

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1740

(SENATE AUTHORS: CWODZINSKI and Kunesh)		
DATE	D-PG	OFFICIAL STATUS
02/20/2025	461	Introduction and first reading Referred to Education Policy
04/07/2025	1362a	Comm report: To pass as amended
	1707	Second reading
04/09/2025	1730	Author added Kunesh
04/24/2025	3931a	Special Order: Amended
	3964	Third reading Passed as amended
05/17/2025	5143	Returned from House with amendment
	5144	Senate not concur, conference committee of 5 requested
	5301	Senate conferees Cwodzinski; Kunesh; Maye Quade; Gustafson; Coleman
05/18/2025	5415	House conferees Jordan; Hill; Bennett; Lawrence
	6285	Joint rule 3.02, conference committee discharged
		Laid on table
		See See First Special Session, HF5

1.1A bill for an act

1.2relating to education policy; making changes to kindergarten through grade 12

1.3education; modifying provisions for general education, education excellence,

1.4charter schools, the Read Act, special education, school nutrition and facilities,

1.5and state agencies; requiring a report; amending Minnesota Statutes 2024, sections

1.610A.071, subdivision 1; 13.03, subdivision 3; 13.32, subdivision 5; 120A.22,

1.7subdivisions 12, 13, by adding a subdivision; 120A.24, subdivision 4; 120B.021,

1.8subdivisions 2, 3; 120B.024; 120B.119, subdivisions 2a, 10; 120B.12, subdivisions

1.91, 2, 2a, 3, 4, 4a; 120B.123, subdivisions 1, 5, 7, by adding a subdivision; 120B.124,

1.10subdivision 2; 120B.35, subdivision 3; 120B.363, subdivisions 1, 2; 121A.031,

1.11subdivisions 2, 4, 6; 121A.041, subdivisions 2, 3; 121A.22, subdivision 2;

1.12121A.2205; 121A.2207; 121A.224; 121A.23, subdivision 1; 121A.41, subdivision

1.1310; 121A.49; 121A.73; 122A.09, subdivision 9; 122A.092, subdivisions 2, 5;

1.14122A.181, subdivision 3; 122A.182, subdivision 3; 122A.183, subdivision 2;

1.15122A.20, subdivision 2; 122A.441; 123B.09, by adding a subdivision; 123B.32,

1.16subdivisions 1, 2; 123B.52, by adding a subdivision; 124D.09, subdivisions 5, 5a,

1.175b, 9, 10; 124D.094, subdivision 1; 124D.111, by adding a subdivision; 124D.117,

1.18subdivision 2; 124D.119, subdivision 5; 124D.162; 124D.42, subdivision 8;

1.19124D.52, subdivision 2; 124D.792; 124E.02; 124E.03, subdivision 2, by adding

1.20a subdivision; 124E.05, subdivision 2; 124E.06, subdivision 7, by adding a

1.21subdivision; 124E.07, subdivisions 2, 3, 5, 6, 8; 124E.10, subdivision 4; 124E.13,

1.22subdivision 3; 124E.16, subdivisions 1, 3, by adding a subdivision; 124E.17;

1.23124E.26, subdivisions 4, 5, by adding a subdivision; 125A.091, subdivisions 3a,

1.245; 125A.0942, subdivisions 4, 6; Laws 2024, chapter 115, article 2, section 21,

1.25subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters

1.26120B; 124D; 125A; repealing Minnesota Statutes 2024, sections 120B.124,

1.27subdivision 6; 123B.935, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

GENERAL EDUCATION

Section 1. Minnesota Statutes 2024, section 120A.22, is amended by adding a subdivision to read:

Subd. 4a. Home school requirements. (a) A home school is a school of students related by parent or legal guardian, directed by the students' parent or legal guardian, or, with the parent or legal guardian's written permission, a school directed by another individual who meets requirements for an instructor under subdivision 10. The home school primary address must be a residence in Minnesota.

(b) "Directing a home school" means the home school parent or legal guardian, or instructor under subdivision 10, is responsible for selecting the students' materials, curriculum, and instruction plan; providing assessments required by subdivision 11 and maintaining or reporting records of required assessments; choosing the time, location, and method for daily instruction; and issuing transcripts and diplomas. Directing a home school has the same meaning as operating a home school.

(c) An individual with a conviction of, admission to, or Alford plea to one or more crimes listed in section 245C.15, subdivision 1, regardless of whether the conviction or admission is a felony, gross misdemeanor, or misdemeanor level crime is disqualified from directing or operating a home school. A home school educator must not operate a home school if any other adult residing in the home or home school setting has been convicted of or admitted to a crime described in this paragraph.

Sec. 2. Minnesota Statutes 2024, section 120A.22, subdivision 12, is amended to read:

Subd. 12. Legitimate exemptions. (a) A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to ~~any member of the board,~~ a truant officer, a ~~or the school official designated by the principal, or the superintendent.~~ The school district may state in its school attendance policy that it may ask the student's parent or legal guardian to verify in writing the reason for the child's absence from school. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse. The board of the district in which the child resides may approve the application upon the following being demonstrated to the satisfaction of that board:

(1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:

(i) child illness, medical, dental, orthodontic, or counseling appointments, including appointments conducted through telehealth;

(ii) family emergencies;

(iii) the death or serious illness or funeral of an immediate family member;

(iv) active duty in any military branch of the United States;

(v) the child has a condition that requires ongoing treatment for a mental health diagnosis; or

(vi) other exemptions included in the district's school attendance policy;

(2) that the child has already completed state and district standards required for graduation from high school; or

(3) that it is the wish of the parent, guardian, or other person having control of the child that the child attend, for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

(b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from an all-day, every day kindergarten program and put their child in a half-day program, if offered, or an alternate-day program without being truant. A school board must excuse a kindergarten child from a part of a school day at the request of the child's parent.

Sec. 3. Minnesota Statutes 2024, section 120A.22, subdivision 13, is amended to read:

Subd. 13. ~~Issuing and Reporting excuses attendance.~~ (a) A student who is participating in cocurricular or extracurricular activities must be counted as in attendance to the extent that the activities occur during school hours. For the purposes of this paragraph, "cocurricular activities" and "extracurricular activities" have the meanings given in section 123B.49, subdivisions 3 and 4.

4.1 ~~(b) The clerk or any authorized officer of the board~~ principal must issue and keep a
4.2 record of such excuses, under such rules as the board may from time to time establish.

4.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

4.4 Sec. 4. Minnesota Statutes 2024, section 120A.24, subdivision 4, is amended to read:

4.5 Subd. 4. **Reports to the state or county.** (a) A superintendent must make an annual
4.6 report to the commissioner of education by December 1 of the total number of nonpublic
4.7 children reported as residing in the district. The report must include the following
4.8 information:

4.9 (1) the number of children residing in the district attending nonpublic schools or receiving
4.10 instruction from persons or institutions other than a public school;

4.11 (2) the number of children in clause (1) who are in compliance with section 120A.22
4.12 and this section; and

4.13 (3) the number of children in clause (1) who the superintendent has determined are not
4.14 in compliance with section 120A.22 and this section.

4.15 (b) No later than 15 school days after the beginning of each academic term, a school
4.16 principal must report to the superintendent a list of names and last known addresses of all
4.17 students who were enrolled in the school for the previous term, are not enrolled in the school
4.18 for the current term, and were otherwise eligible for enrollment, unless the school has been
4.19 notified that the student has enrolled in another school. The superintendent must immediately
4.20 make the list received from the principal available to an authorized representative of a county
4.21 agency whose statutory purpose is to enroll students in school.

4.22 Sec. 5. Minnesota Statutes 2024, section 120B.021, subdivision 2, is amended to read:

4.23 Subd. 2. **Standards development.** (a) The commissioner must consider advice from at
4.24 least the following stakeholders in developing statewide rigorous core academic standards
4.25 in language arts, mathematics, science, social studies, including history, geography,
4.26 economics, government and citizenship, health, and the arts:

4.27 (1) parents of school-age children and members of the public throughout the state;

4.28 (2) teachers throughout the state currently licensed and providing instruction in language
4.29 arts, mathematics, science, social studies, health, or the arts and licensed elementary and
4.30 secondary school principals throughout the state currently administering a school site;

(3) currently serving members of local school boards and charter school boards throughout the state;

(4) faculty teaching core subjects at postsecondary institutions in Minnesota;

(5) representatives of the Minnesota business community;

(6) representatives from the Tribal Nations Education Committee and Tribal Nations and communities in Minnesota, including both Anishinaabe and Dakota; and

(7) current students, with input from the Minnesota Youth Council.

(b) Academic standards must:

(1) be clear, concise, objective, and measurable, ~~and grade-level appropriate;~~

(2) not require a specific teaching methodology or curriculum; and

(3) be consistent with the Constitutions of the United States and the state of Minnesota.

Sec. 6. Minnesota Statutes 2024, section 120B.024, is amended to read:

120B.024 CREDITS.

Subdivision 1. **Graduation requirements.** (a) Students must successfully complete the following high school level credits for graduation:

(1) four credits of language arts sufficient to satisfy all of the academic standards in English language arts;

(2) three credits of mathematics sufficient to satisfy all of the academic standards in mathematics;

(3) three credits of science, including one credit to satisfy all the earth and space science standards for grades 9 through 12, one credit to satisfy all the life science standards for grades 9 through 12, and one credit to satisfy all the chemistry or physics standards for grades 9 through 12;

(4) three and one-half credits of social studies, including credit for a course in government and citizenship in either grade 11 or 12 for students beginning grade 9 in the 2025-2026 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under section 120B.021, subdivision 1a, and a combination of other credits encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

(5) one credit of the arts sufficient to satisfy all of the academic standards in the arts;

(6) credit sufficient to satisfy the state standards in physical education;

(7) credits sufficient to satisfy the state standards in health upon adoption of statewide rules for implementing health standards under section 120B.021; and

(8) a minimum of seven elective credits.

(b) Students who begin grade 9 in the 2024-2025 school year and later must successfully complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal finance course that satisfies the graduation requirement must have a field license or out-of-field permission in agricultural education, business, family and consumer science, social studies, or math.

Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a school's agricultural, food, and natural resources education or business education program or department may fulfill a one-half credit in social studies under subdivision 1, clause ~~(5)~~ (4), if the credit is sufficient to satisfy all of the academic standards in economics.

(b) An agriculture science or career and technical education credit may fulfill the elective science credit required under subdivision 1, clause ~~(4)~~ (3), if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under subdivision 1, clause ~~(4)~~ (3), if the credit meets the state chemistry or physics academic standards as approved by the district. A student must satisfy either all of the chemistry academic standards or all of the physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under subdivision 1, clause ~~(4)~~ (3).

(c) A career and technical education credit may fulfill a mathematics or arts credit requirement under subdivision 1, clause (2) or ~~(6)~~ (5).

(d) An agricultural, food, and natural resources education teacher is not required to meet the requirements of Minnesota Rules, part 3505.1150, subpart 2, item B, to meet the credit equivalency requirements of paragraph (b) ~~above~~.

(e) A computer science credit may fulfill a mathematics credit requirement under subdivision 1, clause (2), if the credit meets state academic standards in mathematics.

(f) A Project Lead the Way credit may fulfill a science or mathematics credit requirement under subdivision 1, clause (2) or ~~(4)~~ (3), if the credit meets the state academic standards in science or mathematics.

(g) An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local standards or other requirements.

(h) A personal finance credit taught by a teacher with a field license or out-of-field permission in math may fulfill a mathematics credit requirement under subdivision 1, clause (2).

EFFECTIVE DATE. This section is effective for the 2025-2026 school year and later.

Sec. 7. Minnesota Statutes 2024, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** (a) Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school district, a charter school, or an American Indian-controlled Tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution.

(b) If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. The institution must notify the pupil's school as soon as practicable if the pupil withdraws from the enrolled course. The institution must also notify the pupil's school as soon as practicable if the pupil has been absent from a course for ten consecutive days on which classes are held, based upon the postsecondary institution's academic calendar, and the pupil is not receiving instruction in their home or hospital or other facility.

(c) If the pupil enrolls in a course for postsecondary credit, the institution must notify:

(1) the pupil about payment in the customary manner used by the institution; and

(2) the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.

8.1 Sec. 8. Minnesota Statutes 2024, section 124D.09, subdivision 5a, is amended to read:

8.2 Subd. 5a. **Authorization; career or technical education.** A 10th, 11th, or 12th grade
8.3 pupil enrolled in a school district, a charter school, or an American Indian-controlled tribal
8.4 contract or grant school eligible for aid under section 124D.83, except a foreign exchange
8.5 pupil enrolled in a district under a cultural exchange program, may enroll in a career or
8.6 technical education course offered by a Minnesota state college or university. A 10th grade
8.7 pupil applying for enrollment in a career or technical education course under this subdivision
8.8 must have received a passing score on the 8th grade Minnesota Comprehensive Assessment
8.9 in reading as a condition of enrollment. A current 10th grade pupil who did not take the 8th
8.10 grade Minnesota Comprehensive Assessment in reading may substitute another reading
8.11 assessment accepted by the enrolling postsecondary institution. A secondary pupil may
8.12 enroll in the pupil's first postsecondary options enrollment course under this subdivision.
8.13 A student who is refused enrollment by a Minnesota state college or university under this
8.14 subdivision may apply to an eligible institution offering a career or technical education
8.15 course. The postsecondary institution must give priority to its students according to
8.16 subdivision 9. If a secondary student receives a grade of "C" or better in the career or
8.17 technical education course taken under this subdivision, the postsecondary institution must
8.18 allow the student to take additional postsecondary courses for secondary credit at that
8.19 institution, not to exceed the limits in subdivision 8. A "career or technical course" is a
8.20 course that is part of a career and technical education program that provides individuals
8.21 with coherent, rigorous content aligned with academic standards and relevant technical
8.22 knowledge and skills needed to prepare for further education and careers in current and
8.23 emerging professions and provide technical skill proficiency, an industry recognized
8.24 credential, and a certificate, a diploma, or an associate degree.

8.25 Sec. 9. Minnesota Statutes 2024, section 124D.09, subdivision 5b, is amended to read:

8.26 Subd. 5b. **Authorization; 9th or 10th grade pupil.** Notwithstanding any other law to
8.27 the contrary, a 9th or 10th grade pupil enrolled in a school district, a charter school, or an
8.28 American Indian-controlled tribal contract or grant school eligible for aid under section
8.29 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange
8.30 program, may apply to enroll in nonsectarian courses offered under subdivision 10, if:

8.31 (1) the school district, charter school, or Tribal school district and the eligible
8.32 postsecondary institution providing the course agree to the student's enrollment; or

(2) the course is a world language course currently available to 11th and 12th grade students, and consistent with section 120B.022 governing world language standards, certificates, and seals.

