel; annual report.** Requires the commissioner to publish an annual report of the child mortality review panel. Specifies contents of the report.

**Subd. 7. Local welfare agency critical incident review training.** Requires the commissioner to provide training, support, and consultation to the panel and local review teams.

**Subd. 8. Culture of learning and improvement.** Requires the local review teams and panel to advance and support a culture of learning and improvement within the child welfare system.

Makes this section effective July 1, 2025.

**Section Description - Article 12: Child Protection and Support**

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**28 Exception.**

Amends § 518A.42, subd. 3. Makes technical clarifying changes to exception criteria for minimum basic child support amount.

**29 Community Resource Center Advisory Council; establishment and duties.**

Amends Laws 2023, chapter 70, article 14, section 42, subd. 6. Establishes compensation for Community Resource Center Advisory Council members and allows council vacancies to be filled by the appointing authority for the remainder of the unexpired term.

**30 Supreme Court Council on Child Protection.**

Outlines establishment, membership, administration, duties, and required reports for the Supreme Court Council on Child Protection.

**Subd. 1. Establishment.** Invites the chief justice of the supreme court to establish a Supreme Court Council on Child Protection, as part of the Children’s Justice Initiative, to develop a comprehensive blueprint to improve Minnesota’s child protection system.

**Subd. 2. Membership.** Lists the members of the council and appointing authorities for each member.

**Subd. 3. Organization and administration.** Specifies that the council is governed by the requirements under section 15.059; requires the state court administrator to provide administrative support to the council; specifies that council members serve at the pleasure of the appointing authority and that the chief justice must select a chairperson.

**Subd. 4. Meetings.** Outlines requirements for council meetings, which must begin by September 15, 2024.

**Subd. 5. Duties.** Requires the council to develop a comprehensive blueprint for improvement that addresses all aspects of the child protection system; lists activities the council must undertake when developing the blueprint.

**Subd. 6. Reports.** Requires the council to submit an initial progress report to the governor, the chief justice, and the legislature by July 15, 2025. Requires the council to submit a final report by January 15, 2026, detailing the council’s comprehensive blueprint.

**Subd. 7. Expiration.** Specifies that the council expires upon the submission of its final report.

**Section Description - Article 12: Child Protection and Support**

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- 31 **Direction to commissioner; child maltreatment reporting systems review and recommendations.**  
Directs the commissioner of children, youth, and families to review and evaluate child maltreatment reporting processes and systems in other states, and work with stakeholders to develop recommendations on implementing a statewide system for reporting child maltreatment in Minnesota. Requires the commissioner to submit a report to the legislature by June 1, 2025, detailing the commissioner’s recommendations and to publish the report on the department’s website. Makes this section effective the day following final enactment.
- 32 **Direction to commissioner of human services; child welfare workforce system improvements.**  
Require the commissioner of human services, when developing the Comprehensive Child Welfare Information System, to ensure that the system can meet listed tracking, information-sharing, and comprehensive data reporting requirements.
- 33 **Supporting relative caregiver grants.**  
Requires the commissioner of children, youth, and families to award grants to eligible community-based nonprofit organizations to provide culturally competent supports and services for relative caregivers of children from communities that are disproportionately overrepresented in the child welfare system, as determined by the commissioner, based on available data. Lists allowable uses of grant funds and provides a definition of “relative” for purposes of the section.
- 34 **Revisor instruction.**  
Instructs the revisor to renumber the subdivisions in section 260E.03 in alphabetical order and correct cross-references as necessary.
- 35 **Repealer.**  
Repeals section 256.01, subdivisions 12 and 12a (child mortality review panel; Department of Human Services child fatality and near fatality review team), and Minnesota Rules, part 9560.0232, subpart 5 (local child mortality review panel).  
  
Makes this section effective July 1, 2025.

## **Article 13: Economic Supports**

This article addresses Supplemental Nutrition Assistance Program (SNAP) eligibility for students enrolled in higher education, makes modifications to the family assets for independence in Minnesota (FAIM) program, and modifies the amount available for administration for the diaper distribution grant program.

**Section Description - Article 13: Economic Supports**

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**1 Campus-based employment and training program for students enrolled in higher education.**

Creates § 256D.66. Addresses SNAP eligibility for students enrolled in higher education.

**Subd. 1. Designation.** Directs the Board of Trustees of Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota to apply to DHS to verify whether its institutions meet the requirements to be a campus-based employment and training program that qualifies for the student exemption for SNAP eligibility. Requires the boards to submit the application within six months of the effective date of this section.

**Subd. 2. Student eligibility.** Sets out the eligibility criteria a student must meet to participate in a campus-based employment and training program.

**Subd. 3. Guidance.** Directs DHS, in consultation with the commissioner of higher education, to provide guidance to counties, Tribal Nations, Tribal colleges, and public postsecondary institutions on campus-based employment and training programs. Provides that the guidance must be available within three months of the effective date of this section and annually thereafter.

**Subd. 4. Application.** Directs DHS, in consultation with the commissioner of higher education, to design an application for institutions of higher education to use to apply for a campus-based employment and training program. Provides that the application must be completed within three months of the effective date of this section.

**Subd. 5. Notice.** Provides that an institution of higher education with a campus-based employment and training program must send a letter, at the beginning of each academic semester, to students eligible under this section to inform them that they may qualify for SNAP benefits. Provides that the letter serves as proof of a student's enrollment in a campus-based employment and training program.

Makes the section effective upon federal approval.

**2 Definitions. [FAIM]**

Amends § 256E.35, subd. 2. Modifies the definition of "household" for purposes of the FAIM program, to include individuals who share finances and use of a dwelling unit and further clarifies that "sharing finances" does not include sharing a dwelling unit without sharing any other finances.

**3 Household eligibility; participation. [FAIM]**

Amends § 256E.35, subd. 5. Modifies household eligibility requirements for purposes of the FAIM program, to remove a reference to state or TANF matching funds and

**Section Description - Article 13: Economic Supports**

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replaces a reference to federal eligibility requirements with specified maximum income requirements of 200 percent of the federal poverty guidelines or 50 percent of the area median income.

**4 Eligible uses of grant money. [Diaper distribution grant program]**

Modifies § 256E.38, subd. 4. Provides that the Diaper Bank of Minnesota may use up to ten percent of the grant money for a diaper distribution program that it receives from DHS for administrative costs.

**5 Transfer to Department of Children, Youth, and Families.**

Transfers the responsibilities for the campus-based employment and training program for students enrolled in higher education from the commissioner of human services to the commissioner of children, youth, and families.

## **Article 14: Housing and Homelessness**

This article contains requirements for the commissioner of human services to contract with third-party entities to conduct studies on the needs of: (1) transgender adults experiencing homelessness; and (2) pregnant and parenting youth experiencing homelessness.

**Section Description - Article 14: Housing and Homelessness**

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**1 Emergency shelter needs analysis for transgender adults experiencing homelessness.**

Requires the commissioner of human services to contract with Propel Nonprofits to conduct a needs analysis for emergency shelter serving transgender adults experiencing homelessness and to conduct a site analysis and develop a plan for the shelter. Directs Propel Nonprofits to submit a report to the commissioner on the results of the needs analysis and site analysis by March 1, 2025, and directs the commissioner to submit the report to the legislature within five business days of receipt.

**2 Pregnant and parenting homeless youth study.**

Requires the commissioner of human services to contract with the Wilder Foundation to conduct a study on the number and needs of pregnant and parenting youth experiencing homelessness, and best practices for supporting such youth across settings. Requires the Wilder Foundation to submit a final report to the commissioner, and requires the commissioner to submit that report to the legislature.

**Section Description - Article 14: Housing and Homelessness**

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**3 Revival and reenactment.**

Revives and reenacts Minnesota Statutes 2022, section 256B.051, subdivision 7, correcting a repealer in the 2023 revisor's bill. The subdivision clarifies housing support supplemental service rates. Provides an immediate effective date.

**4 Repeal.**

Repeals Laws 2023, chapter 25, sec. 190, subd. 10 (erroneous revisor bill repealer referenced in section 3).

## **Article 15: Child Care Licensing**

This article directs the commissioner of children, youth, and families to develop and implement a weighted risk system to determine when a licensed child care provider may receive technical assistance rather than a correction order for noncompliance with a licensing requirement. The article also modifies the first aid and CPR training schedule for individuals who work in licensed family child care settings.

**Section Description - Article 15: Child Care Licensing**

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**1 Child care weighted risk system.**

Creates § 142B.171.

**Subd. 1. Implementation.** Directs the commissioner of children, youth, and families to develop and implement a weighted risk system that provides a tiered enforcement framework for child care licensing (for both family child care providers and child care centers).

**Subd. 2. Documented technical assistance.** Directs the commissioner to provide documented technical assistance to a child care license holder in lieu of a correction order under specified circumstances. Provides that documented technical assistance states the conditions that violate a law or rule, references the law or rule violated, and explains remedies for correcting the violation. Prohibits the commissioner from publicly publishing documented technical assistance on the department's website.

**2 Child care fix-it ticket.**

Amends § 245A.065 by adding a subdivision. Makes the section providing for child care fix-it tickets expire as soon as the weighted risk system is implemented.

**Section Description - Article 15: Child Care Licensing**

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**3 First aid.**

Amends § 245A.50, subd. 3. Provides that individuals who work in licensed family child care settings who are required to retake pediatric first aid training every two years must do so within 90 days of the date the training was previously taken.

**4 Cardiopulmonary resuscitation (CPR).**

Amends § 245A.50, subd. 4. Provides that individuals who work in licensed family child care settings who are required to retake pediatric CPR training every two years must do so within 90 days of the date the training was previously taken.

## **Article 16: Department of Children, Youth, and Families**

This article establishes an intergovernmental committee to advise DCYF on providing services to children, youth, and families; directs DCYF to designate a department leader who is responsible for coordinating services and outcomes around children's mental health and for children at risk of disabilities among related agencies; and transfers specified programs to DCYF. Provides that state hearings related to DCYF programs are handled by human services judges. Directs the ombudsperson for family child care providers to report to and receive assistance from DCYF rather than DHS. Provides that the licensure of child foster residence settings remains at DHS and does not transfer to DCYF.

**Section Description - Article 16: Department of Children, Youth, and Families**

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**1 Statewide hearing loss early education intervention coordinator.**

Amends § 125A.63, subd. 5. Requires that the statewide hearing loss early education intervention coordinator provide support to DCYF's early hearing detection and intervention teams, as DCYF will administer early childhood special education programs for infants and toddlers.

**2 Children, youth, and families intergovernmental advisory committee.**

Creates § 142A.045. Establishes an intergovernmental advisory committee to advise the commissioner of children, youth, and families on planning, funding, evaluating, and providing services to children, youth, and families. Gives each of the state's federally recognized Tribal Nations the option to participate in the committee. Directs the commissioner, each participating Tribal Nation, the Association of Minnesota Counties, and the Minnesota Association of County Social Services Administrators to develop and execute a process to administer the committee that ensures each county in the state and each participating Tribal Nation are represented. Directs the commissioner to implement a Tribal consultation process

**Section Description - Article 16: Department of Children, Youth, and Families**

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- under Minnesota Statutes, section 10.65, in addition to the requirements under this section.
- 3 **Training on risk of sudden unexpected infant death and abusive head trauma for child foster care providers.**  
Creates § 142B.47. Applies requirements for training on risk of sudden unexpected infant death and abusive head trauma to child foster care providers licensed by DCYF. This provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 4 **Newborn Hearing Screening Advisory Committee.**  
Amends § 144.966, subd. 2. Provides that the state's Newborn Hearing Screening Advisory Committee must advise and assist DCYF, as DCYF will administer early childhood special education programs for infants and toddlers.
- 5 **Duties. [Ombudsperson for family child care providers]**  
Amends § 245.975, subd. 2. Clarifies that the ombudsperson for family child care providers must annually report to the commissioner of children, youth, and families rather than the commissioner of human services.
- 6 **Access to records. [Ombudsperson for family child care providers]**  
Amends § 245.975, subd. 4. Directs the commissioner of children, youth, and families to provide information on licensing actions issued to family child care providers to the ombudsperson for family child care providers.
- 7 **Posting. [Ombudsperson for family child care providers]**  
Amends § 245.975, subd. 9. Clarifies that the commissioner of children, youth, and families, rather than the commissioner of human services, must post information about the ombudsperson for family child care providers on the department's website.
- 8 **Application for license fee required, programs exempt from fee.**  
Amends § 245A.10, subd. 1, as amended. Provides that application and license fees must not be charged for a child foster residence setting, except in specified circumstances. This provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 9 **County fees for applications and licensing inspections.**  
Amends § 245A.10, subd. 2, as amended. Provides that for purposes of licensing child foster residence settings, a county agency may charge a fee to a corporate applicant or a corporate license holder to recover the cost of licensing inspections. This