Sec. 10. Minnesota Statutes 2024, section 124D.09, subdivision 9, is amended to read:

Subd. 9. **Enrollment priority.** (a) A postsecondary institution must give priority to its postsecondary students when enrolling pupils in grades 10, 11, and 12 in its courses. A postsecondary institution may provide information about its programs to a secondary school or to a pupil or parent and it may advertise or otherwise recruit or solicit a secondary pupil to enroll in its programs on educational and programmatic grounds only ~~except, notwithstanding other law to the contrary, and for the 2014-2015 through 2019-2020 school years only, an eligible postsecondary institution may advertise or otherwise recruit or solicit a secondary pupil residing in a school district with 700 students or more in grades 10, 11, and 12, to enroll in its programs on educational, programmatic, or financial grounds.~~

(b) An institution must not enroll secondary pupils, for postsecondary enrollment options purposes, in remedial, developmental, or other courses that are not college level except when a student eligible to participate and enrolled in the graduation incentives program under section 124D.68 enrolls full time in a middle or early college program. A middle or early college program must be specifically designed to allow the student to earn dual high school and college credit with a well-defined pathway to allow the student to earn a postsecondary degree or credential. In this case, the student must receive developmental college credit and not college credit for completing remedial or developmental courses.

(c) Once a pupil has been enrolled in any postsecondary course under this section, the pupil must not be displaced by another student.

(d) If a postsecondary institution enrolls a secondary school pupil in a course under this section, the postsecondary institution also must enroll in the same course an otherwise enrolled and qualified postsecondary student who qualifies as a veteran under section 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's established enrollment timelines were not practicable for that student.

(e) A postsecondary institution must allow secondary pupils to enroll in online courses under this section consistent with the institution's policy regarding postsecondary pupil enrollment in online courses.

10.1 Sec. 11. Minnesota Statutes 2024, section 124D.09, subdivision 10, is amended to read:

10.2 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to
10.3 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a
10.4 postsecondary faculty member and offered at a secondary school, charter school, Tribal
10.5 school, or another location, according to an agreement between a public school board, board
10.6 of directors, or Tribal school and the governing body of an eligible public postsecondary
10.7 system or an eligible private postsecondary institution, as defined in subdivision 3. All
10.8 provisions of this section apply to a pupil, public school board, board of directors, Tribal
10.9 council, district, charter school, Tribal school, and the governing body of a postsecondary
10.10 institution, except as otherwise provided. A secondary school and a postsecondary institution
10.11 that enrolls eligible pupils in courses according to agreements must annually report to the
10.12 commissioner the participation rates of pupils enrolled in courses according to agreements,
10.13 including the number of pupils enrolled and the number of courses taken for postsecondary
10.14 or dual credit.

10.15 (b) To encourage students, especially American Indian students and students of color,
10.16 to consider teaching as a profession, participating ~~schools,~~ school districts, charter schools,
10.17 Tribal schools, and postsecondary institutions are encouraged to develop and offer an
10.18 "Introduction to Teaching" or "Introduction to Education" course under this subdivision.
10.19 For the purpose of applying for grants under this paragraph, "eligible institution" includes
10.20 ~~schools and~~ school districts, charter schools, or Tribal schools that partner with an accredited
10.21 college or university in addition to postsecondary institutions identified in subdivision 3,
10.22 paragraph (a). Grant recipients under this paragraph must annually report to the commissioner
10.23 in a form and manner determined by the commissioner on the participation rates of students
10.24 in courses under this paragraph, including the number of students who apply for admission
10.25 to colleges or universities with teacher preparation programs and the number of students of
10.26 color and American Indian students who earned postsecondary credit. Grant recipients must
10.27 also describe recruiting efforts intended to ensure that the percentage of participating students
10.28 who are of color or American Indian meets or exceeds the overall percentage of students
10.29 of color or American Indian students in the school.

10.30 Sec. 12. Minnesota Statutes 2024, section 124D.094, subdivision 1, is amended to read:

10.31 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
10.32 the meanings given.

11.1 (b) "Blended instruction" means a form of digital instruction that occurs when a student
11.2 learns part time in a supervised physical setting and part time through online instruction
11.3 under paragraph (f).

11.4 (c) "Digital instruction" means instruction facilitated by technology that offers students
11.5 an element of control over the time, place, path, or pace of learning and includes blended
11.6 and online instruction.

11.7 (d) "Enrolling district" means the school district or charter school in which a student is
11.8 enrolled under section ~~120A.22, subdivision 4~~ 120A.05, subdivision 8, or chapter 124E.

11.9 (e) "Online course syllabus" means a written document that identifies the state academic
11.10 standards taught and assessed in a supplemental online course under paragraph (j); course
11.11 content outline; required course assessments; instructional methods; communication
11.12 procedures with students, guardians, and the enrolling district under paragraph (d); and
11.13 supports available to the student.

11.14 (f) "Online instruction" means a form of digital instruction that occurs when a student
11.15 learns primarily through digital technology away from a supervised physical setting.

11.16 (g) "Online instructional site" means a site that offers courses using online instruction
11.17 under paragraph (f) and may enroll students receiving online instruction under paragraph
11.18 (f).

11.19 (h) "Online teacher" means an employee of the enrolling district under paragraph (d) or
11.20 the supplemental online course provider under paragraph (k) who holds the appropriate
11.21 licensure under Minnesota Rules, chapter 8710, and is trained to provide online instruction
11.22 under paragraph (f).

11.23 (i) "Student" means a Minnesota resident enrolled in a school defined under section
11.24 120A.22, subdivision 4, in kindergarten through grade 12 up to the age of 21.

11.25 (j) "Supplemental online course" means an online learning course taken in place of a
11.26 course provided by the student's enrolling district under paragraph (d).

11.27 (k) "Supplemental online course provider" means a school district, an intermediate school
11.28 district, a state-operated school, an organization of two or more school districts operating
11.29 under a joint powers agreement, or a charter school located in Minnesota that is authorized
11.30 by the Department of Education to provide supplemental online courses under paragraph
11.31 (j).

12.1 Sec. 13. Minnesota Statutes 2024, section 124D.52, subdivision 2, is amended to read:

12.2 Subd. 2. **Program approval.** (a) To receive aid under this section, a district, the
12.3 Department of Corrections, a private nonprofit organization, or a consortium including
12.4 districts, nonprofit organizations, or both must submit an application by June 1 describing
12.5 the program, on a form provided by the department. The program must be approved by the
12.6 commissioner according to the following criteria:

12.7 (1) how the needs of different levels of learning and English language proficiency will
12.8 be met;

12.9 (2) for continuing programs, an evaluation of results;

12.10 (3) anticipated number and education level of participants;

12.11 (4) coordination with other resources and services;

12.12 (5) participation in a consortium, if any, and money available from other participants;

12.13 (6) management and program design;

12.14 (7) volunteer training and use of volunteers;

12.15 (8) staff development services;

12.16 (9) program sites and schedules;

12.17 (10) program expenditures that qualify for aid;

12.18 (11) program ability to provide data related to learner outcomes as required by law; and

12.19 (12) a copy of the memorandum of understanding described in subdivision 1 submitted
12.20 to the commissioner.

12.21 (b) Adult basic education programs may be approved under this subdivision for up to
12.22 ~~five~~ six years. ~~Five-year~~ Six-year program approval must be granted to an applicant who
12.23 has demonstrated the capacity to:

12.24 (1) offer comprehensive learning opportunities and support service choices appropriate
12.25 for and accessible to adults at all basic skill and English language levels of need;

12.26 (2) provide a participatory and experiential learning approach based on the strengths,
12.27 interests, and needs of each adult, that enables adults with basic skill needs to:

12.28 (i) identify, plan for, and evaluate their own progress toward achieving their defined
12.29 educational and occupational goals;

(ii) master the basic academic reading, writing, and computational skills, as well as the problem-solving, decision making, interpersonal effectiveness, and other life and learning skills they need to function effectively in a changing society;

(iii) locate and be able to use the health, governmental, and social services and resources they need to improve their own and their families' lives; and

(iv) continue their education, if they desire, to at least the level of secondary school completion, with the ability to secure and benefit from continuing education that will enable them to become more employable, productive, and responsible citizens;

(3) plan, coordinate, and develop cooperative agreements with community resources to address the needs that the adults have for support services, such as transportation, English language learning, flexible course scheduling, convenient class locations, and child care;

(4) collaborate with business, industry, labor unions, and employment-training agencies, as well as with family and occupational education providers, to arrange for resources and services through which adults can attain economic self-sufficiency;

(5) provide sensitive and well trained adult education personnel who participate in local, regional, and statewide adult basic education staff development events to master effective adult learning and teaching techniques;

(6) participate in regional adult basic education peer program reviews and evaluations;

(7) submit accurate and timely performance and fiscal reports;

(8) submit accurate and timely reports related to program outcomes and learner follow-up information; and

(9) spend adult basic education aid on adult basic education purposes only, which are specified in sections 124D.518 to 124D.531.

(c) The commissioner shall require each district to provide notification by February 1, of its intent to apply for funds under this section as a single district or as part of a consortium. A district receiving funds under this section must notify the commissioner by February 1 of its intent to change its application status for applications due the following June 1.

Sec. 14. REVISOR INSTRUCTION.

The revisor of statutes must substitute the term "school district, charter school, or Tribal school" for "district" or "school district" wherever the terms appear in Minnesota Statutes, section 124D.09, subdivisions 3, 4, 6, 7, 8, 9, 11a, 12, 13, 16, 21, and 24, and section 124D.091. The revisor may also make grammatical changes related to the change in terms.

ARTICLE 2**EDUCATION EXCELLENCE**

Section 1. Minnesota Statutes 2024, section 13.03, subdivision 3, is amended to read:

Subd. 3. Request for access to data. (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.

(b) For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. Nothing in this section prohibits a government entity from charging a reasonable fee for remote access to data under a specific statutory grant of authority. A government entity may charge a fee for remote access to data where either the data or the access is enhanced at the request of the person seeking access.

(c) The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. However, if 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the responsible authority may charge no more than 25 cents for each page copied. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

(d) When a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by the government entity, the responsible authority may charge a reasonable fee for the information in addition to the costs of making and certifying the copies. Any fee charged must be clearly

demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

(e) The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. The entity may require the requesting person to pay the actual cost of providing the copy.

(f) If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

(g) If a responsible authority has notified the requesting person that responsive data or copies are available for inspection or collection, and the requesting person does not inspect the data or collect the copies within five business days of the notification, the responsible authority may suspend any further response to the request until the requesting person inspects the data that has been made available or collects and pays for the copies that have been produced.

Sec. 2. **[120B.213] HEALTHY AGING AND DEMENTIA EDUCATION.**

School districts and charter schools are encouraged to provide instruction on healthy aging and dementia to students in grades 6 through 12 that is aligned with applicable health standards and integrated into existing programs, curriculum, or the general school environment of a district or charter school. By July 1, 2026, and each even-numbered year thereafter, the commissioner of education, in consultation with the commissioner of health and dementia advocacy organizations, must provide districts and charter schools with age-appropriate resources on healthy aging and dementia, including but not limited to

16.1 strategies to maintain brain health, information on Alzheimer's disease and other forms of
16.2 dementia, and caring for an elder with a cognitive impairment.

16.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

16.4 Sec. 3. Minnesota Statutes 2024, section 120B.35, subdivision 3, is amended to read:

16.5 Subd. 3. **State growth measures; other state measures.** (a)(1) The state's educational
16.6 assessment system measuring individual students' educational growth is based on indicators
16.7 of current achievement that show growth relative to an individual student's prior achievement.
16.8 Indicators of achievement and prior achievement must be based on highly reliable statewide
16.9 or districtwide assessments.

16.10 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and
16.11 report separate categories of information using the student categories identified under the
16.12 federal Elementary and Secondary Education Act, as most recently reauthorized, and, in
16.13 addition to "other" for each race and ethnicity, and the Karen community, seven of the most
16.14 populous Asian and Pacific Islander groups, three of the most populous Native groups,
16.15 seven of the most populous Hispanic/Latino groups, and five of the most populous Black
16.16 and African Heritage groups as determined by the total Minnesota population based on the
16.17 most recent American Community Survey; English learners under section 124D.59; home
16.18 language; free or reduced-price meals; and all students enrolled in a Minnesota public school
16.19 who are currently or were previously in foster care, except that such disaggregation and
16.20 cross tabulation is not required if the number of students in a category is insufficient to yield
16.21 statistically reliable information or the results would reveal personally identifiable information
16.22 about an individual student.

16.23 (b) The commissioner, in consultation with a stakeholder group that includes assessment
16.24 and evaluation directors, district staff, experts in culturally responsive teaching, and
16.25 researchers, must implement an appropriate growth model that compares the difference in
16.26 students' achievement scores over time, and includes criteria for identifying schools and
16.27 school districts that demonstrate academic progress or progress toward English language
16.28 proficiency. The model may be used to advance educators' professional development and
16.29 replicate programs that succeed in meeting students' diverse learning needs. Data on
16.30 individual teachers generated under the model are personnel data under section 13.43. The
16.31 model must allow users to:

16.32 (1) report student growth consistent with this paragraph; and

(2) for all student categories, report and compare aggregated and disaggregated state student growth and, under section 120B.11, subdivision 2, clause (2), student learning and outcome data using the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and other student categories under paragraph (a), clause (2).

The commissioner must report measures of student growth and, under section 120B.11, subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph, including the English language development, academic progress, and oral academic development of English learners and their native language development if the native language is used as a language of instruction, and include data on all pupils enrolled in a Minnesota public school course or program who are currently or were previously counted as an English learner under section 124D.59. In addition, the commissioner must report language development outcomes of the target language of instruction other than English for all students who are in a dual language immersion program.

(c) When reporting student performance under section 120B.36, subdivision 1, the commissioner annually, beginning July 1, 2011, must report two core measures indicating the extent to which current high school graduates are being prepared for postsecondary academic and career opportunities:

(1) a preparation measure indicating the number and percentage of high school graduates in the most recent school year who completed course work important to preparing them for postsecondary academic and career opportunities, consistent with the core academic subjects required for admission to Minnesota's public colleges and universities as determined by the Office of Higher Education under chapter 136A; and

(2) a rigorous coursework measure indicating the number and percentage of high school graduates in the most recent school year who successfully completed one or more college-level advanced placement, international baccalaureate, postsecondary enrollment options including concurrent enrollment, other rigorous courses of study under section 120B.021, subdivision 1a, or industry certification courses or programs.

When reporting the core measures under clauses (1) and (2), the commissioner must also analyze and report separate categories of information using the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and other student categories under paragraph (a), clause (2).

(d) When reporting student performance under section 120B.36, subdivision 1, the commissioner annually, beginning July 1, 2014, must report summary data on school safety

and students' engagement and connection at school, consistent with the student categories identified under paragraph (a), clause (2). The summary data under this paragraph are separate from and must not be used for any purpose related to measuring or evaluating the performance of classroom teachers. The commissioner, in consultation with qualified experts on student engagement and connection and classroom teachers, must identify highly reliable variables that generate summary data under this paragraph. The summary data may be used at school, district, and state levels only. Any data on individuals received, collected, or created that are used to generate the summary data under this paragraph are nonpublic data under section 13.02, subdivision 9.