**Section Description - Article 16: Department of Children, Youth, and Families**

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- provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 10     **Training on risk of sudden unexpected infant death and abusive head trauma for child foster care providers.**  
Amends § 245A.144. Applies requirements for training on risk of sudden unexpected infant death and abusive head trauma to child foster care providers licensed by DHS. This provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 11     **Delegation of authority to agencies.**  
Amends § 245A.16, subd. 1. Provides that prior to the transfer of responsibility for family child foster care to DCYF, only the DHS commissioner may issue variances for dual licensure of: (1) family child foster care and family adult foster care; and (2) family adult foster care and family child care. Once the responsibility for family child foster care transfers to DCYF, variances for the dual licensures may be issued only by both commissioners and cannot be issued by county agencies. This provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 12     **Child foster care training requirement; mental health training; fetal alcohol spectrum disorders training.**  
Amends § 245A.175. Makes conforming changes related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 13     **Ongoing training requirement.**  
Amends § 245A.66, subd. 4. Requires that all foster residence setting staff and volunteers that are mandatory reporters complete training each year on the maltreatment of minors reporting requirements. This provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 14     **Domestic violence informational brochure.**  
Amends § 256.029. Directs the DHS commissioner to work with the DCYF commissioner to create a domestic violence informational brochure that provides information about the existence of domestic violence waivers for eligible public assistance applicants.
- 15     **Appropriations from registration and license fee account.**  
Amends § 256.043, subd. 3. Appropriates the amounts required to go toward providing child protection services from the registration and license fee account under the Opiate Epidemic Response Advisory Council to the commissioner of

**Section Description - Article 16: Department of Children, Youth, and Families**

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- children, youth, and families. Under current law, the amounts are appropriated to the commissioner of human services.
- 16     **Appropriations from settlement account.**  
Amends § 256.043, subd. 3a. Appropriates the amounts required to go toward providing child protection services from the settlement account under the Opiate Epidemic Response Advisory Council to the commissioner of children, youth, and families. Under current law, the amounts are appropriated to the commissioner of human services.
- 17     **State agency hearings.**  
Amends § 256.045, subd. 3. Provides that administrative and judicial review of human services matters is available, in specified circumstances, to an individual or facility determined to have maltreated a minor, and limits the scope of hearings involving specified claims of foster care payments.
- 18     **Standard of evidence for maltreatment and disqualification hearings.**  
Amends § 256.045, subd. 3b. Provides that a state human services judge, for purposes of standard of evidence for maltreatment and disqualification hearings, may recommend an order to the commissioner of children, youth, and families, who may then issue a final order.
- 19     **Orders of the commissioner of human services.**  
Amends § 256.045, subd. 5. Exempts state agency hearings available to individuals for programs administered by DCYF from a state human services judge's requirement to conduct hearings on appeals and to recommend orders to the commissioner of DHS.
- 20     **Judicial review.**  
Amends § 256.045, subd. 7. Provides that a party aggrieved by an order of the commissioner of children, youth, and families in appeals over a maltreatment determination may appeal the order to the county where the maltreatment occurred.
- 21     **Scope.**  
Amends § 256.0451, subd. 1. Provides that DHS hearing procedures apply to hearings and appeals for programs administered by DCYF.

**Section Description - Article 16: Department of Children, Youth, and Families**

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**22 Decisions.**

Amends § 256.0451, subd. 22. Provides that the commissioner of children, youth, and families may review recommended decisions made by human services judges and determine whether to accept the decisions.

**23 Reconsideration.**

Amends § 256.0451, subd. 24. Adds a reference to the authority of the commissioner of children, youth, and families to issue orders based on recommendations from human services judges.

**24 Combined hearing.**

Amends § 256.046, subd. 2. Makes conforming changes related to having state human services judges conduct hearings for programs administered by DCYF.

**25 Adult protection grant allocation under Reform 2020.**

Adds a subdivision to § 256M.42. Provides that the requirements of the adult protection grant allocation statute apply to the Reform 2020 adult protection state grants.

**26 Department of Human Services.**

Amends Laws 2023, chapter 70, article 12, section 30, subd. 2. Amends the list of programs and responsibilities that transfer from DHS to DCYF to include:

- the American Indian food sovereignty program;
- capital for emergency food distribution facilities;
- community resource centers;
- the diaper distribution grant program;
- the Family First Prevention Services Act support and development grant;
- the Family First Prevention Services Act kinship navigator program;
- the family first prevention and early intervention allocation program;
- grants for prepared meals food relief;
- independent living skills for foster youth;
- legacy adoption assistance;
- the quality parenting initiative grant program;
- relative custody assistance;
- reimbursement to counties and Tribes for certain out-of-home placements; and
- Supplemental Nutrition Assistance Program outreach.

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- Strikes the requirement to transfer resettlement programs from DHS to DCYF. Makes the section effective immediately.
- 27     **Department of Education.**  
Amends Laws 2023, chapter 70, article 12, section 30, subd. 3. Amends the list of programs and responsibilities that transfer from MDE to DCYF to include grants for Grow Your Own early childhood and family educator programs.
- 28     **Hearings held by the Department of Human Services.**  
Amends Laws 2024, chapter 80, article 1, section 38, subd. 1. Provides that state agency hearings for programs administered by DCYF must be heard by human services judges.
- 29     **State agency hearings.**  
Amends Laws 2024, chapter 80, article 1, section 38, subd. 2. Makes conforming changes related to having human services judges make maltreatment determinations instead of children, youth, and families judges.
- 30     **Orders of the commissioner of children, youth, and families.**  
Amends Laws 2024, chapter 80, article 1, section 38, subd. 5. Makes conforming changes related to having state human services judges conduct hearings for programs administered by DCYF.
- 31     **Additional powers of commissioner; subpoenas.**  
Amends Laws 2024, chapter 80, article 1, section 38, subd. 6. Makes conforming changes related to having state human services judges conduct hearings for programs administered by DCYF.
- 32     **Judicial review.**  
Amends Laws 2024, chapter 80, article 1, section 38, subd. 7. Makes conforming changes related to having state human services judges conduct hearings for programs administered by DCYF.
- 33     **Appeal.**  
Amends Laws 2024, chapter 80, article 1, section 38, subd. 9. Makes conforming changes related to having state human services judges conduct hearings for programs administered by DCYF.
- 34     **Revisor instruction.**  
Amends Laws 2024, chapter 80, article 1, section 96. Identifies new statutory coding for programs that transfer from DHS to DCYF under this bill.

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- 35      **Plan for transfer of clients and records upon closure.**  
Amends Laws 2024, chapter 80, article 2, section 5, subd. 21. Makes changes to requirements governing a license holder’s plan for transfer of clients and records upon closure.
- 36      **County fees for applications and licensing inspections.**  
Amends Laws 2024, chapter 80, article 2, section 7, subd. 2. Removes language allowing a county agency to charge a fee to a corporate applicant or a corporate license holder to recover the cost of licensing inspections for child foster care licensing. This provision is related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.
- 37      **Appeal of multiple sanctions.**  
Amends Laws 2024, chapter 80, article 2, section 10, subd. 6. Allows for the use of the provider licensing and reporting hub when a DCYF-issued license holder appeals more than one licensing action or sanction issued by the DCYF commissioner.
- 38      **Delegation of authority to agencies.**  
Amends Laws 2024, chapter 80, article 2, section 16, subd. 1. Provides that variances for dual licensure of family child care and family child foster care may only be issued by the DCYF commissioner and are excluded from the delegation of variance authority. Provides that variances for dual licensure of: (1) family child foster care and family adult foster care; and (2) family adult foster care and family child care may be issued only by both commissioners and are excluded from the delegation of variance authority.
- 39      **Maltreatment of minors ongoing training requirement.**  
Amends Laws 2024, chapter 80, article 2, section 30, subdivision 2. Removes a reference to foster residence setting staff and volunteers, as licensure of child foster residence settings remains with DHS rather than transferring to DCYF.
- 40      **Child foster care training requirement; mental health training; fetal alcohol spectrum disorders training.**  
Amends Laws 2024, chapter 80, article 2, section 31. Removes references to foster residence setting staff and volunteers, as licensure of child foster residence settings remains with DHS rather than transferring to DCYF.
- 41      **Revisor instruction.**  
Amends Laws 2024, chapter 80, article 2, section 74. Strikes a requirement to recodify a section of statute. This is a conforming change related to licensure of child foster residence settings remaining with DHS rather than transferring to DCYF.

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**42 Revisor instruction.**

Amends Laws 2024, chapter 80, article 4, section 26. Identifies new statutory coding for the program that transfers from MDE to DCYF under this bill.

**43 Revisor instruction.**

Amends Laws 2024, chapter 80, article 6, section 4. Identifies new statutory coding for programs that transfer from DHS to DCYF under this bill.

**44 Domestic violence informational brochure.**

Amends Laws 2024, chapter 80, article 7, section 4. Directs the DCYF commissioner to work with the DHS commissioner to create a domestic violence informational brochure that provides information about the existence of domestic violence waivers for eligible public assistance applicants.

**45 Child foster residence settings to stay at the Department of Human Services.**

Provides that the responsibility to license child foster residence settings remains with DHS and does not transfer to DCYF.

**46 Direction to the commissioner of children, youth, and families; coordination of services for children with disabilities and mental health.**

Directs the DCYF commissioner to designate a department leader responsible for coordinating services and outcomes around children's mental health and children with or at risk for disabilities among DCYF, DHS, and related agencies.

**47 Repealer.**

Repeals § 245.975, subd. 8 (requirement for the DHS commissioner to provide the ombudsperson for family child care providers with office space, supplies, equipment, and clerical support).

Repeals Laws 2024, chapter 80, article 1 (all related to having state human services judges conduct hearings for programs administered by DCYF):

- section 38, subdivisions 3, 4, and 11;
- section 39; and
- section 43, subdivision 2.

Repeals Laws 2024, chapter 80, article 2 (all related to the licensure of child foster residence settings remaining at DHS rather than transferring to DCYF):

- section 1, subdivision 11;
- section 3, subdivision 3;
- section 4, subdivision 4;

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- section 10, subdivision 4; and
- sections 33 and 69.

Repeals Laws 2024, chapter 80, article 7 (all related to having state human services judges conduct hearings for programs administered by DCYF):

- section 3; and
- section 9.

Repeals Minnesota Rules, part 9545.0845 (plan for transfer of records).

**48 Effective date; transfer of responsibilities.**

Provides an effective date for the transfer of responsibilities to the commissioner of children, youth, and families.

## **Article 17: Minnesota Indian Family Preservation Act**

This article makes changes to the Minnesota Indian Family Preservation Act (MIFPA), building on changes made in the 2023 legislative session to codify the federal Indian Child Welfare Act (ICWA). The article makes technical and conforming changes, and modifies definitions, requirements for appointment of counsel, and child placement case procedures involving Indian children.

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**1 Other applicable law.**

Amends § 259.20, subd. 2. Makes conforming changes adding MIFPA to statutes governing adoption proceedings.

**2 Compliance with federal Indian Child Welfare Act and Minnesota Indian Family Preservation Act.**

Proposes coding for § 259.201. States that adoption proceedings under chapter 259 that involve an Indian child are child custody proceedings governed by ICWA, MIFPA, and chapter 259 when not inconsistent with ICWA or MIFPA.

**3 Active efforts.**

Amends § 260.755, subd. 1a. Modifies the definition of “active efforts” by making clarifying changes; requiring the engagement of the Indian child, the child’s parents, the Indian custodian, the extended family, and the Tribe; and clarifying that active

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- efforts are required for child placement proceedings involving an Indian child that involve a child-placing agency.
- 4     **Best interests of an Indian child.**  
Amends § 260.755, subd. 2a. Makes technical changes.
- 5     **Child placement proceeding.**  
Amends § 260.755, subd. 3. Makes clarifying changes.
- 6     **Child-placing agency.**  
Amends § 260.755, subd. 3a. Makes clarifying changes.
- 7     **Demand.**  
Amends § 260.755, subd. 5. Makes clarifying changes.
- 8     **Extended family member.**  
Amends § 260.755, subd. 5b. Clarifies that for purposes of active efforts and placement decisions, the legal parent, guardian, or custodian of an Indian child’s sibling is not an extended family member or relative of the Indian child unless they are independently related to the Indian child.
- 9     **Parent.**  
Amends § 260.755, subd. 14. Makes clarifying changes.
- 10    **Petitioner.**  
Amends § 260.755, by adding subd. 15a. Adds definition of “petitioner” for purposes of MIFPA sections.
- 11    **Qualified expert witness.**  
Amends § 260.755, subd. 17a. Makes clarifying changes.
- 12    **Tribal court.**  
Amends § 260.755, subd. 20. Makes technical change.
- 13    **Tribal representative.**  
Amends § 260.755, by adding subd. 20a. Adds definition of “Tribal representative” for purposes of MIFPA sections.
- 14    **Voluntary foster care placement.**  
Amends § 260.755, subd. 22. Makes clarifying changes.



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- 15      **Temporary emergency jurisdiction of state courts.**  
Amends § 260.758, subd. 2. Makes clarifying changes; adds “petitioner” to entities that must ensure the termination of emergency removal or placement under specified circumstances and initiate other proceedings.
- 16      **Emergency proceeding requirements.**  
Amends § 260.758, subd. 4. Makes clarifying change.
- 17      **Termination of emergency removal or placement.**  
Amends § 260.758, subd. 5. Makes clarifying changes.
- 18      **Inquiry of Tribal lineage; notice to Tribes, parents, and Indian custodians; access to files.**  
Amends § 260.761. Makes clarifying, technical, and conforming changes. Adds “petitioner” throughout relevant provisions.  
  
Adds requirements for inquiry into American Indian heritage or Tribal lineage, on the record; adds requirements for when there is reason to believe a child is an Indian child, but the court does not have sufficient evidence to determine Tribal lineage.  
  
Adds petitioners to notice requirements; requires a court to allow remote appearances in child placement proceedings; and modifies requirements for a court providing notice to an Indian child’s parents, Indian custodian, and Indian child’s Tribe. Requires notice to be given to the U.S. Secretary of the Interior if the identity or location of the child’s Tribe cannot be determined.
- 19      **Duty to prevent out-of-home child placement, preserve the child’s family, and promote family reunification; active efforts.**  
Amends § 260.762. Subdivision 1 clarifies that active efforts includes acknowledgment of traditional helping and healing systems, regardless of whether the Indian child’s Tribe has intervened in proceedings.  
  