(e) For purposes of statewide educational accountability, the commissioner must identify and report measures that demonstrate the success of learning year program providers under sections 123A.05 and 124D.68, among other such providers, in improving students' graduation outcomes. The commissioner, beginning July 1, 2015, must annually report summary data on:

(1) the four- and six-year graduation rates of students under this paragraph;

(2) the percent of students under this paragraph whose progress and performance levels are meeting career and college readiness benchmarks under section 120B.307; and

(3) the success that learning year program providers experience in:

(i) identifying at-risk and off-track student populations by grade;

(ii) providing successful prevention and intervention strategies for at-risk students;

(iii) providing successful recuperative and recovery or reenrollment strategies for off-track students; and

(iv) improving the graduation outcomes of at-risk and off-track students.

The commissioner may include in the annual report summary data on other education providers serving a majority of students eligible to participate in a learning year program.

(f) The commissioner, in consultation with recognized experts with knowledge and experience in assessing the language proficiency and academic performance of all English learners enrolled in a Minnesota public school course or program who are currently or were previously counted as an English learner under section 124D.59, must identify and report appropriate and effective measures to improve current categories of language difficulty and assessments, and monitor and report data on students' English proficiency levels, program placement, and academic language development, including oral academic language.

(g) When reporting four- and six-year graduation rates, the commissioner or school district must disaggregate the data by student categories according to paragraph (a), clause (2).

(h) A school district must inform parents and guardians that volunteering information on student categories not required by the most recent reauthorization of the Elementary and Secondary Education Act is optional and will not violate the privacy of students or their families, parents, or guardians. The notice must state the purpose for collecting the student data.

Sec. 4. Minnesota Statutes 2024, section 120B.363, subdivision 1, is amended to read:

Subdivision 1. **Rulemaking.** ~~The Professional Educator Licensing and Standards Board~~ commissioner must adopt rules to implement a statewide credential for education paraprofessionals who assist a licensed teacher in providing student instruction. Any paraprofessional holding this credential or working in a local school district after meeting a state-approved local assessment is considered to be highly qualified under federal law. Under this subdivision, ~~the Professional Educator Licensing and Standards Board, in consultation with the commissioner,~~ must adopt qualitative criteria for approving local assessments that include an evaluation of a paraprofessional's knowledge of reading, writing, and math and the paraprofessional's ability to assist in the instruction of reading, writing, and math. The commissioner must approve or disapprove local assessments using these criteria. The commissioner must make the criteria available to the public.

Sec. 5. Minnesota Statutes 2024, section 120B.363, subdivision 2, is amended to read:

Subd. 2. **Training possibilities.** In adopting rules under subdivision 1, the ~~board~~ commissioner must consider including provisions that provide training in: students' characteristics; teaching and learning environment; academic instruction skills; student behavior; and ethical practices.

Sec. 6. Minnesota Statutes 2024, section 121A.031, subdivision 2, is amended to read:

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "District" means a district under section 120A.05, subdivision 8.

(c) "Public school" or "school" means a public school under section 120A.05, subdivisions 9, 11, 13, and 17, and a charter school under chapter 124E.

20.1 (d) "Student" means a student enrolled in a school under paragraph (c).

20.2 (e) "Bullying" means intimidating, threatening, abusive, or harming conduct that is
20.3 objectively offensive and:

20.4 (1) there is an actual or perceived imbalance of power between the student engaging in
20.5 prohibited conduct and the target of the behavior and the conduct is repeated or forms a
20.6 pattern; or

20.7 (2) materially and substantially interferes with a student's educational opportunities or
20.8 performance or ability to participate in school functions or activities or receive school
20.9 benefits, services, or privileges.

20.10 (f) "Cyberbullying" means bullying using technology or other electronic communication,
20.11 including but not limited to a transfer of a sign, signal, writing, image, sound, or data,
20.12 including a post on a social network Internet website or forum, transmitted through a
20.13 computer, cell phone, or other electronic device.

20.14 (g) Intimidating, threatening, abusive, or harming conduct may involve, but is not limited
20.15 to, conduct that causes physical harm to a student or a student's property or causes a student
20.16 to be in reasonable fear of harm to person or property; under Minnesota common law,
20.17 violates a student's reasonable expectation of privacy, defames a student, or constitutes
20.18 intentional infliction of emotional distress against a student; is directed at any student or
20.19 students, including those based on a person's actual or perceived race, ethnicity, color, creed,
20.20 religion, national origin, immigration status, sex, marital status, familial status, socioeconomic
20.21 status, physical appearance, sexual orientation, including gender identity and expression,
20.22 academic status related to student performance, disability, or status with regard to public
20.23 assistance, age, or any additional characteristic defined in chapter 363A. However, prohibited
20.24 conduct need not be based on any particular characteristic defined in this paragraph or
20.25 chapter 363A.

20.26 (h) "Prohibited conduct" means bullying or cyberbullying as defined under this
20.27 subdivision or retaliation for asserting, alleging, reporting, or providing information about
20.28 such conduct or knowingly making a false report about bullying.

20.29 (i) "Remedial response" means a measure to stop and correct prohibited conduct, prevent
20.30 prohibited conduct from recurring, and protect, support, and intervene on behalf of the
20.31 student who is the target of the prohibited conduct. Remedial responses may include but
20.32 are not limited to nonexclusionary disciplinary policies and practices as defined in sections
20.33 121A.41, subdivision 12, and 121A.425, subdivision 2, and comprehensive school mental
20.34 health systems.

21.1 (j) "Familial status" means the condition of one or more minors being domiciled having
21.2 legal status or custody with (1) the minor's parent or parents or the minor's legal guardian
21.3 or guardians, or (2) the designee of the parent or parents or guardian or guardians with the
21.4 written permission of the parent or parents or guardian or guardians.

21.5 Sec. 7. Minnesota Statutes 2024, section 121A.031, subdivision 4, is amended to read:

21.6 Subd. 4. **Local policy components.** (a) Each district and school policy implemented
21.7 under this section must, at a minimum:

21.8 (1) designate a staff member as the primary contact person in the school building to
21.9 receive reports of prohibited conduct under clause (3), ensure the policy and its procedures
21.10 including restorative practices, consequences, and sanctions are fairly and fully implemented,
21.11 and serve as the primary contact on policy and procedural matters implicating both the
21.12 district or school and the department;

21.13 (2) require school employees who witness prohibited conduct or possess reliable
21.14 information that would lead a reasonable person to suspect that a student is a target of
21.15 prohibited conduct to make reasonable efforts to address and resolve the prohibited conduct;

21.16 (3) provide a procedure to begin to investigate reports of prohibited conduct within three
21.17 school days of the report, and make the primary contact person responsible for the
21.18 investigation and any resulting record and for keeping and regulating access to any record;

21.19 (4) indicate how a school will respond to an identified incident of prohibited conduct,
21.20 including immediately intervening to protect the target of the prohibited conduct; at the
21.21 school administrator's discretion and consistent with state and federal data practices law
21.22 governing access to data, including section 13.02, subdivision 8, a presumption that a district
21.23 or school official will notify the ~~parent~~ individuals with familial status of the reported target
21.24 of the prohibited conduct and the ~~parent~~ individuals with familial status of the actor engaged
21.25 in the prohibited conduct; providing other remedial responses to the prohibited conduct;
21.26 and ensuring that remedial responses are tailored to the particular incident and nature of the
21.27 conduct and the student's developmental age and behavioral history;

21.28 (5) prohibit reprisals or retaliation against any person who asserts, alleges, or reports
21.29 prohibited conduct or provides information about such conduct and establish appropriate
21.30 consequences for a person who engages in reprisal or retaliation;

21.31 (6) allow anonymous reporting but do not rely solely on an anonymous report to
21.32 determine discipline;

22.1 (7) provide information about available community resources to the target, actor, and
22.2 other affected individuals, as appropriate;

22.3 (8) where appropriate for a child with a disability to prevent or respond to prohibited
22.4 conduct, allow the child's individualized education program or section 504 plan to address
22.5 the skills and proficiencies the child needs to respond to or not engage in prohibited conduct;

22.6 (9) use new employee training materials, the school publication on school rules,
22.7 procedures, and standards of conduct, and the student handbook on school policies to
22.8 publicize the policy;

22.9 (10) require ongoing professional development, consistent with section 122A.60, to
22.10 build the skills of all school personnel who regularly interact with students, including but
22.11 not limited to educators, administrators, school counselors, social workers, psychologists,
22.12 other school mental health professionals, school nurses, cafeteria workers, custodians, bus
22.13 drivers, athletic coaches, extracurricular activities advisors, and paraprofessionals to identify,
22.14 prevent, and appropriately address prohibited conduct;

22.15 (11) allow the alleged actor in an investigation of prohibited conduct to present a defense;
22.16 and

22.17 (12) inform affected students and their parents of their rights under state and federal
22.18 data practices laws to obtain access to data related to the incident and their right to contest
22.19 the accuracy or completeness of the data.

22.20 (b) Professional development under a local policy includes, but is not limited to,
22.21 information about:

22.22 (1) developmentally appropriate strategies both to prevent and to immediately and
22.23 effectively intervene to stop prohibited conduct;

22.24 (2) the complex dynamics affecting an actor, target, and witnesses to prohibited conduct;

22.25 (3) research on prohibited conduct, including specific categories of students at risk for
22.26 prohibited conduct in school;

22.27 (4) the incidence and nature of cyberbullying; and

22.28 (5) Internet safety and cyberbullying.

22.29 Sec. 8. Minnesota Statutes 2024, section 121A.031, subdivision 6, is amended to read:

22.30 Subd. 6. **State model policy.** (a) The commissioner, in consultation with the
22.31 commissioner of human rights, shall develop and maintain a state model policy. A district

or school that does not adopt and implement a local policy under subdivisions 3 to 5 must implement and may supplement the provisions of the state model policy. The commissioner must assist districts and schools under this subdivision to implement the state policy. The state model policy must:

(1) define prohibited conduct, consistent with this section;

(2) apply the prohibited conduct policy components in this section;

(3) for a child with a disability, whenever an evaluation by an individualized education program team or a section 504 team indicates that the child's disability affects the child's social skills development or the child is vulnerable to prohibited conduct because of the child's disability, the child's individualized education program or section 504 plan may address the skills and proficiencies the child needs to not engage in and respond to such conduct; and

(4) encourage violence prevention and character development education programs under section 120B.232, subdivision 1.

(b) The commissioner shall develop and post departmental procedures for:

(1) periodically reviewing district and school programs and policies for compliance with this section;

(2) ~~investigating~~ assessing, evaluating, reporting, and responding to noncompliance with this section, which may include an annual review of plans to improve and provide a safe and supportive school climate; and

(3) allowing students, parents, and educators to file a complaint about noncompliance with the commissioner.

(c) The commissioner must post on the department's website information indicating that when districts and schools allow non-curriculum-related student groups access to school facilities, the district or school must give all student groups equal access to the school facilities regardless of the content of the group members' speech.

(d) The commissioner must develop and maintain resources to assist a district or school in implementing strategies for creating a positive school climate and use evidence-based, social-emotional learning to prevent and reduce discrimination and other improper conduct.

Sec. 9. Minnesota Statutes 2024, section 121A.041, subdivision 2, is amended to read:

Subd. 2. **Prohibition on American Indian mascots.** (a) Starting September 1, 2026, a public school may not have or adopt a name, symbol, or image that depicts or refers to an

24.1 American Indian Tribe, individual, custom, or tradition to be used as a mascot, nickname,
 24.2 logo, letterhead, or team name of the school, district, or school within the district, unless
 24.3 the school has obtained an exemption under subdivision 3.

24.4 (b) The prohibition in paragraph (a) does not apply to a public school located within the
 24.5 reservation of a federally recognized Tribal Nation in Minnesota, where at least 95 percent
 24.6 of students meet the state definition of American Indian student.

24.7 (c) A school district with a prohibited American Indian mascot according to paragraph
 24.8 (a), that has not received an exemption according to subdivision 3, must report to the chairs
 24.9 and ranking minority members of the legislative committees having jurisdiction over
 24.10 kindergarten through grade 12 education policy and education finance by February 14,
 24.11 2025, and again by February 1, 2026, on the district's progress to comply with this section;
 24.12 and the district must submit copies of the reports to the Legislative Reference Library. The
 24.13 reports must include the following:

24.14 (1) confirmation that the district has removed the American Indian mascot, nickname,
 24.15 logo, letterhead, or team name from the district website;

24.16 (2) confirmation that the board of the district has approved a new mascot, nickname,
 24.17 logo, letterhead, or team name;

24.18 (3) a summary of the district's progress on removing the American Indian mascot,
 24.19 nickname, logo, letterhead, or team name from uniforms, equipment, signs, elements of
 24.20 facilities, and other district items; and

24.21 (4) a summary of resources necessary to comply with the prohibition in paragraph (a)
 24.22 and the district's plan to raise and allocate any necessary funds.

24.23 **EFFECTIVE DATE.** This section is effective for reports submitted after June 30, 2025.

24.24 Sec. 10. Minnesota Statutes 2024, section 121A.041, subdivision 3, is amended to read:

24.25 Subd. 3. **Exemption.** A public school may seek an exemption to subdivision 2 by
 24.26 ~~submitting a request in writing to all 11 federally recognized Tribal Nations in Minnesota~~
 24.27 ~~and to the Tribal Nations Education Committee by September 1, 2023. The exemption is~~
 24.28 ~~denied if any of the 11 Tribal Nations or the Tribal Nations Education Committee oppose~~
 24.29 ~~the exemption by December 15, 2023~~ requesting a letter of consent from the federally
 24.30 recognized Tribal Nation in Minnesota that is located nearest to the public school. A public
 24.31 school whose request for ~~an exemption~~ consent from a Tribal Nation is denied must comply
 24.32 with subdivision 2 ~~by September 1, 2026.~~

25.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

25.2 Sec. 11. Minnesota Statutes 2024, section 121A.22, subdivision 2, is amended to read:

25.3 Subd. 2. **Exclusions.** In addition, this section does not apply to drugs or medicine that
25.4 are:

25.5 (1) purchased without a prescription;

25.6 (2) used by a pupil who is 18 years old or older;

25.7 (3) used in connection with services for which a minor may give effective consent,
25.8 including section 144.343, subdivision 1, and any other law;

25.9 (4) used in situations in which, in the judgment of the school personnel, including a
25.10 licensed nurse, who are present or available, the risk to the pupil's life or health is of such
25.11 a nature that drugs or medicine should be given without delay;

25.12 (5) used off the school grounds;

25.13 (6) used in connection with athletics or extra curricular activities;

25.14 (7) used in connection with activities that occur before or after the regular school day;

25.15 (8) provided or administered by a public health agency to prevent or control an illness
25.16 or a disease outbreak as provided for in sections 144.05 and 144.12;

25.17 (9) prescription asthma or reactive airway disease medications self-administered by a
25.18 pupil with an asthma inhaler, consistent with section 121A.221, if the district has received
25.19 a written authorization from the pupil's parent permitting the pupil to self-administer the
25.20 medication, the inhaler is properly labeled for that student, and the parent has not requested
25.21 school personnel to administer the medication to the pupil. The parent must submit written
25.22 authorization for the pupil to self-administer the medication each school year; or

25.23 (10) epinephrine ~~auto-injectors~~ delivery systems, consistent with section 121A.2205, if
25.24 the parent and prescribing medical professional annually inform the pupil's school in writing
25.25 that (i) the pupil may possess the epinephrine or (ii) the pupil is unable to possess the
25.26 epinephrine and requires immediate access to epinephrine ~~auto-injectors~~ delivery systems
25.27 that the parent provides properly labeled to the school for the pupil as needed.

Sec. 12. Minnesota Statutes 2024, section 121A.2205, is amended to read:

**121A.2205 POSSESSION AND USE OF EPINEPHRINE ~~AUTO-INJECTORS~~
DELIVERY SYSTEMS; MODEL POLICY.**

Subdivision 1. **Definitions.** As used in this section:

(1) "administer" means the direct application of an epinephrine ~~auto-injector~~ delivery system to the body of an individual;

(2) "epinephrine ~~auto-injector~~ delivery system" means a ~~device that automatically injects a premeasured dose of epinephrine~~ medication product approved by the United States Food and Drug Administration that automatically delivers a single, premeasured dose of epinephrine to prevent or treat a life-threatening allergic reaction; and

(3) "school" means a public school under section 120A.22, subdivision 4, or a nonpublic school, excluding a home school, under section 120A.22, subdivision 4, that is subject to the federal Americans with Disabilities Act.

Subd. 2. **Plan for use of epinephrine ~~auto-injectors~~ delivery systems.** (a) At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine ~~auto-injectors~~ delivery systems that enables the student to:

(1) possess epinephrine ~~auto-injectors~~ delivery systems; or

(2) if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine ~~auto-injectors~~ delivery systems in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine ~~auto-injectors~~ delivery systems when required, consistent with section 121A.22, subdivision 2, clause (10). This health plan may be included in a student's 504 plan.

(b) Other nonpublic schools are encouraged to develop and implement an individualized written health plan for students requiring epinephrine ~~auto-injectors~~ delivery systems, consistent with this section and section 121A.22, subdivision 2, clause (10).

(c) A school district and its agents and employees are immune from liability for any act or failure to act, made in good faith, in implementing this section and section 121A.2207.

(d) The ~~education~~ commissioner of education, in collaboration with the commissioner of health, may develop and transmit to interested schools a model policy and individualized health plan form consistent with this section and federal 504 plan requirements. The policy and form may:

(1) assess a student's ability to safely possess epinephrine ~~auto-injectors~~ delivery systems;

(2) identify staff training needs related to recognizing anaphylaxis and administering epinephrine when needed;

(3) accommodate a student's need to possess or have immediate access to epinephrine ~~auto-injectors~~ delivery systems in close proximity to the student at all times during the instructional day; and

(4) ensure that the student's parent provides properly labeled epinephrine ~~auto-injectors~~ delivery systems to the school for the student as needed.

(e) Additional epinephrine ~~auto-injectors~~ delivery systems may be available in school first aid kits.

(f) The school board of the school district must define instructional day for the purposes of this section.

Sec. 13. Minnesota Statutes 2024, section 121A.2207, is amended to read:

121A.2207 LIFE-THREATENING ALLERGIES IN SCHOOLS; STOCK SUPPLY OF EPINEPHRINE ~~AUTO-INJECTORS~~ DELIVERY SYSTEMS.

Subdivision 1. **Districts and schools permitted to maintain supply.** (a) Notwithstanding section 151.37, districts and schools may obtain and possess epinephrine ~~auto-injectors~~ delivery systems to be maintained and administered by school personnel, including a licensed nurse, to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine ~~auto-injector~~ delivery system. The administration of an epinephrine ~~auto-injector~~ delivery system in accordance with this section is not the practice of medicine.

(b) Registered nurses may administer epinephrine ~~auto-injectors~~ delivery systems in a school setting according to a condition-specific protocol as authorized under section 148.235, subdivision 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses may administer epinephrine ~~auto-injectors~~ delivery systems in a school setting according to a condition-specific protocol that does not reference a specific patient

and that specifies the circumstances under which the epinephrine ~~auto-injector~~ delivery system is to be administered, when caring for a patient whose condition falls within the protocol.

Subd. 2. **Arrangements with manufacturers.** A district or school may enter into arrangements with manufacturers of epinephrine ~~auto-injectors~~ delivery systems to obtain epinephrine ~~auto-injectors~~ delivery systems at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine ~~auto-injectors~~ delivery systems.

Subd. 3. **Standing order for distribution and condition-specific protocol.** The commissioner of health must provide a district or school with a standing order for distribution of epinephrine delivery systems under sections 148.235, subdivision 8; and 151.37, subdivision 2.

Sec. 14. Minnesota Statutes 2024, section 121A.224, is amended to read:

121A.224 OPIATE ANTAGONISTS.

Subdivision 1. School district or charter school. (a) A school district or charter school must maintain a supply of opiate antagonists, as defined in section 604A.04, subdivision 1, at each school site to be administered in compliance with section 151.37, subdivision 12.

(b) Each school building must have at least two doses of a nasal opiate antagonist available on site.

(c) The commissioner of health shall identify resources, including at least one training video, to help schools implement an opiate antagonist emergency response and make the resources available for schools.

(d) A school board may adopt a model plan for use, storage, and administration of opiate antagonists.

Subd. 2. **High school students.** A school district or charter school must allow a student in grades 9 through 12 to possess and administer an opiate antagonist to another high school student if the district or charter school has received written authorization from the student's parent or guardian permitting the student to possess and administer the opiate antagonist. The protections of section 604A.04 apply to the possession and administration of opiate antagonists according to this section.

29.1 Sec. 15. Minnesota Statutes 2024, section 121A.23, subdivision 1, is amended to read:

29.2 Subdivision 1. **Sexually transmitted infections and diseases program.** The
29.3 commissioner of education, in consultation with the commissioner of health, shall assist
29.4 districts in developing and implementing a program to prevent and reduce the risk of sexually
29.5 transmitted infections and diseases, including but not exclusive to human immune deficiency
29.6 virus and human papilloma virus. Each district must have a program that includes at least:

29.7 (1) planning materials, guidelines, and other ~~technically accurate~~ and updated information
29.8 that is medically accurate and unbiased;

29.9 (2) a comprehensive, ~~technically~~ medically accurate, unbiased, and updated curriculum
29.10 that includes helping students ~~to~~ abstain from sexual activity ~~until marriage~~ and gain
29.11 knowledge of other methods of preventing sexually transmitted infections and diseases, and
29.12 is inclusive of all students regardless of their protected class status under chapter 363A;

29.13 (3) cooperation and coordination among districts and SCs;

29.14 ~~(4) a targeting of adolescents, especially those who may be at high risk of contracting~~
29.15 ~~sexually transmitted infections and diseases, for prevention efforts;~~

29.16 ~~(5)~~ (4) involvement of parents and other community members;

29.17 ~~(6)~~ (5) in-service training for appropriate district staff and school board members;

29.18 ~~(7)~~ (6) collaboration with state agencies and organizations having a sexually transmitted
29.19 infection and disease prevention or sexually transmitted infection and disease risk reduction
29.20 program;

29.21 ~~(8)~~ (7) collaboration with local community health services, agencies and organizations
29.22 having a sexually transmitted infection and disease prevention or sexually transmitted
29.23 infection and disease risk reduction program; and

29.24 ~~(9)~~ (8) participation by state and local student organizations.

29.25 The department may provide assistance at a neutral site to a nonpublic school participating
29.26 in a district's program. District programs must not conflict with the health and wellness
29.27 curriculum developed under Laws 1987, chapter 398, article 5, section 2, subdivision 7.

29.28 If a district fails to develop and implement a program to prevent and reduce the risk of
29.29 sexually transmitted infection and disease, the department must assist the service cooperative
29.30 in the region serving that district to develop or implement the program.

Sec. 16. Minnesota Statutes 2024, section 121A.41, subdivision 10, is amended to read:

Subd. 10. **Suspension.** "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than ten school days. If a suspension is longer than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. This definition does not apply to dismissal from school for ~~one school day or less than one school day~~, except as provided in federal law for a student with a disability. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. Consistent with section 125A.091, subdivision 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication for the parent's child as a condition of readmission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property, or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 school days.

Sec. 17. Minnesota Statutes 2024, section 121A.49, is amended to read:

121A.49 APPEAL.

A party to an exclusion or expulsion decision made under sections 121A.40 to 121A.56 may appeal the decision to the commissioner of education within 21 calendar days of school board action. Upon being served with a notice of appeal, the district shall provide the commissioner and the parent or guardian with a complete copy of the hearing record, including a written transcript of the expulsion hearing, within five days of its receipt of the notice of appeal. All written submissions by the appellant must be submitted and served on the respondent within ten days of ~~its actual~~ receipt of the hearing record, including the written transcript. All written submissions by the respondent must be submitted and served on the appellant within ten days of its actual receipt of the written submissions of the appellant. The decision of the school board must be implemented during the appeal to the commissioner.

In an appeal under this section, the commissioner may affirm the decision of the agency, may remand the decision for additional findings, or may reverse or modify the decision if the substantial rights of the petitioners have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- 31.1 (1) in violation of constitutional provisions;
- 31.2 (2) in excess of the statutory authority or jurisdiction of the school district;
- 31.3 (3) made upon unlawful procedure, except as provided in section 121A.48;
- 31.4 (4) affected by other error of law;
- 31.5 (5) unsupported by substantial evidence in view of the entire record submitted; or
- 31.6 (6) arbitrary or capricious.

31.7 The commissioner or the commissioner's representative shall make a final decision based
31.8 upon the record. The commissioner shall issue a decision within 30 calendar days of receiving
31.9 the entire record and the parties' written submission on appeal. The commissioner's decision
31.10 shall be final and binding upon the parties after the time for appeal expires under section
31.11 121A.50.

31.12 Sec. 18. Minnesota Statutes 2024, section 121A.73, is amended to read:

31.13 **121A.73 SCHOOL CELL PHONE POLICY.**

31.14 (a) A school district or charter school must adopt a policy on students' possession and
31.15 use of cell phones in school by March 15, 2025. The Minnesota Elementary School Principals'
31.16 Association and the Minnesota Association of Secondary School Principals must collaborate
31.17 to make best practices available to schools on a range of different strategies in order to
31.18 minimize the impact of cell phones on student behavior, mental health, and academic
31.19 attainment.

31.20 (b) Beginning in the 2026-2027 school year, the school district or charter school's school
31.21 cell phone policy must prohibit cell phones and smart watches in school for students in
31.22 grades kindergarten through 8 and prohibit cell phones and smart watches in classrooms
31.23 for students in grades 9 through 12. The policy must provide exceptions for devices necessary
31.24 for medical use, exceptions for devices included in an individualized education program
31.25 for a student with a disability, or other exceptions at the discretion of the school principal.
31.26 A school district or charter school with a school building that includes a combination of
31.27 elementary, middle, or secondary students must adopt a policy under this section that
31.28 prohibits cell phones and smart watches in school or in classrooms.

31.29 Sec. 19. Minnesota Statutes 2024, section 122A.09, subdivision 9, is amended to read:

31.30 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)
31.31 The Professional Educator Licensing and Standards Board must adopt rules subject to the

32.1 provisions of chapter 14 to implement sections ~~120B.363~~, 122A.05 to 122A.09, 122A.092,
32.2 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,
32.3 122A.187, 122A.188, 122A.19, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, 122A.29,
32.4 and 124D.72.

32.5 (b) The board must adopt rules relating to fields of licensure and grade levels that a
32.6 licensed teacher may teach, including a process for granting permission to a licensed teacher
32.7 to teach in a field that is different from the teacher's field of licensure without change to the
32.8 teacher's license tier level.

32.9 (c) If a rule adopted by the board is in conflict with a session law or statute, the law or
32.10 statute prevails. Terms adopted in rule must be clearly defined and must not be construed
32.11 to conflict with terms adopted in statute or session law.

32.12 (d) The board must include a description of a proposed rule's probable effect on teacher
32.13 supply and demand in the board's statement of need and reasonableness under section 14.131.

32.14 (e) The board must adopt rules only under the specific statutory authority.

32.15 Sec. 20. Minnesota Statutes 2024, section 122A.092, subdivision 2, is amended to read:

32.16 Subd. 2. **Requirements for board approval.** Teacher preparation programs must
32.17 demonstrate the following to obtain board approval:

32.18 (1) the program has implemented a research-based, results-oriented curriculum that
32.19 focuses on the skills teachers need in order to be effective;

32.20 (2) the program provides a student teaching program;

32.21 (3) the program demonstrates effectiveness based on proficiency of graduates in
32.22 demonstrating attainment of program outcomes;

32.23 (4) the program includes a common core of teaching knowledge and skills. This common
32.24 core shall meet the standards developed by the Interstate New Teacher Assessment and
32.25 Support Consortium ~~in its 1992 model standards~~ for beginning teacher licensing and
32.26 development. Amendments to standards adopted under this clause are subject to chapter
32.27 14. ~~The Professional Educator Licensing and Standards Board shall report annually to the~~
32.28 ~~education committees of the legislature on the performance of teacher candidates on common~~
32.29 ~~core assessments of knowledge and skills under this clause during the most recent school~~
32.30 ~~year;~~

32.31 (5) the program includes instruction on the knowledge and skills needed to provide
32.32 appropriate instruction to English learners to support and accelerate their academic literacy,

33.1 including oral academic language and achievement in content areas in a regular classroom
33.2 setting; and

33.3 (6) the program includes culturally competent training in instructional strategies consistent
33.4 with section 120B.30, subdivision 8.