Subdivision 2a adds required findings that active efforts were provided.  
  
Subdivision 2b allows, for adoptions under chapter 259, the court to find that active efforts were made to prevent placement or reunify the family upon certain specified findings.
- 20      **Indian Tribe jurisdiction.**  
Amends § 260.763, subd. 1. Specifies that child-placing agencies and courts must defer to a Tribal determination of the Tribe’s exclusive jurisdiction when an Indian

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- child lives or is domiciled in the Tribe’s reservation. Clarifies concurrent jurisdiction provision.
- 21     **Transfer of proceedings.**  
Amends § 260.763, subd. 4. Clarifies procedural requirements for transferring child placement proceedings to Tribal jurisdiction.
- 22     **Good cause to deny transfer.**  
Amends § 260.763, subd. 5. Clarifies procedural requirements for transferring child placement proceedings to Tribal court, unless the court determines good cause to deny transfer.
- 23     **Notice.**  
Amends § 260.765, subd. 2. Makes clarifying changes.
- 24     **Court requirements for consent.**  
Amends § 260.765, subd. 3a. Makes clarifying changes.
- 25     **Collateral attack; vacation of decree and return of custody.**  
Amends § 260.765, subd. 4b. Makes clarifying changes.
- 26     **Active efforts.**  
Amends § 260.771, subd. 1a. Makes clarifying changes.
- 27     **Placement preference.**  
Amends § 260.771, subd. 1b. Makes technical change.
- 28     **Identification of extended family members.**  
Amends § 260.771, subd. 1c. Makes clarifying changes.
- 29     **Appointment of counsel.**  
Amends § 260.771, subd. 2b. Clarifies the proceedings for which an Indian child’s parent or Indian custodian have the right to be represented by an attorney. Provides when a court may appoint counsel for an Indian child under ten years of age and requires the court to appoint counsel before the first hearing on the petition. Allows the court to appoint counsel at any stage of the proceeding if necessary.
- 30     **Tribal access to files and other documents.**  
Amends § 260.771, subd. 2d. Makes conforming changes by adding “petitioner.”

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- 31      **Participation of Indian child’s Tribe in court proceedings.**  
Amends § 260.771 by adding subd. 2e. Specifies that any Tribe in which an Indian child may be eligible for membership is a party to the proceedings, without needing to file a motion. Outlines procedures for Tribal parties related to remote appearances, filings, fees, and representation by out-of-state attorneys.
- 32      **Qualified expert witness and evidentiary requirements.**  
Amends § 260.771 by adding subd. 6. Makes clarifying and conforming changes.
- 33      **Least restrictive setting.**  
Amends § 260.773, subd. 1. Makes clarifying changes.
- 34      **Tribe’s order of placement recognized.**  
Amends § 260.773, subd. 2. Makes conforming change.
- 35      **Placement preferences for temporary proceedings.**  
Amends § 260.773, subd. 3. Makes clarifying changes.
- 36      **Placement preferences for permanent proceedings.**  
Amends § 260.773, subd. 4. Makes clarifying changes.
- 37      **Suitability of placement.**  
Amends § 260.773, subd. 5. Updates terminology from “county” to “child-placing agency and petitioner.”
- 38      **Exceptions to placement preferences.**  
Amends § 260.773, subd. 10. Makes conforming and clarifying changes.
- 39      **Factors in determining placement.**  
Amends § 260.773, subd. 11. Makes clarifying change.
- 40      **Improper removal.**  
Amends § 260.774, subd. 1. Makes clarifying changes.
- 41      **Invalidation.**  
Amends § 260.774, subd. 2. Makes clarifying changes. Adds required determinations and findings for invalidating a previous order related to Indian child custody, placement, or permanency. Allows the court to consider sanctions and costs to be imposed against the party whose actions led to the invalidation.

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- 42      **Return of custody following adoption.**  
Amends § 260.774, subd. 3. Makes clarifying changes.
- 43      **Placement records.**  
Amends § 260.775. Makes clarifying changes.
- 44      **Court decree information.**  
Amends § 260.781. Makes clarifying changes.
- 45      **Primary support grants.**  
Amends § 260.785, subd. 1. Makes technical change.
- 46      **Compliance grants.**  
Amends § 260.785, subd. 3. Makes technical change.
- 47      **Purposes.**  
Amends § 260.786, subd. 2. Makes technical change.
- 48      **Types of services.**  
Amends § 260.795, subd. 1. Makes technical changes.
- 49      **Final report.**  
Amends § 260.810, subd. 3. Makes technical and clarifying changes; requires the commissioner to compile reports into one document and provide a copy to each Tribe.
- 50      **Relative of an Indian child.**  
Amends § 260C.007, subd. 26b. Clarifies definition of “relative of an Indian child” in chapter 260C to include extended family members.
- 51      **Hearing and release requirements.**  
Amends § 260C.178, subd. 1, as amended by Laws 2024, ch. 80, art. 8, sec. 24. Clarifies that MIFPA placement preferences apply when a court orders an Indian child into emergency placement.
- 52      **Child in voluntary foster care for treatment.**  
Amends § 260D.01. Strikes language requiring voluntary foster care for treatment chapter to be construed consistently with ICWA and MIFPA (language moved to new section below).

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- 53      **Compliance with federal Indian Child Welfare Act and Minnesota Indian Family Preservation Act.**  
Proposes coding for § 260D.011. Specifies that chapter 260D proceedings concerning an Indian child are governed by ICWA and MIFPA.
- 54      **Compliance with federal Indian Child Welfare Act and Minnesota Indian Family Preservation Act.**  
Proposes coding for § 260E.015. Specifies that chapter 260E proceedings concerning an Indian child are governed by ICWA and MIFPA.
- 55      **Compliance with federal Indian Child Welfare Act and Minnesota Indian Family Preservation Act.**  
Proposes coding for § 524.5-2011. Specifies that chapter 524 (uniform probate code) proceedings concerning an Indian child are governed by ICWA and MIFPA.
- 56      **Repealer.**  
Repeals § 260.755, subd. 13 (definition of local social services agency).

## **Article 18: Children and Families Policy**

This article contains provisions from the DHS policy bill covering children and family services. It modifies provisions related to child care assistance, child welfare, economic assistance, and adoption records. It also provides direction to courts related to parents who have disabilities in family law, adoption, and child protection cases.

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- 1      **Income.**  
Amends § 119B.011, subd. 15. Adds a reference to Minnesota Rules in the definition of “income” for purposes of the child care assistance program.
- 2      **Fair hearing allowed for providers.**  
Amends § 119B.16, subd. 1a. Allows a child care provider who accepts child care assistance to request a fair hearing if DHS or a county agency ends a provider’s rate differential for being accredited or for having a three- or four-star rating under Parent Aware. Makes technical corrections. Makes the section effective August 1, 2024.

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**3 Notice to providers.**

Amends § 119B.16, subd. 1c. Changes timing requirements for the notices that must be sent to child care providers before a county agency or DHS takes specified actions. Provides that a notice must include the right to appeal if a county issues a payment and the provider disagrees with the amount of the payment. Requires that a provider's request to appeal a payment amount must be received no later than 30 days after the date a county sends a payment notice to the provider. Makes the section effective August 1, 2024.

**4 Notice.**

Amends § 119B.161, subd. 2. Makes technical changes to allow child care providers to receive specified child care assistance notices through the provider and licensing hub. Makes the section effective August 1, 2024.

**5 Exemptions from immunizations.**

Amends § 121A.15, subd. 3. Provides that the exemption to immunization based on the conscientiously held beliefs of a parent or guardian does not apply to a child enrolling or enrolled in a licensed child care center or a licensed family child care program if the center or program adopts an immunization policy.

**6 Child care programs.**

Adds a subdivision to § 121A.15. Allows a licensed child care center or a licensed family child care program to adopt an immunization policy that prohibits a child over two months of age from enrolling in or remaining enrolled in the center or program if the child is not immunized or exempt from immunization as specified.

**7 System components.**

Amends § 124D.142, subd. 2. Provides that the requirement for all licensed child care programs to receive at least a one-star rating under Parent Aware (unless a program opts out) goes into effect on July 1, 2026. Makes the section effective immediately.

**8 Release of original birth record.**

Amends § 144.2252, subd. 2. Gives the state registrar authority to request assistance from the commissioner of human services if needed to discharge duties related to adoption birth records. Makes this section effective July 1, 2024.

**9 Birth parent contact preference form.**

Amends § 144.2253. Gives the commissioner of health the authority to request assistance from the commissioner of human services if needed to discharge duties related to adoption birth records. Makes this section effective July 1, 2024.

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- 10      **Use of data.**  
Amends § 243.166, subd. 7. Makes clarifying change to allow disclosure of predatory offender registry information to local welfare agencies for purposes of child maltreatment investigations.
- 11      **Licensing moratorium.**  
Amends § 245A.03, subd. 7. Exempts child foster residence settings with residential program certifications for compliance with the federal Family First Prevention Services Act from the foster care licensing moratorium. Requires the commissioner to revoke a license if a child foster residence setting that was previously exempted from the moratorium loses its Family First certification. Makes technical changes.
- 12      **Administrative disqualification of child care providers caring for children receiving child care assistance.**  
Amends § 256.046, subd. 3. Provides that when the commissioner initiates an administrative disqualification for a child care provider that accepts child care assistance, the commissioner must send written notice using a signature-verified confirmed delivery method. Makes the section effective August 1, 2024.
- 13      **Family violence.**  
Amends § 256J.08, subd. 34a. Modifies definition of “family violence” in chapter governing MFIP to remove “imminent” from infliction of fear of physical harm, bodily injury, or assault.
- 14      **Expedited issuance of the Supplemental Nutrition Assistance Program.**  
Amends § 256J.28, subd. 1. Removes list of households entitled to expedited issuance of SNAP benefits assistance, to align with federal law.
- 15      **Assigning a successor relative custodian for a child’s Northstar kinship assistance.**  
Amends § 256N.22, subd. 10. Allows for continued payment of Northstar kinship assistance upon the death or incapacity of the relative custodian when a named successor is not able or willing to accept custody or guardianship of the child, and the commissioner gives written consent for a court-appointed guardian or custodian of the child to receive the payments.
- 16      **Caregiver requests for reassessments.**  
Amends § 256N.24, subd. 10. Removes adoption assistance expiration language from circumstances governing the timing of requesting or conducting a reassessment.

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- 17     **Payments.**  
Amends § 256N.26, subd. 15. Adds “youth” to Northstar payment provisions; adds paragraph (e) to allow payments to be made directly to foster youth between 18 and 21 years old placed in an unlicensed supervised independent living setting.
- 18     **Effect of benefit on other aid.**  
Amends § 256N.26, subd. 16. Makes conforming change.
- 19     **Overpayments.**  
Amends § 256N.26, subd. 18. Makes conforming changes.
- 20     **Correct and true information.**  
Amends § 256N.26, subd. 21. Makes conforming changes.
- 21     **Termination notice for caregiver or youth.**  
Amends § 256N.26, subd. 22. Makes conforming changes.
- 22     **Rental income.**  
Amends § 256P.05 by adding subd. 4. Specifies that rental income is subject to the self-employment earnings requirements for economic assistance program eligibility.
- 23     **Income inclusions.**  
Amends § 256P.06, subd. 3. Removes proceeds from rent from list of unearned income.
- 24     **Disclosure to birth parents and adoptive parents.**  
Amends § 259.37, subd. 2. Requires an adoption disclosure to include a statement regarding the right of an adopted person to request and obtain a copy of the person’s original birth record, pursuant to section 144.2253, and the right of the birth parent to file a contact preference form with the state registrar. Makes this section effective July 1, 2024.
- 25     **Supportive parenting services for parents with disabilities.**  
Amends § 259.53 by adding subd. 7. Prohibits a court from denying a prospective adoptive parent the ability to proceed with an adoption due to the prospective parent's disability. Establishes the burden of proof for a person who raises such a disability as a basis for denying an adoption and allows the prospective parent with a disability the opportunity to demonstrate how supportive services would alleviate concerns. Allows the court to require the agency to provide supportive services, provide a new assessment, and file a revised report. Requires the court to make



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- specified findings. Makes this section effective August 1, 2024, for pleadings and motions pending on or after that date.
- 26      **Content.**  
Amends § 259.79, subd. 1. Allows for disclosure of adoption records maintained by the commissioner of human services, upon request from the commissioner of health or state registrar pursuant to state statute.
- 27      **Services provided.**  
Amends § 259.83, subd. 1. Adds adult siblings of adopted persons to request for current information provision. Specifies that an information search request must be completed within six months of the request, and that the agency must provide status updates and estimates to the requestor if the search cannot be completed within six months. Clarifies that an agency must provide required information to birth parents when making or supervising an adoptive placement.
- 28      **Siblings.**  
Amends § 259.83, subd. 1b. Removes “genetic” limitation on requirement to advise a person aged 18 or over who was adopted or committed to the guardianship of the commissioner of other siblings who were adopted or committed to the guardianship of the commissioner. Makes additional clarifying changes.
- 29      **Birth parent identifying information.**  
Amends § 259.83, subd. 3a. Specifies that the requirement to provide requested identifying information on birth parents only applies to the extent the information is available.
- 30      **Confidentiality.**  
Amends § 259.83, subd. 4. Lowers age from 19 to 18 years and over for requirement to provide reasonable assistance, consistent with legal requirements related to the confidentiality and privacy of child welfare and adoption records.
- 31      **Child in need of protection or services.**  
Amends § 260C.007, subd. 6. Specifies that a child is not considered to be without proper parental care based solely on the disability of the child's parent, guardian, or custodian.
- 32      **Supportive parenting services.**  
Amends § 260C.141 by adding subd. 1a. Prohibits the filing of a petition alleging that a child is in need of protection or services on the basis of a parent's disability. Specifies what the petition must demonstrate. Requires the local agency or court to offer a parent with a disability the opportunity to use supportive parenting services