33.5 Sec. 21. Minnesota Statutes 2024, section 122A.092, subdivision 5, is amended to read:

33.6 Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the
33.7 Professional Educator Licensing and Standards Board to prepare persons for classroom
33.8 teacher licensure must include in its teacher preparation programs evidence-based best
33.9 practices in reading, consistent with sections 120B.118 to 120B.124, including instruction
33.10 on phonemic awareness, phonics, vocabulary development, reading fluency, and reading
33.11 comprehension. Instruction on reading must enable the licensure candidate to teach reading
33.12 in the candidate's content areas. Teacher candidates must be instructed in using students'
33.13 native languages as a resource in creating effective differentiated instructional strategies
33.14 for English learners developing literacy skills. ~~A teacher preparation provider also must~~
33.15 ~~prepare early childhood and elementary teacher candidates for Tier 3 and Tier 4 teaching~~
33.16 ~~licenses under sections 122A.183 and 122A.184, respectively.~~

33.17 (b) Board-approved teacher preparation programs for teachers of elementary education
33.18 must require instruction in applying evidence-based, structured literacy reading instruction
33.19 programs that:

33.20 (1) teach students to read using foundational knowledge, practices, and strategies
33.21 consistent with sections 120B.118 to 120B.124, with emphasis on mastery of foundational
33.22 reading skills so that students achieve continuous progress in reading; and

33.23 (2) teach specialized instruction in reading strategies, interventions, and remediations
33.24 that enable students of all ages and proficiency levels, including multilingual learners and
33.25 students demonstrating characteristics of dyslexia, to become proficient readers.

33.26 (c) Board-approved teacher preparation programs for teachers of elementary education,
33.27 early childhood education, special education, and reading intervention must include
33.28 instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation
33.29 programs may consult with the Department of Education, including the dyslexia specialist
33.30 under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia
33.31 must be modeled on practice standards of the International Dyslexia Association, and must
33.32 address:

33.33 (1) the nature and symptoms of dyslexia;

(2) resources available for students who show characteristics of dyslexia;

(3) evidence-based instructional strategies for students who show characteristics of dyslexia, including the structured literacy approach; and

(4) outcomes of intervention and lack of intervention for students who show characteristics of dyslexia.

(d) Nothing in this section limits the authority of a school district to select a school's reading program or curriculum.

Sec. 22. Minnesota Statutes 2024, section 122A.181, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed subject to paragraphs (b) and (c).

(b) The Professional Educator Licensing and Standards Board must renew a Tier 1 license if:

(1) the district or charter school requesting the renewal demonstrates that it has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position;

~~(2) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination results to the teacher's employing district or charter school within one year of the board approving the request for the initial Tier 1 license;~~

~~(3)~~ (2) the teacher holding the Tier 1 license participated in cultural competency training consistent with section 120B.30, subdivision 8, within one year of the board approving the request for the initial Tier 1 license; and

~~(4)~~ (3) the teacher holding the Tier 1 license met the mental illness training renewal requirement under section 122A.187, subdivision 6.

~~The requirement in clause (2) does not apply to a teacher that teaches a class in a career and technical education or career pathways course of study.~~

(c) A Tier 1 license must not be renewed more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach (1) a class or course in a career and technical education or career pathway course of study, or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.

35.1 Sec. 23. Minnesota Statutes 2024, section 122A.20, subdivision 2, is amended to read:

35.2 Subd. 2. **Mandatory reporting.** (a) A school board, superintendent, charter school
35.3 board, charter school executive director, or charter school authorizer must report to the
35.4 Professional Educator Licensing and Standards Board, the Board of School Administrators,
35.5 or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has
35.6 jurisdiction over the teacher's or administrator's license, when its teacher or administrator
35.7 is discharged or resigns from employment after a charge is filed with the school board under
35.8 section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7, or after
35.9 charges are filed that are grounds for discharge under section 122A.40, subdivision 13,
35.10 paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns
35.11 while an investigation is pending under section 122A.40, subdivision 13, paragraph (a),
35.12 clauses (1) to (5), or chapter 260E; or 122A.41, subdivisions 6, clauses (1), (2), and (3),
35.13 and 7; or when a teacher or administrator is suspended without an investigation under section
35.14 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7, or chapter 260E.
35.15 For the purposes of this subdivision, the term "discharge" includes a rescinded contract or
35.16 a nonrenewed contract. A report must be filed if the teacher or administrator's contract is
35.17 rescinded or nonrenewed in lieu of discharge under this subdivision. The report must be
35.18 made to the appropriate licensing board within ten days after the discharge, suspension, or
35.19 resignation has occurred. The licensing board to which the report is made must investigate
35.20 the report for violation of subdivision 1 and the reporting board, administrator, or authorizer
35.21 must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any
35.22 law to the contrary, upon written request from the licensing board having jurisdiction over
35.23 the license, a board, charter school, authorizer, charter school executive director, or school
35.24 superintendent shall provide the licensing board with information about the teacher or
35.25 administrator from the district's files, any termination or disciplinary proceeding, any
35.26 settlement or compromise, or any investigative file. Upon written request from the appropriate
35.27 licensing board, a board or school superintendent may, at the discretion of the board or
35.28 school superintendent, solicit the written consent of a student and the student's parent to
35.29 provide the licensing board with information that may aid the licensing board in its
35.30 investigation and license proceedings. The licensing board's request need not identify a
35.31 student or parent by name. The consent of the student and the student's parent must meet
35.32 the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30.
35.33 The licensing board may provide a consent form to the district. Any data transmitted to any
35.34 board under this section is private data under section 13.02, subdivision 12, notwithstanding
35.35 any other classification of the data when it was in the possession of any other agency.

(b) The licensing board to which a report is made must transmit to the Attorney General's Office any record or data it receives under this subdivision for the sole purpose of having the Attorney General's Office assist that board in its investigation. When the Attorney General's Office has informed an employee of the appropriate licensing board in writing that grounds exist to suspend or revoke a teacher's license to teach, that licensing board must consider suspending or revoking or decline to suspend or revoke the teacher's or administrator's license within 45 days of receiving a stipulation executed by the teacher or administrator under investigation or a recommendation from an administrative law judge that disciplinary action be taken.

(c) The Professional Educator Licensing and Standards Board and Board of School Administrators must report to the appropriate law enforcement authorities a revocation, suspension, or agreement involving a loss of license, relating to a teacher or administrator's inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement authority" means a police department, county sheriff, or Tribal police department. A report by the Professional Educator Licensing and Standards Board to appropriate law enforcement authorities does not diminish, modify, or otherwise affect the responsibilities of a school board or any person mandated to report abuse under chapter 260E.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 24. Minnesota Statutes 2024, section 122A.441, is amended to read:

122A.441 SHORT-CALL EMERGENCY SUBSTITUTE TEACHER ~~PILOT~~ PROGRAM.

(a) A school district or charter school and applicant may jointly request the Professional Educator Licensing and Standards Board approve an application for a short-call emergency substitute teaching license. The application information must sufficiently demonstrate the following:

(1) the applicant:

(i) holds a minimum of an associate's degree or equivalent and has or will receive substitute training from the school district or charter school; or

(ii) holds a minimum of a high school diploma or equivalent and has been employed as an education support personnel or paraprofessional within the district or charter school for at least one academic year; and

(2) the school district or charter school has obtained the results of a background check completed in accordance with section 123B.03.

(b) The Professional Educator Licensing and Standards Board may issue a temporary teaching license under this section pending a background check under section 122A.18, subdivision 8, and may immediately suspend or revoke the license upon receiving background check information. An applicant submitting an application for a short-call substitute teaching license in accordance with section 122A.18, subdivision 7a, paragraph (a), must not be required to complete a joint application with a district and must not be issued a license pending a background check under section 122A.18, subdivision 8.

(c) The board may prioritize short-call emergency substitute teaching license applications to expedite the review process.

(d) A school district or charter school must provide a short-call emergency substitute teacher who receives a short-call emergency substitute teaching license ~~through the pilot program~~ with substitute teacher training. The board may remove a school district or charter school from the ~~pilot~~ short-call emergency substitute teaching program for failure to provide the required training.

(e) A school district or charter school must not require an employee to apply for a short-call emergency substitute teaching license, or retaliate against an employee that does not apply for a short-call emergency substitute teaching license under ~~the pilot program~~ this section.

(f) A school district or charter school must compensate an employee working as a short-call emergency substitute teacher under ~~the pilot program~~ this section with the greater of ~~\$200 per day~~ the short-call substitute teacher rate of pay in the district or the employee's regular rate of pay.

~~(g) This section expires on June 30, 2025.~~

(g) A district may employ a short-call emergency substitute teacher for no more than ten consecutive school days in a single assignment. A district solicitation for short-call emergency substitute teacher applicants must disclose the duration of the short-call emergency substitute teacher position.

(h) For each teacher assignment, a district may use a short-call emergency substitute teacher to fill the assignment for no more than ten consecutive school days at a time.

(i) A district may employ a short-call emergency substitute teacher to fill an assignment that a short-call emergency substitute teacher previously filled as long as at least 30 calendar days have passed between the last day of the previous assignment and the first day of a subsequent assignment.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 25. Minnesota Statutes 2024, section 123B.09, is amended by adding a subdivision to read:

Subd. 1b. Student representatives. The school board is strongly encouraged to adopt a process to include two student representatives to serve one-year terms to advise the school board. The board process must include a process for replacing a student representative if the original student cannot serve the entire one-year term. A student representative is bound by the same rules and regulations within the law that bind the board. A student representative's actions must follow the board's rules and processes around personal conduct.

Sec. 26. Minnesota Statutes 2024, section 123B.52, is amended by adding a subdivision to read:

Subd. 6a. Disposing of surplus books. Notwithstanding section 471.345, governing school district contracts made upon sealed bid or otherwise complying with the requirements for competitive bidding, other provisions of this section governing school district contracts, or other law to the contrary, a school district under this subdivision may dispose of school books, including library books, books from an individual classroom library, and textbooks including other materials accompanying a textbook. A school district may dispose of surplus books by donating them to a family of a student residing in the district or a charitable organization under section 501(c)(3) of the Internal Revenue Code.

Sec. 27. Minnesota Statutes 2024, section 124D.162, is amended to read:

124D.162 KINDERGARTEN ENTRY FALL ASSESSMENT.

Subdivision 1. **Assessment required.** The commissioner of education must implement a kindergarten entry fall assessment of incoming kindergartners to identify the percent of kindergartners who meet or exceed end-of-year prekindergarten early learning standards.

Subd. 2. **Process.** (a) School districts and charter schools must choose a kindergarten entry fall assessment tool ~~from a menu of valid and reliable measurement instruments~~ approved by the department that:

(1) ~~are~~ is aligned to the state early childhood indicators of progress and kindergarten standards and ~~are~~ is based on the criteria to be an early learning assessment approved by the department;

(2) ~~support~~ supports the striving for comprehensive achievement and civic readiness plan goals in section 120B.11, subdivision 1, paragraph (c); and

(3) ~~are~~ is based, in part, on information collected from teachers, early learning professionals, families, and other partners.

(b) The department must provide technical assistance and professional development related to the assessment required under this section to educators, school districts, and charter schools.

Subd. 3. **Reporting.** School districts and charter schools must annually report the results of kindergarten ~~entry~~ fall assessments to the department in a form and manner determined by the commissioner that is concurrent with a district's and charter school's comprehensive achievement and civic readiness ~~report~~ plan under section 120B.11, subdivision 5. The commissioner must publicly report kindergarten ~~readiness~~ fall assessment results as part of the performance reports required under section 120B.36 and in a manner consistent with section 120B.35, subdivision 3, paragraph (a), clause (2).

Subd. 4. **Implementation.** The requirements under this section must be phased in over ~~three~~ four school years with all school districts and charter schools complying beginning with the ~~2025-2026~~ 2026-2027 school year.

Sec. 28. Minnesota Statutes 2024, section 124D.792, is amended to read:

124D.792 GRADUATION CEREMONIES; TRIBAL REGALIA AND OBJECTS OF CULTURAL SIGNIFICANCE; DRUMMING.

(a) A school district or charter school must not prohibit an American Indian student from wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a graduation ceremony.

(b) If requested by the school's American Indian parent advisory committee or an American Indian student organization, a school district or charter school must allow American Indian drumming at a graduation ceremony.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 29. **[124D.793] AMERICAN INDIAN DRUMMING.**

If requested by the school's American Indian parent advisory committee, a school district or charter school must allow American Indian drumming.

40.1 Sec. 30. Laws 2024, chapter 115, article 2, section 21, subdivision 2, is amended to read:

40.2 Subd. 2. **Required health-related subject areas.** The commissioner must include the
40.3 following expectations for learning in the statewide standards:

40.4 (1) cardiopulmonary resuscitation and automatic external defibrillator education that
40.5 allows districts to provide instruction to students in grades 7 through 12 in accordance with
40.6 Minnesota Statutes, section 120B.236;

40.7 (2) vaping awareness and prevention education that allows districts to provide instruction
40.8 to students in grades 6 through 8 in accordance with Minnesota Statutes, section 120B.238,
40.9 subdivision 3;

40.10 (3) cannabis use and substance use education that includes overdose recognition,
40.11 prevention, and response education that allows districts to provide instruction to students
40.12 in grades 6 through 12 in accordance with Minnesota Statutes, section 120B.215;

40.13 (4) sexually transmitted infections and diseases education that meets the requirements
40.14 of Minnesota Statutes, section 121A.23; and

40.15 (5) mental health education for students in grades 4 through 12.

40.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

40.17 Sec. 31. Laws 2024, chapter 115, article 2, section 21, subdivision 3, is amended to read:

40.18 Subd. 3. **Other health-related subject areas.** The commissioner may include the
40.19 following expectations for learning in the statewide standards:

40.20 (1) child physical and sexual abuse prevention education in accordance with Minnesota
40.21 Statutes, sections 120B.021, subdivision 1, paragraph (d); and 120B.234;

40.22 (2) violence prevention education in accordance with Minnesota Statutes, section
40.23 120B.22;

40.24 (3) character development education in accordance with Minnesota Statutes, section
40.25 120B.232;

40.26 (4) safe and supportive schools education in accordance with Minnesota Statutes, section
40.27 121A.031, subdivision 5; and

40.28 (5) other expectations for learning identified through the standards development process.

40.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

41.1 Sec. 32. **REPEALER.**

41.2 Minnesota Statutes 2024, section 123B.935, subdivision 2, is repealed.

41.3 **ARTICLE 3**

41.4 **CHARTER SCHOOLS**

41.5 Section 1. Minnesota Statutes 2024, section 10A.071, subdivision 1, is amended to read:

41.6 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

41.7 (b) "Gift" means money, real or personal property, a service, a loan, a forbearance or
41.8 forgiveness of indebtedness, or a promise of future employment, that is given and received
41.9 without the giver receiving consideration of equal or greater value in return.

41.10 (c) "Official" means a public official, an employee of the legislature, ~~or~~ a local official,
41.11 a member of a charter school board, or a charter school director or chief administrator.

41.12 (d) "Plaque" means a decorative item with an inscription recognizing an individual for
41.13 an accomplishment.

41.14 Sec. 2. Minnesota Statutes 2024, section 124E.02, is amended to read:

41.15 **124E.02 DEFINITIONS.**

41.16 (a) For purposes of this chapter, the terms defined in this section have the meanings
41.17 given them.

41.18 (b) "Affidavit" means a written statement the authorizer submits to the commissioner
41.19 for approval to establish a charter school under section 124E.06, subdivision 4, attesting to
41.20 its review and approval process before chartering a school.