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- to assist the parent. If the child is removed, requires the court to make written findings on why supportive parenting services would not be sufficient to prevent out-of-home placement. Defines terms. Makes this section effective August 1, 2024, for pleadings and motions pending on or after that date.
- 33     **Case plan.**  
Amends § 260C.178, subd. 7. Specifies that a child protective services plan must be filed with the court within 30 days of the juvenile protection petition, when a court has ordered a child into the care of a parent. Clarifies when an out-of-home placement plan is required. Makes conforming changes.
- 34     **Court review of disposition.**  
Amends § 260C.202. Adds subdivision 1, addressing court review for when a court orders a child into the home under a parent under protective supervision. Makes technical and conforming changes.
- 35     **Subjects.**  
Amends § 260C.209, subd. 1. Makes technical changes to section governing responsible social services agency access to criminal and maltreatment history of listed individuals. Allows access to such records when a petition to transfer permanent physical and legal custody has been filed, but the relative is not pursuing Northstar kinship assistance eligibility.
- 36     **Out-of-home placement; plan.**  
Amends § 260C.202, subd. 1. Adds a paragraph requiring the responsible social services agency to provide a one- to two-page summary of the out-of-home placement plan to the child’s parent or guardian before the parent or guardian signs the out-of-home placement plan. Specifies requirements for the summary and requires the summary to be updated whenever the out-of-home placement plan is updated. Makes this section effective March 1, 2025.
- 37     **Placement decisions based on best interests of the child.**  
Amends § 260C.212, subd. 2. Removes exception for emergency placement; separates requirements for approval of foster placements and adoptive placements. Prohibits placement of a child in an unlicensed emergency relative placement or licensed family foster home when the responsible social services agency is aware that the prospective caregiver or license holder has a permanent background study disqualification.

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- 38      **Voluntary and involuntary.**  
Amends § 260C.301, subd. 1. Removes nonpayment of support without good cause from the list of conditions for which parental rights may be terminated.
- 39      **Transfer of permanent legal and physical custody.**  
Amends § 260C.515, subd. 4. Makes technical and clarifying changes. Adds order for transfer of permanent legal and physical custody to a parent. Clarifies that the court’s review must include a summary of background study information, and requires the court to issue written findings regarding the prospective legal and physical custodian’s understanding of the terms of the transfer, including Northstar assistance eligibility. Requires additional content in petitions for transfer of permanent legal and physical custody.
- 40      **Review hearings.**  
Amends § 260C.607, subd. 1. Makes clarifying changes.
- 41      **Motion and hearing to order adoptive placement.**  
Amends § 260C.607, subd. 6. Clarifies that a court must not finalize an adoption while an appeal is pending.
- 42      **Adoption study required.**  
Amends § 260C.611. Allows the commissioner to determine if it’s in the child’s best interests for a caregiver’s child foster care home study to meet the requirements of an approved adoption home study.
- 43      **Adoptive placement decisions.**  
Amends § 260C.613, subd. 1. Makes clarifying changes; adds paragraph (d), requiring the responsible social services agency to immediately notify the commissioner if the agency learns of any new or previously undisclosed criminal or maltreatment information related to an adoptive placement for a child under the guardianship of the commissioner.
- 44      **Duties.**  
Amends § 260C.615, subd. 1. Adds duty of the commissioner to review new or previously undisclosed information that may impact the health, safety, or well-being of a child under a fully executed adoption placement agreement.
- 45      **Threatened injury.**  
Amends § 260E.03, subd. 23. Makes clarifying change to add “parent” to transfer of permanent legal and physical custody.

**Section Description - Article 18: Children and Families Policy**

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- 46      **Expedited issuance of SNAP benefits.**  
Amends § 393.07, subd. 10a. Removes county SNAP benefits offices and local SNAP agency applicant screening and notice posting requirements, to align with federal law.
- 47      **Parents with disabilities.**  
Amends § 518.17 by adding subd. 2a. Provides that a court should not deny a parent parenting time with their children because a parent has a disability unless the parent has specific behaviors that would endanger the health or safety of the child, and the parent with the disability should be given the opportunity to use supportive services to alleviate those concerns. Requires the court to provide detailed findings if they deny or limit a parent with a disability's custody or parenting time. Makes this section effective August 1, 2024, for pleadings and motions made on or after that date.

**Article 19: Department of Human Services Policy**

This article contains provisions from the Department of Human Services (DHS) Office of Inspector General child policy bill that establish a continuous license process for family child foster care; make changes to requirements governing certified, license-exempt child care centers; and make other policy and technical changes to licensing processes. This article also includes a provision that allows licensed child care centers to give children water in reuseable cups or water bottles.

**Section Description - Article 19: Department of Human Services Policy**

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- 1      **Licensing data.**  
Amends § 13.46, subd. 4. Provides that the email addresses of license holders, certification holders, and former licensees are considered public data, except for the email addresses for family child foster care providers. Makes the section effective January 1, 2025.
- 2      **Children's records.**  
Establishes § 142C.18. Requires that certified, license-exempt child care centers maintain a record for each child enrolled in the program. Specifies the information the record must contain and provides that some of the information (immunization information, medication administration documentation, and allergy documentation) must be accessible during all hours of operation to staff. Makes the section effective October 1, 2024.

**Section Description - Article 19: Department of Human Services Policy**

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- 3 Annual or annually; family child care and family child foster care.**  
Amends § 245A.02, subd. 2c. Provides that a current law definition of “annual” applies to both family child care training and family child foster care training. Makes the section effective January 1, 2025.
- 4 Adoption agency; additional requirements.**  
Amends § 245A.04, subd. 10. Requires that when applying for a license to place children for adoption, an individual or organization must submit a financial review completed by an accountant, rather than having a certified audit. Makes the section effective January 1, 2025.
- 5 Reusable water bottles or cups.**  
Amends § 245A.14, subd. 17. Allows a licensed child care center to provide water to children in reusable water bottles or reusable cups if the child brings home the water bottle or cup.
- 6 Electronic checklist use.**  
Amends § 245A.16, subd. 11. Allows county and private agency staff to use the electronic licensing inspection checklist when performing licensing functions for family child foster care. Makes the section effective July 1, 2024.
- 7 Door to attached garage.**  
Amends § 245A.52, subd. 2. Makes changes to requirements governing attached garages in licensed family child care homes.
- 8 Stairways.**  
Adds a subdivision to § 245A.52. Modifies requirements governing stairways in licensed family child care homes and moves the requirements from rules to statute.
- 9 Child care centers; risk reduction plan.**  
Amends § 245A.66, subd. 2. Provides that a licensed child care center’s risk reduction plan must include information about how preschool children are supervised when using an individual, private restroom within the classroom.
- 10 Child care background study subject.**  
Amends § 245C.02, subd. 6a. Requires that an “authorized agent” in a license-exempt certified child care center complete a background study. Makes the section effective October 1, 2024.
- 11 Procedure; maltreatment and state licensing agency data.**  
Amends § 245C.033, subd. 3. Differentiates between procedures for requests for maltreatment and state licensing agency data paid directly by a guardian or

**Section Description - Article 19: Department of Human Services Policy**

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- conservator and procedures for requests paid by the court on the in forma pauperis (fee waived due to inability to pay) status of the guardian or conservator.
- 12     **Juvenile court records.**  
Amends § 245C.08, subd. 4. Clarifies that juvenile court records are reviewed for all background study subjects under chapter 245C. Removes language specific to family child care background study review of juvenile court records.
- 13     **Guardians and conservators.**  
Amends § 245C.10, subd. 15. Requires the court to pay fees for a guardian and conservator maltreatment and state licensing agency check for an applicant granted in forma pauperis status.
- 14     **Reporting of suspected fraudulent activity.**  
Amends § 245E.08. Requires that the name of a person who reports suspected fraudulent activity in the child care assistance program is kept confidential and provides that the subject of the report may compel disclosure of the reporter’s name only in specified circumstances. Provides that the requirements do not alter the disclosure responsibilities or obligations under the Rules of Criminal Procedure, except that when the identity of the reporter is relevant to a criminal prosecution the district court must conduct an in-camera review before determining whether to order disclosure of the reporter’s identity.
- 15     **Infant.**  
Adds a subdivision to § 245H.01. Adds a definition of “infant” to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way it is currently used in the chapter. Makes the section effective October 1, 2024.
- 16     **Preschooler.**  
Adds a subdivision to § 245H.01. Adds a definition of “preschooler” to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way it is currently used in the chapter. Makes the section effective October 1, 2024.
- 17     **School-age child.**  
Adds a subdivision to § 245H.01. Adds a definition of “school-age child” to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way it is currently used in the chapter. Makes the section effective October 1, 2024.

**Section Description - Article 19: Department of Human Services Policy**

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- 18     **Toddler.**  
Adds a subdivision to § 245H.01. Adds a definition of “toddler” to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way as it is currently used in the chapter. Makes the section effective October 1, 2024.
- 19     **Correction order and conditional certification requirements.**  
Amends § 245H.06, subd. 1. Gives DHS the authority to issue a conditional certification to a certified, license-exempt child care center. Makes the section effective October 1, 2024.
- 20     **Reconsideration request.**  
Amends § 245H.06, subd. 2. Makes conforming changes related to giving DHS the authority to issue conditional certifications to certified, license-exempt child care centers. Makes the section effective October 1, 2024.
- 21     **Staffing requirements.**  
Amends § 245H.08, subd. 1. Clarifies that a certified, license-exempt child care center must designate a staff person to fulfill the director’s duties when the director is absent. Specifies that the staff person must be at least 18 years old and must be aware of the designation and associated responsibilities but does not need to meet the required qualifications for directors. Makes the section effective October 1, 2024.
- 22     **Maximum group size.**  
Amends § 245H.08, subd. 4. Makes conforming changes related to adding definitions to the chapter of statute governing certified, license-exempt child care centers. Makes the section effective October 1, 2024.
- 23     **Ratios.**  
Amends § 245H.08, subd. 5. Makes conforming changes related to adding definitions to the chapter of statute governing certified, license-exempt child care centers. Makes the section effective October 1, 2024.
- 24     **First aid and cardiopulmonary resuscitation.**  
Amends § 245H.14, subd. 1. Provides that staff in certified, license-exempt child care centers must complete first aid and CPR training within 90 days after the first date of direct contact with a child. Makes the section effective October 1, 2024.
- 25     **Child development.**  
Amends § 245H.14, subd. 4. Provides that staff in certified, license-exempt child care centers must complete child development and learning training within 90 days after

**Section Description - Article 19: Department of Human Services Policy**

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- the first date of direct contact with a child. Makes the section effective October 1, 2024.
- 26 **Nonmaltreatment mistake.**  
Amends § 260E.30, subd. 3. Applies statute governing nonmaltreatment mistakes for licensed child care centers to certified, license-exempt child care centers and makes conforming changes. Makes the section effective October 1, 2024.
- 27 **Family child foster care annual program evaluation.**  
Amends Laws 2024, chapter 80, article 2, section 5. Provides that when the continuous license process for family child foster care is implemented, the required annual program evaluation must be conducted using the electronic licensing inspection checklist information and the provider licensing and reporting hub.
- 28 **Licensed child-placing agency personnel requirements.**  
Laws 2024, chapter 80, article 2, section 16. Requires that a licensed child-placing agency have a designated individual on staff who supervises the agency's casework.
- 29 **Family child foster care continuous licenses.**  
Directs DHS to develop a continuous license process for family child foster care licenses. Makes the section effective July 1, 2024.
- 30 **Repealer.**  
Repeals Minnesota Rules, parts 9502.0425, subparts 5 (occupancy separations) and 10 (stairways); and 9545.0805, subpart 1 (supervision by a licensed independent social worker or independent clinical social worker).

## **Article 20: Miscellaneous**

This article has two provisions that make technical changes.

**Section Description - Article 20: Miscellaneous**

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- 1 **Federal reimbursement for administrative costs.**  
Adds a subdivision to § 16A.103. Directs the commissioner of management and budget to include estimated federal reimbursement amounts for administrative costs for the Department of Children, Youth, and Families in the forecast as an expenditure reduction. Makes the section effective immediately.



**Section Description - Article 20: Miscellaneous**

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**2 Expiration.**

Amends Laws 2023, chapter 70, article 11, section 13, subdivision 8. Makes a technical correction to the expiration date of the homeless youth cash stipend pilot project, which was established by the 2023 Legislature.

## **Article 21: Human Services Forecast Adjustments**

This article makes adjustments to fiscal years 2024 and 2025 human services appropriations enacted during the 2023 legislative session to match the February 2024 forecast data.

## **Article 22: Children and Families Appropriations**

This article appropriates money from the specified funds in fiscal years 2024 and 2025 to the commissioner of human services; commissioner of education; commissioner of children, youth, and families; ombudsperson for family child care providers; and the Minnesota Supreme Court, for the specified purposes.



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