41.21 (c) "Affiliate" means a person that directly or indirectly, through one or more
41.22 intermediaries, controls, is controlled by, or is under common control with another person.

41.23 (d) "Charter management organization" or "CMO" means a nonprofit entity or
41.24 organization that operates or manages a charter school or a network of charter schools or
41.25 can control all or substantially all of a school's education program or a school's administrative,
41.26 financial, business, or operational functions.

41.27 (e) "Competitive procurement process" means a process for procurement by sealed bids
41.28 or by proposals under section 124E.26, subdivision 4a.

41.29 ~~(e)~~ (f) "Control" means the ability to affect the management, operations, or policy actions
41.30 or decisions of a person, whether by owning voting securities, by contract, or otherwise.

42.1 ~~(f)~~ (g) "Educational management organization" or "EMO" means a for-profit entity or
 42.2 organization that operates or manages a charter school or a network of charter schools or
 42.3 can control all or substantially all of a school's education program, or a school's
 42.4 administrative, financial, business, or operational functions.

42.5 ~~(g)~~ (h) "Immediate family member" means any relationship by blood, marriage, adoption,
 42.6 or partnership of spouses, parents, grandparents, siblings, children, first cousins, aunts,
 42.7 uncles, grandchildren, nieces, and nephews.

42.8 ~~(h)~~ (i) "Market need and demand study" means a study that includes the following for
 42.9 the proposed locations of the school or additional site that supports all of the proposed
 42.10 grades, sites, and programs:

- 42.11 (1) current and projected demographic information;
- 42.12 (2) student enrollment patterns;
- 42.13 (3) information on existing schools and types of educational programs currently available;
- 42.14 (4) characteristics of proposed students and families;
- 42.15 (5) availability of properly zoned and classified facilities; and
- 42.16 (6) quantification of existing demand for the school or site.

42.17 ~~(i)~~ (j) "Person" means an individual or entity of any kind.

42.18 ~~(j)~~ (k) "Related party" means an affiliate or immediate family member of the other
 42.19 interested party, an affiliate of an immediate family member who is the other interested
 42.20 party, or an immediate family member of an affiliate who is the other interested party.

42.21 ~~(k)~~ (l) For purposes of this chapter, the terms defined in section 120A.05 have the same
 42.22 meanings.

42.23 Sec. 3. Minnesota Statutes 2024, section 124E.03, subdivision 2, is amended to read:

42.24 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
 42.25 meet all federal, state, and local health and safety requirements applicable to school districts.

42.26 (b) A charter school must comply with ~~statewide accountability requirements governing~~
 42.27 ~~standards and assessments in~~ chapter 120B.

42.28 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
 42.29 123B.34 to 123B.39.

42.30 (d) A charter school is a district for the purposes of tort liability under chapter 466.

(e) A charter school must comply with the Pledge of Allegiance requirement under section 121A.11, subdivision 3.

(f) A charter school and charter school board of directors must comply with chapter 181 governing requirements for employment.

(g) A charter school must comply with continuing truant notification under section 260A.03.

(h) A charter school must develop and implement a teacher evaluation and peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d). The teacher evaluation process in this paragraph does not create any additional employment rights for teachers.

(i) A charter school must adopt a plan, budget, and process, consistent with section 120B.11, to review curriculum, instruction, and student achievement and strive for comprehensive achievement and civic readiness.

(j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56 and 121A.575, 121A.60, 121A.61, and 121A.65.

(k) A charter school must comply with the limits on screen time for children in preschool, prekindergarten, and kindergarten under section 124D.166.

Sec. 4. Minnesota Statutes 2024, section 124E.03, is amended by adding a subdivision to read:

Subd. 11. **Statement of economic interest; gift ban.** Members of charter school boards and persons employed as charter school directors and chief administrators are subject to the requirements of sections 10A.071 and 471.895.

Sec. 5. Minnesota Statutes 2024, section 124E.05, subdivision 2, is amended to read:

Subd. 2. Roles, responsibilities, and requirements of authorizers. (a) The role of an authorizer is to ensure that a school it authorizes has the autonomy granted by statute, fulfills the purposes of a charter school, and is accountable to the agreed upon terms of the charter school contract in order to safeguard quality educational opportunities for students and maintain public trust and confidence.

(b) An authorizer has the following responsibilities:

(1) to review applications for new schools, determine whether a new school is ready to open, review applications for grade and site expansions, review applications for change in authorizers, and determine whether to approve or deny an application based on the authorizer's approved criteria;

(2) to negotiate and execute the performance charter contracts with the schools it authorizes;

(3) to conduct ongoing monitoring, oversight, and evaluation of the school's academic, operational, and financial performance during the term of the charter contract;

(4) to evaluate the academic, operational, and financial performance of the school as defined in the charter contract prior to the end of the contract to determine the renewal, nonrenewal, or termination of the contract; and

(5) to comply with authorizer requirements in chapter 124E.

(c) An authorizer must document in the authorizer annual report under section 124E.16, subdivision 2, paragraph (b), the annual successful completion of training of its staff members during the previous year relative to chartering ~~and~~, an authorizer's role and responsibilities, and each authorizer's performance review findings listed under subdivision 5.

(d) An authorizer must participate in annual department-approved training.

Sec. 6. Minnesota Statutes 2024, section 124E.06, subdivision 7, is amended to read:

Subd. 7. **Merger.** (a) Two or more charter schools may merge under chapter 317A. The effective date of a merger must be July 1. The merged school must continue under the identity of one of the merging schools. The authorizer and the merged school must execute a new charter contract under section 124E.10, subdivision 1, by ~~July~~ June 1, before the effective date of the merger. The authorizer must submit to the commissioner a copy of the new signed charter contract within ten business days of executing the contract.

(b) Each merging school must submit a separate year-end report for the previous fiscal year for that school only. After the final fiscal year of the premerger schools is closed out, each of those schools must transfer the fund balances and debts to the merged school.

(c) For its first year of operation, the merged school is eligible to receive aid from programs requiring approved applications equal to the sum of the aid of all of the merging schools. For aids based on prior year data, the merged school is eligible to receive aid for its first year of operation based on the combined data of all of the merging schools.

Sec. 7. Minnesota Statutes 2024, section 124E.06, is amended by adding a subdivision to read:

Subd. 8. Change in location. A developing, preoperational, or operational charter school with an approved affidavit must apply to its authorizer to change the charter school's location by submitting documentation, including a revised market need and demand study, to the authorizer for authorizer review and approval. The authorizer must establish a review process to ensure the location change will address market need and demand as well as the charter school's ongoing viability.

Sec. 8. Minnesota Statutes 2024, section 124E.07, subdivision 2, is amended to read:

Subd. 2. Ongoing board of directors. The initial board must begin the transition to the ongoing board structure by the end of the first year of operation and complete the transition by the end of the second year of operation. The terms of board members shall begin on July 1. Terms shall be no less than two years. The bylaws shall set the number of terms an individual may serve on the board and as an officer of the board. ~~Board elections must be held during the school year but may not be conducted on days when the school is closed.~~

Sec. 9. Minnesota Statutes 2024, section 124E.07, subdivision 3, is amended to read:

Subd. 3. Membership criteria. (a) The ongoing charter school board of directors shall have at least five members. The board members must not be related parties. The ongoing board must include: (1) at least one licensed teacher; (2) at least one parent or legal guardian of a student enrolled in the charter school who is not an employee of the charter school; and (3) at least one interested community member. A community member serving on the board must reside in Minnesota, must not have a child enrolled in the school, and must not be an employee of the charter school.

(b) To serve as a licensed teacher on a charter school board, an individual must:

(1) be employed by the school or provide at least 720 hours of service under a contract between the charter school and a teacher cooperative;

(2) be a qualified teacher as defined under section 122A.16, either serving as a teacher of record in a field in which the individual has a field license, or providing services to students the individual is licensed to provide; and

(3) not serve in an administrative or supervisory capacity for more than 240 hours in a school calendar year.

(c) The board structure must be defined in the bylaws. The board structure may (1) be a majority of teachers under paragraph (b), (2) be a majority of parents, (3) be a majority of community members, or (4) have no clear majority.

(d) The chief administrator may only serve as an ex-officio nonvoting board member. No charter school employees shall serve on the board other than teachers under paragraph (b).

(e) A contractor providing facilities, goods, or services to a charter school must not serve on the board of directors. In addition, an individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.

(f) A violation of paragraph (e) renders a contract voidable at the option of the commissioner or the charter school board of directors. A member of a charter school board of directors who violates paragraph (e) is individually liable to the charter school for any damage caused by the violation.

(g) Any employee, agent, contractor, or board member of the authorizer who participates in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the charter school is ineligible to serve on the board of directors of a school chartered by that authorizer.

(h) An individual is prohibited from serving on more than one charter school board at the same time in either an elected or ex-officio capacity, except that an individual serving as an administrator serving more than one school under section 124E.12, subdivision 2, paragraph (f), may serve on each board as an ex-officio member. A board member who violates this paragraph is ineligible to continue to serve as a charter school board member and is ineligible to be elected or appointed to a charter school board for 24 months.

(i) A board member, who is paid for serving on the charter school board, must not receive more compensation for their role as a charter school board member than a school board member in the school district in which the charter school is located.

Sec. 10. Minnesota Statutes 2024, section 124E.07, subdivision 5, is amended to read:

Subd. 5. Board elections. (a) Staff members employed at the school, including teachers providing instruction under a contract with a cooperative, members of the board of directors, and all parents or legal guardians of children enrolled in the school are the voters eligible to elect the members of the school's board of directors.

(b) The board of directors must establish and publish election policies and procedures on the school's website.

(c) The board of directors must notify eligible voters of the school board election dates and voting procedures at least 30 calendar days before the election and post this information on the school's website.

(d) The board of directors must notify eligible voters of the candidates' names, biographies, and candidate statements at least ten calendar days before the election and post this information on the school's website.

(e) Board elections must be held during the school year but may not be conducted on days when school is closed.

(f) An initial member and an elected board member must file a written oath of office with the charter school's authorizer.

Sec. 11. Minnesota Statutes 2024, section 124E.07, subdivision 6, is amended to read:

Subd. 6. Duties. (a) The board of directors also shall decide and is responsible for all decision making on policy matters related to operating the school, including budgeting, curriculum programming, personnel, and operating procedures. The board must adopt personnel evaluation policies and practices that, at a minimum:

(1) carry out the school's mission and goals;

(2) evaluate how charter contract goals and commitments are executed;

(3) evaluate student achievement, postsecondary and workforce readiness, and student engagement and connection goals;

(4) establish a teacher evaluation process under section 124E.03, subdivision 2, paragraph (h); and

(5) provide professional development related to the individual's job responsibilities.

(b) The board must adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction

under a contract between the charter school and a cooperative. The board may waive this policy if: (1) the position is publicly posted for 20 business days; and (2) a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring. A board member, school employee, or teacher under contract with a cooperative must not be involved in an interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

(c) The board of directors must establish a finance committee that meets regularly and includes at least one member of the school's board. The committee must review and provide recommendations to the board on matters related to financial health and best practices, which may include but are not limited to financial strategy, enrollment tracking, budgeting and planning, internal controls and compliance, revenue generation, financial conflicts of interest, audits and financial reporting, regular finance statements and transactions, and authorizer finance related requirements in the charter contract.

(d) A charter school board that is under corrective action for financial reasons, as determined by its authorizer, must:

(1) include the authorizer in regularly scheduled finance committee meetings, either in person or virtually, at least monthly; and

(2) upon the request of the authorizer, hire a financial expert.

Sec. 12. Minnesota Statutes 2024, section 124E.07, subdivision 8, is amended to read:

Subd. 8. **Meetings and information.** (a) Board of director meetings must comply with chapter 13D governing open meetings.

(b) Charter school board meetings shall be recorded by video recording including audio at the expense of the governing body. A charter school shall publish and maintain on the school's official website: (1) the recordings of board meetings, within 30 days following the earlier of the date of board approval or the next regularly scheduled meeting, and for at least 365 days from the date of publication; (2) the meeting minutes of the board of directors and of members and committees having board-delegated authority, within 30 days following the earlier of the date of board approval or the next regularly scheduled meeting, and for at least 365 days from the date of publication; (2) (3) directory information for the board of directors and for the members of committees having board-delegated authority; and (3) (4) identifying and contact information for the school's authorizer.

(c) A charter school must include identifying and contact information for the school's authorizer in other school materials it makes available to the public.

Sec. 13. Minnesota Statutes 2024, section 124E.10, subdivision 4, is amended to read:

Subd. 4. Causes for nonrenewal or termination of charter school contract. (a) The duration of the contract with an authorizer must be for the term contained in the contract according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally terminate a contract during the term of the contract for any ground listed in paragraph (b). At least 60 business days before not renewing or terminating a contract, the authorizer shall notify the board of directors of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action in reasonable detail and describe the informal hearing process, consistent with this paragraph. The charter school's board of directors may request in writing an informal hearing before the authorizer within 15 business days after receiving notice of nonrenewal or termination of the contract. Failure by the board of directors to make a written request for an informal hearing within the 15-business-day period shall be treated as acquiescence to the proposed action. Upon receiving a timely written request for a hearing, the authorizer shall give ten business days' notice to the charter school's board of directors of the hearing date. The hearing must be live-streamed and recorded by audio recording, video recording, or a court reporter. The authorizer must preserve the recording for three years and make the recording available to the public. The authorizer shall conduct an informal hearing before taking final action. The authorizer shall take final action to renew or not renew a contract no later than 20 business days before the proposed date for terminating the contract or the end date of the contract.

(b) An authorizer may terminate or not renew a contract upon any of the following grounds:

(1) failure to demonstrate satisfactory academic achievement for all students, including the requirements for pupil performance contained in the contract;

(2) failure to meet generally accepted standards of fiscal management;

(3) violations of law; or

(4) other good cause shown.

If the authorizer terminates or does not renew a contract under this paragraph, the school must be dissolved according to the applicable provisions of chapter 317A.

(c) The commissioner, after providing reasonable notice to the board of directors of a charter school and the existing authorizer, and after providing an opportunity for a public

50.1 hearing, may terminate the existing contract between the authorizer and the charter school
50.2 board if the charter school has a history of:

50.3 (1) failure to meet pupil performance requirements, consistent with state law;

50.4 (2) financial mismanagement or failure to meet generally accepted standards of fiscal
50.5 management; or

50.6 (3) repeated or major violations of the law.

50.7 Sec. 14. Minnesota Statutes 2024, section 124E.13, subdivision 3, is amended to read:

50.8 Subd. 3. **Affiliated nonprofit building corporation.** (a) An affiliated nonprofit building
50.9 corporation may purchase, expand, or renovate an existing facility to serve as a school or
50.10 may construct a new school facility. One charter school may organize an affiliated nonprofit
50.11 building corporation that serves only that charter school if the charter school:

50.12 (1) has operated for at least six consecutive years;

50.13 (2) as of June 30, has a net positive unreserved general fund balance in the preceding
50.14 three fiscal years;

50.15 (3) has long-range strategic and financial plans that include enrollment projections for
50.16 at least five years;

50.17 (4) completes a feasibility study of facility options that outlines the benefits and costs
50.18 of each option; and

50.19 (5) has a plan that describes project parameters and budget.

50.20 (b) An affiliated nonprofit building corporation under this subdivision must:

50.21 (1) be incorporated under chapter 317A;

50.22 (2) comply with applicable Internal Revenue Service regulations, including regulations
50.23 for "supporting organizations" as defined by the Internal Revenue Service;

50.24 (3) post on the school website the name, mailing address, bylaws, minutes of board
50.25 meetings, and names of the current board of directors of the affiliated nonprofit building
50.26 corporation;

50.27 (4) submit to the commissioner a copy of its annual audit by December 31 of each year;
50.28 and

50.29 (5) comply with government data practices law under chapter 13.

(c) An affiliated nonprofit building corporation must not serve as the leasing agent for property or facilities it does not own. A charter school that leases a facility from an affiliated nonprofit building corporation that does not own the leased facility is ineligible to receive charter school lease aid. The state is immune from liability resulting from a contract between a charter school and an affiliated nonprofit building corporation.

(d) The board of directors of the charter school must ensure the affiliated nonprofit building corporation complies with all applicable legal requirements. The charter school's authorizer must oversee the efforts of the board of directors of the charter school to ensure legal compliance of the affiliated building corporation. A school's board of directors that fails to ensure the affiliated nonprofit building corporation's compliance violates its responsibilities and an authorizer must consider that failure when evaluating the charter school.

(e) A contractor providing facilities, goods, or services to a charter school must not serve on the board of directors of the charter school's affiliated building corporation. In addition, an individual is prohibited from serving as a member of the board of directors of a charter school's affiliated building corporation if the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities. A charter school employee or immediate family member of that employee may serve on the board of directors of the charter school's affiliated building corporation if the employee has no conflict of interest, as defined in section 471.87.

Sec. 15. Minnesota Statutes 2024, section 124E.16, subdivision 1, is amended to read:

Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district, except as required under this subdivision. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing auditing procedures. The audit must comply with the requirements of sections 123B.75 to 123B.83 governing school district finance, except when the commissioner and authorizer approve a deviation made necessary because of school program finances. The commissioner, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

52.1 (b) The charter school must submit an audit report, including all supplemental information
52.2 included with the audit, to the commissioner and its authorizer annually by December 31.

52.3 (c) The charter school, with the assistance of the auditor conducting the audit, must
52.4 include with the report, as supplemental information: (1) a copy of ~~a new~~ any management
52.5 agreement ~~or an amendment to a current agreement~~ with a CMO or EMO ~~signed during the~~
52.6 ~~audit year~~; and (2) a copy of a service agreement or contract with a company or individual
52.7 totaling over five percent of the audited expenditures for the most recent audit year. The
52.8 agreements must detail the terms of the agreement, including the services provided and the
52.9 annual costs for those services.

52.10 (d) A charter school independent audit report shall include audited financial data of an
52.11 affiliated building corporation under section 124E.13, subdivision 3, or other component
52.12 unit.

52.13 (e) If the audit report finds that a material weakness exists in the financial reporting
52.14 systems of a charter school, the charter school must submit a written report to the
52.15 commissioner explaining how the charter school will resolve that material weakness. An
52.16 auditor, as a condition of providing financial services to a charter school, must agree to
52.17 make available information about a charter school's financial audit to the commissioner and
52.18 authorizer upon request.

52.19 Sec. 16. Minnesota Statutes 2024, section 124E.16, subdivision 3, is amended to read:

52.20 Subd. 3. **Public accounting and reporting CMO and EMO agreements.** (a) A charter
52.21 school that enters into a management agreement with a CMO or EMO must:

52.22 (1) publish on the charter school website for at least 20 business days the proposed final
52.23 agreement for public review and comment before the school board may adopt the contract
52.24 or agreement. Any changes made to the posted agreement during the public review period
52.25 or any proposed amendments to the agreement once adopted must be posted for 20 business
52.26 days before the board may adopt the amendments to the contract;

52.27 (2) annually publish on the charter school website a statement of assurance that no
52.28 member of the school board, staff, or any agent of the school has been promised or received
52.29 any form of compensation or gifts from the CMO or EMO and that no board member,
52.30 employee, or agent of the CMO or EMO or any of the organization affiliates or providers
52.31 serve on the charter school board; and

53.1 (3) conduct an independent review and evaluation of the services provided by the CMO
53.2 or EMO and publish the evaluation on the school's website at least 30 business days before
53.3 the end of the current contract.

53.4 (b) A management agreement with a CMO or EMO must contain the following:

53.5 (1) the term of the contract, not to exceed five years;

53.6 (2) the total dollar value of the contract including the annual projected costs of services;

53.7 (3) a description and terms of the services to be provided during the term of the contract;

53.8 (4) notice that a charter school closure during the term of the contract by action of the
53.9 authorizer or the school's board results in the balance of the current contract becoming null
53.10 and void;

53.11 (5) an annual statement of assurance to the charter school board that the CMO or EMO
53.12 provided no compensation or gifts to any charter school board member, staff member, or
53.13 agent of the charter school;

53.14 (6) an annual statement of assurance that no ~~charter school~~ board member, employee,
53.15 contractor, or agent of the CMO or EMO or any affiliated organization is a board member
53.16 of the charter school or any other charter school;

53.17 (7) the policies and protocols that meet federal and state laws regarding student and
53.18 personnel data collection, usage, access, retention, disclosure and destruction, and
53.19 indemnification and warranty provisions in case of data breaches by the CMO or EMO;
53.20 and

53.21 (8) an annual assurance that all assets purchased on behalf of the charter school using
53.22 public funds remain assets of the school.

53.23 (c) The CMO or EMO must annually provide the charter school board a financial report
53.24 by July 31 that accounts for income and expenditures for the previous fiscal year using the
53.25 account categories in uniform financial accounting and reporting standards.

53.26 (d) Any agreement with a CMO or EMO containing any of the following provisions is
53.27 null and void:

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

53.30 (2) restrictions on the annual or total amount of the school's operating surplus or fund
53.31 balance;

54.1 (3) authorization to allow a CMO or EMO to withdraw funds from a charter school
54.2 account; or

54.3 (4) authorization to allow a CMO or EMO to loan funds to the charter school.

54.4 (e) A CMO or EMO or its affiliates, employees, or agents may not contract with, be
54.5 employed by, or serve on the board of an authorizer. An authorizer or its affiliates, employees,
54.6 or agents may not contract with, be employed by, serve as a paid consultant for, or serve as
54.7 a board member of a CMO or EMO.

54.8 Sec. 17. Minnesota Statutes 2024, section 124E.16, is amended by adding a subdivision
54.9 to read:

54.10 Subd. 4. **Authorizer performance evaluation report.** (a) A charter school must publish
54.11 on its website the formal written performance evaluation from its authorizer and disseminate
54.12 the evaluation to enrolled families in languages they understand, consistent with the school's
54.13 language access plan under section 124E.03, subdivision 9, paragraph (b).

54.14 (b) Evaluations must be published on the charter school's website within 15 business
54.15 days of receipt of the evaluation by the charter school and for at least 365 days from the
54.16 date of publication.

54.17 Sec. 18. Minnesota Statutes 2024, section 124E.17, is amended to read:

54.18 **124E.17 DISSEMINATION OF INFORMATION.**

54.19 Subdivision 1. **Charter school information.** (a) Charter schools must disseminate
54.20 information about the school's offerings and enrollment procedures to families that reflect
54.21 the diversity of Minnesota's population and targeted groups. Targeted groups include
54.22 low-income families and communities, students of color, students at risk of academic failure,
54.23 and students underrepresented in the school's student body relative to Minnesota's population.
54.24 The school must document its dissemination activities in the school's annual report. The
54.25 school's dissemination activities must be a component of the authorizer's performance review
54.26 of the school.

54.27 (b) Authorizers and the commissioner must disseminate information to the public on
54.28 how to form and operate a charter school. Authorizers, operators, and the commissioner
54.29 also may disseminate information to interested stakeholders about the successful best
54.30 practices in teaching and learning demonstrated by charter schools.

54.31 (c) For each charter school it authorizes, an authorizer must publish on its website for
54.32 at least five years from the date of issuance all charter contracts and amendments executed

under section 124E.10; school performance reviews including the performance evaluations required by section 124E.10, subdivision 1, paragraph (a), clause (6), if different; notices of intent to terminate or not renew the charter contract and related final determinations; and unresolved notices of intervention, deficiency, concern, corrective action, or probationary status.

(d) Each charter school must post a link in a conspicuous place on the school's official website to the section of its authorizer's website where information listed in paragraph (c) specific to that school is published. A charter school must also, upon the request of the authorizer, distribute information from their authorizer about interventions, corrective actions, and probationary status by publication, mail, or electronic means to its authorizer, school employees, and parents and legal guardians of students enrolled in the charter school.

Subd. 2. **Financial information.** (a) Upon request of an individual, the charter school must make available in a timely fashion financial statements showing all operations and transactions affecting the school's income, surplus, and deficit during the last annual accounting period; and a balance sheet summarizing assets and liabilities on the closing date of the accounting period.

~~(b) Upon request of an individual, an authorizer must make available in a timely fashion financial statements showing all operations and transactions affecting the authorizer's income, surplus, and deficit during the last annual accounting period, and a balance sheet summarizing assets and liabilities on the closing date of the accounting period.~~ An authorizer must publish on its website an annual financial statement identifying its sources of income related to authorizing activities and its authorizing expenses including staff, consultants, facility, professional development, transportation, membership dues, technology, office supplies, bank fees, administrative overhead, and professional fees for accounting, legal, and financial services, consistent with section 124E.05, subdivision 8, and a balance sheet related to authorizing activities summarizing assets and liabilities.

Sec. 19. Minnesota Statutes 2024, section 124E.26, subdivision 4, is amended to read:

Subd. 4. **Required policy components.** A charter school procurement policy must at a minimum include:

(1) conflict of interest provisions consistent with section 124E.14;

(2) thresholds for purchases by employees without board approval;

(3) thresholds for purchases that require competitive ~~bidding~~ procurement processes as defined in section 124E.02, paragraph (e), except that a competitive bidding procurement process must occur for any procurement estimated to exceed \$25,000; and

(4) a prohibition on breaking up a procurement into smaller components to avoid the thresholds established in clauses (2) and (3).

Notwithstanding clause (3), for a procurement estimated to exceed \$25,000 but not \$175,000, the purchase may be made either by a competitive procurement process, or by direct negotiation, by obtaining two or more bids or proposals for the purchase or sale when possible and without advertising for bids or proposals or otherwise complying with the requirements of a competitive procurement process. If a procurement is estimated to exceed \$175,000, a competitive procurement process must occur.

Sec. 20. Minnesota Statutes 2024, section 124E.26, is amended by adding a subdivision to read:

Subd. 4a. **Competitive procurement.** (a) "Procurement by sealed bids" means a process in which bids are publicly solicited and a firm fixed price contract by lump sum or unit price is awarded to the responsible bidder whose bid, conforming with all material terms and conditions of the invitation for bids, is the lowest in price. If sealed bids are used, the following requirements apply:

(1) bids must be solicited from an adequate number of qualified sources, providing bidders sufficient response time prior to the date set for opening bids;

(2) the invitation for bids, which includes any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(3) all bids will be opened at the time and place prescribed in the invitation for bids, and the bids must be opened publicly;

(4) a firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that the discounts are usually taken advantage of;

(5) any or all bids may be rejected if there is a sound documented reason; and

(6) in order for a sealed bid to be feasible, the following conditions must be present:

(i) a complete, adequate, and realistic specification or purchase description is available;

57.1 (ii) two or more responsible bidders are willing and able to compete effectively for the
 57.2 business; and

57.3 (iii) the procurement lends itself to a firm fixed price contract and the selection of the
 57.4 successful bidder can be made principally on the price.

57.5 (b) "Procurement by proposals" means a process in which either a fixed price or
 57.6 cost-reimbursement type contract is awarded. Proposals are generally used when conditions
 57.7 are not appropriate for the use of sealed bids. They are awarded in accordance with the
 57.8 following requirements:

57.9 (1) requests for proposals must be publicized and identify all evaluation factors and their
 57.10 relative importance. Proposals must be solicited from an adequate number of qualified
 57.11 offerors. Any response to publicized requests for proposals must be considered to the
 57.12 maximum extent practical;

57.13 (2) the charter school must have a written method for conducting technical evaluations
 57.14 of the proposals received and for making selections; and

57.15 (3) contracts must be awarded to the responsible offeror whose proposal is most
 57.16 advantageous to the charter school, with price and other factors considered.

57.17 Sec. 21. Minnesota Statutes 2024, section 124E.26, subdivision 5, is amended to read:

57.18 Subd. 5. **Reduction in aid.** If a charter school makes a purchase without a procurement
 57.19 policy adopted by the school's board or makes a purchase not in conformity with the school's
 57.20 procurement policy, or the adopted policy does not meet the requirements of this section,
 57.21 the commissioner may reduce that charter school's state aid in an amount equal to the
 57.22 purchase.

57.23 Sec. 22. **REVISOR INSTRUCTION.**

57.24 The revisor of statutes shall renumber the section of Minnesota Statutes listed in column
 57.25 A with the number listed in column B. The revisor shall also make necessary cross-reference
 57.26 changes consistent with the renumbering. The revisor shall also make any technical and
 57.27 other changes necessitated by the renumbering and cross-reference changes in this act.

57.28	<u>Column A</u>	<u>Column B</u>
57.29	<u>124E.16, subdivision 3</u>	<u>124E.27</u>

ARTICLE 4

THE READ ACT

Section 1. Minnesota Statutes 2024, section 120B.119, subdivision 2a, is amended to read:

Subd. 2a. **Certified trained facilitator.** "Certified trained facilitator" means a person employed by a district or ~~regional literacy network~~ Minnesota service cooperative who has completed professional development approved by the Department of Education in structured literacy, completed the vendor's certification prerequisites and facilitator training requirements, completed the vendor's annual recertification requirements, remains in good standing with the sponsoring agency and vendor, uses the vendor's training materials with fidelity, and participates in mentoring or coaching provided by CAREI and the Department of Education on facilitating literacy training. ~~A literacy lead who meets the requirements under this subdivision may be a certified trained facilitator.~~

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 2. Minnesota Statutes 2024, section 120B.119, subdivision 10, is amended to read:

Subd. 10. **Oral language.** "Oral language," ~~also called "spoken language,"~~ includes speaking and listening, and consists of five components: phonology, morphology, syntax, semantics, and pragmatics. Oral language also includes sign language, in which speaking and listening skills are defined as expressive and receptive skills, and consists of phonology, including sign language phonological awareness, morphology, syntax, semantics, and pragmatics.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 3. Minnesota Statutes 2024, section 120B.12, subdivision 1, is amended to read:

Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at or above grade level every year, beginning in kindergarten, and to support multilingual learners and students receiving special education services in achieving their individualized reading goals in order to meet grade-level proficiency benchmarks. By the 2026-2027 school year, districts must provide evidence-based reading instruction through a focus on student mastery of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as the development of oral language, vocabulary, and reading comprehension skills. Students must receive evidence-based instruction that is proven to effectively teach children to read, consistent with sections 120B.118 to 120B.124.

(b) To meet this goal, each district must provide teachers and instructional support staff with responsibility for teaching reading with training on evidence-based reading instruction that is approved by the Department of Education by the deadlines provided in section 120B.123, subdivision 5.

(c) Districts are strongly encouraged to adopt a MTSS framework. The framework should include a process for engaging families and communities, monitoring student progress, evaluating program fidelity, and analyzing student outcomes and needs in order to design and implement ongoing evidenced-based, culturally responsive instruction and interventions.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 4. Minnesota Statutes 2024, section 120B.12, subdivision 2, is amended to read:

Subd. 2. **Identification; report.** (a) Each school district must screen every student enrolled in kindergarten, grade 1, grade 2, and grade 3 using a screening tool approved by the Department of Education three times each school year: (1) within the first six weeks of the school year; (2) by February 15 each year; and (3) within the last six weeks of the school year. Students enrolled in kindergarten, grade 1, grade 2, and grade 3, including multilingual learners ~~and~~, students receiving special education services, and students enrolled in dual language immersion programs, must be universally screened for mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, ~~oral~~ language, and for characteristics of dyslexia as measured by a screening tool approved by the Department of Education. Students enrolled in dual language immersion programs must be screened in the partner language of the program at the same intervals as the screenings in English. A student enrolled in a dual language immersion program must be screened initially in English when entering kindergarten, in the primary language of instruction at each screening window, and in English starting in third grade or when the program is taught equally in English and the partner language, whichever occurs first. The screening tool must be approved by the district for kindergarten through grade 3 students enrolled in dual language immersion programs. The screening for characteristics of dyslexia may be integrated with universal screening for mastery of foundational skills and ~~oral~~ expressive-receptive language mastery. After a student's initial screening for characteristics of dyslexia, a school district has discretion to determine when to screen English learners scoring below three on the annual ACCESS assessment for characteristics of dyslexia. The screening tool used must be a valid and reliable universal screener that is highly correlated with foundational reading skills. For students reading at grade level, beginning in the winter of grade 2, the oral reading fluency screener may be used to assess reading difficulties, including

60.1 characteristics of dyslexia, without requiring a separate screening of each subcomponent
60.2 of foundational reading skills.

60.3 (b) A district must submit data on student performance in kindergarten, grade 1, grade
60.4 2, and grade 3 on foundational reading skills, including phonemic awareness, phonics,
60.5 decoding, fluency, and oral language to the Department of Education in the annual local
60.6 literacy plan submission due on June 15.

60.7 ~~(b)~~ (c) Students in grades 4 and above, including multilingual learners and students
60.8 receiving special education services, who ~~do not demonstrate mastery of foundational~~
60.9 ~~reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language,~~
60.10 are not reading at grade level must be screened for reading difficulties, including
60.11 characteristics of dyslexia, using a screening tool approved by the Department of Education
60.12 ~~for characteristics of dyslexia~~, and must continue to receive evidence-based instruction,
60.13 interventions, and progress monitoring until the students achieve grade-level proficiency.
60.14 A parent, in consultation with a teacher, may opt a student out of the literacy screener if the
60.15 parent and teacher decide that continuing to screen would not be beneficial to the student.
60.16 In such limited cases, the student must continue to receive progress monitoring and literacy
60.17 interventions.

60.18 ~~(c)~~ (d) Reading screeners in English, and in the predominant languages of district students
60.19 where practicable, must identify and evaluate students' areas of academic need related to
60.20 literacy. The district also must monitor the progress and provide reading instruction
60.21 appropriate to the specific needs of multilingual learners. The district must use an approved,
60.22 developmentally appropriate, and culturally responsive screener and annually report summary
60.23 screener results to the commissioner by June 15 in the form and manner determined by the
60.24 commissioner.

60.25 ~~(d)~~ (e) The district also must include in its local literacy plan under subdivision 4a, a
60.26 summary of the district's efforts to screen, identify, and provide interventions to students
60.27 who demonstrate characteristics of dyslexia as measured by a screening tool approved by
60.28 the Department of Education. Districts are strongly encouraged to use a MTSS framework.
60.29 With respect to students screened or identified under paragraph (a), the report must include:

60.30 (1) a summary of the district's efforts to screen for characteristics of reading difficulties,
60.31 including dyslexia;

60.32 (2) the number of students universally screened for that reporting year;

60.33 (3) the number of students demonstrating characteristics of dyslexia for that year; and

(4) an explanation of how students identified under this subdivision are provided with alternate instruction and interventions under section 125A.56, subdivision 1.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 5. Minnesota Statutes 2024, section 120B.12, subdivision 2a, is amended to read:

Subd. 2a. **Parent notification and involvement.** (a) A district must administer an approved reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, by February 15 each year, and again within the last six weeks of the school year. Schools, after administering each screener, must give the parent of each student who is not reading at or above grade level ~~timely~~ information from the screener about:

(1) the student's reading proficiency as measured by a screener approved by the Department of Education;

(2) reading-related services currently being provided to the student and the student's progress; and

(3) strategies for parents to use at home in helping their student succeed in becoming grade-level proficient in reading in English and in their native language.

(b) For students enrolled in dual language immersion programs, the district-approved screener must measure the student's reading proficiency in the program's partner language. The dual language immersion program may provide information about national research on reading proficiency for students in dual language immersion programs in the parent notification.

(c) A district may not use this section to deny a student's right to a special education evaluation.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 6. Minnesota Statutes 2024, section 120B.12, subdivision 3, is amended to read:

Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district shall provide aligned and targeted reading ~~intervention~~ support to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. A district is encouraged to provide reading intervention through a MTSS framework. If a student does not read at or above grade level by the end of the current school year, the district must continue to provide aligned and targeted reading ~~intervention~~ support

as defined by the MTSS framework until the student reads at grade level. District intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs that specialize in evidence-based instructional practices and measure mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language. Intervention may include but is not limited to requiring student attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended day programs, or programs that strengthen students' cultural connections.

(b) A district or charter school is strongly encouraged to provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3 or a screener identified by the Department of Education under section 120B.123. The district or charter school must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the student's parent or guardian. The personal learning plan must include targeted instruction that is evidence-based and ongoing progress monitoring, and address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, group interventions, periodic assessments or screeners, and reasonable timelines. The personal learning plan may include grade retention, if it is in the student's best interest; a student may not be retained solely due to delays in literacy or not demonstrating grade-level proficiency. A school must maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

(c) Starting in the ~~2025-2026~~ 2026-2027 school year, a district must use only evidence-based literacy interventions. Districts are strongly encouraged to use intervention materials approved by the Department of Education under the Read Act.

(d) Starting in the 2026-2027 school year, to provide a Tier 2 literacy intervention, a trained teacher who has completed one of the three approved professional development trainings must oversee and monitor the instruction provided by any paraprofessional or other unlicensed person, including a volunteer, ~~must be supervised by a licensed teacher who has completed training in evidence-based reading instruction approved by the Department of Education, and has completed.~~ A paraprofessional or other unlicensed person, including a volunteer, must complete evidence-based training developed under the Read Act ~~by CAREI or~~ and offered at no cost through the regional literacy networks under section

63.1 120B.124, subdivision 4, or a training that the department has determined meets or exceeds
63.2 the requirements of section 120B.124, subdivision 4.

63.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

63.4 Sec. 7. Minnesota Statutes 2024, section 120B.12, subdivision 4, is amended to read:

63.5 Subd. 4. **Staff development.** (a) A district must provide training on evidence-based
63.6 structured literacy instruction to teachers and instructional staff in accordance with
63.7 subdivision 1, paragraphs (b) and (c). The training must include teaching in the areas of
63.8 phonemic awareness, phonics, vocabulary development, reading fluency, reading
63.9 comprehension, and culturally and linguistically responsive pedagogy.

63.10 (b) Each district shall use the data under subdivision 2 to identify the staff development
63.11 needs so that:

63.12 (1) elementary teachers are able to implement explicit, systematic, evidence-based
63.13 instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary,
63.14 and comprehension with emphasis on mastery of foundational reading skills as defined in
63.15 section 120B.119 and other literacy-related areas including writing until the student achieves
63.16 grade-level reading and writing proficiency;

63.17 (2) elementary teachers receive training to provide students with evidence-based reading
63.18 and oral language instruction that meets students' developmental, linguistic, and literacy
63.19 needs using the intervention methods or programs selected by the district for the identified
63.20 students;

63.21 (3) licensed teachers employed by the district have opportunities to improve reading
63.22 and writing instruction through approved professional development identified in the local
63.23 literacy plan;

63.24 (4) licensed teachers recognize students' diverse needs in cross-cultural settings and are
63.25 able to serve the oral language and linguistic needs of students who are multilingual learners
63.26 by maximizing strengths in their native languages in order to cultivate students' English
63.27 language development, including ~~oral~~ academic language development, and build academic
63.28 literacy; and

63.29 (5) licensed teachers are trained in culturally responsive pedagogy that enables students
63.30 to master content, develop skills to access content, and build relationships.

63.31 (c) A district that offers early childhood programs, including voluntary prekindergarten
63.32 for eligible four-year-old children, early childhood special education, and school readiness

programs, must provide classroom teachers in early childhood programs training approved by the Department of Education to provide children in early childhood programs with explicit, systematic instruction in phonological and phonemic awareness; oral language, including listening comprehension; vocabulary; and letter-sound correspondence.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 8. Minnesota Statutes 2024, section 120B.12, subdivision 4a, is amended to read:

Subd. 4a. Local literacy plan. (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level every year beginning in kindergarten and to support multilingual learners and students receiving special education services in achieving their individualized reading goals. A district must update and submit the plan to the commissioner by June 15 each year. The plan must be consistent with the Read Act, and include the following:

(1) a process to assess students' foundational reading skills, oral language, and level of reading proficiency and the approved screeners used, by school site and grade level, under section 120B.123;

(2) a process to notify and involve parents;

(3) a description of how schools in the district will determine the targeted reading instruction that is evidence-based and includes an intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

(4) evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention;

(5) identification of staff development needs, including a plan to meet those needs;

(6) the curricula used by school site and grade level and, if applicable, the district plan and timeline for adopting ~~approved~~ evidence-based curricula and materials starting in the 2025-2026 school year;

(7) a statement of whether the district has adopted a MTSS framework;

(8) student data using the measures of foundational literacy skills and mastery identified by the Department of Education for the following students:

(i) students in kindergarten through grade 3;

65.1 (ii) students who demonstrate characteristics of dyslexia; and

65.2 (iii) students in grades 4 to 12 who are identified as not reading at grade level;

65.3 (9) the number of teachers and other staff who have completed training approved by the
65.4 department;

65.5 (10) the number of teachers and other staff proposed for training in structured literacy;
65.6 and

65.7 (11) how the district used funding provided under the Read Act to implement the
65.8 requirements of the Read Act.

65.9 (b) The district must post its literacy plan on the official school district website and
65.10 submit it to the commissioner of education using the template developed by the commissioner
65.11 of education annually beginning June 15, 2024.

65.12 (c) ~~By March 1, 2024, the commissioner of education must develop~~ Districts must use
65.13 a streamlined template developed by the commissioner of education for local literacy plans
65.14 that meets the requirements of this subdivision and requires all reading instruction and
65.15 teacher training in reading instruction to be evidence-based. The template must require a
65.16 district to report information using the student categories required in the commissioner's
65.17 report under paragraph (d). The template must focus district resources on improving students'
65.18 foundational reading skills while reducing paperwork requirements for teachers.

65.19 (d) By December 1, 2025, the commissioner of education must submit a report to the
65.20 legislative committees with jurisdiction over prekindergarten through grade 12 education
65.21 summarizing the local literacy plans submitted to the commissioner. The summary must
65.22 include the following information:

65.23 (1) the number of teachers and other staff, by grade level, who have completed training
65.24 approved by the Department of Education;

65.25 (2) the number of teachers and other staff, by grade level, required to complete the
65.26 training under section 120B.123, subdivision 5, who have not completed the training;

65.27 (3) the number of teachers exempt under section 120B.123, subdivision 5, from
65.28 completing training approved by the Department of Education;

65.29 (4) the statewide total number of teachers or other staff required to complete the training
65.30 under section 120B.123, subdivision 5 that have received other training or education that
65.31 meets the requirements of the training approved by the Department of Education;

66.1 (5) by school site and grade, the approved screeners and the reading curriculum used;
66.2 and

66.3 ~~(5)~~ (6) by school site and grade, using the measurements of foundational literacy skills
66.4 and mastery identified by the department, both aggregated data and disaggregated data on
66.5 student performance on the approved screeners using the student categories under section
66.6 120B.35, subdivision 3, paragraph (a), clause (2).

66.7 (e) By December 1, 2026, and December 1, 2027, the commissioner of education must
66.8 submit updated reports containing the information required under paragraph (d) to the
66.9 legislative committees with jurisdiction over prekindergarten through grade 12 education.

66.10 **EFFECTIVE DATE.** This section is effective July 1, 2025.

66.11 Sec. 9. Minnesota Statutes 2024, section 120B.123, subdivision 1, is amended to read:

66.12 Subdivision 1. **Approved screeners.** (a) A district must administer an approved
66.13 evidence-based reading screener to students in kindergarten through grade 3 within the first
66.14 six weeks of the school year, by February 15 each year, and again within the last six weeks
66.15 of the school year. The screener must be one of the screening tools approved by the
66.16 Department of Education. A district must identify any screener it uses in the district's annual
66.17 literacy plan, and submit screening data with the annual literacy plan by June 15.

66.18 (b) Starting in the 2024-2025 school year, district staff, ~~contractors,~~ and ~~volunteers~~
66.19 external partners offering literacy supports in schools may only use screeners that have been
66.20 approved by the Department of Education.

66.21 **EFFECTIVE DATE.** This section is effective July 1, 2025.

66.22 Sec. 10. Minnesota Statutes 2024, section 120B.123, subdivision 5, is amended to read:

66.23 Subd. 5. **Professional development.** (a) A district must provide training from a menu
66.24 of approved evidence-based training programs to the following teachers and staff by July
66.25 1, 2026:

66.26 (1) reading literacy intervention teachers working with students in kindergarten through
66.27 grade 12;

66.28 (2) all classroom teachers of students in kindergarten through grade 3 and children in
66.29 prekindergarten programs;

66.30 (3) kindergarten through grade 12 special education teachers responsible for literacy
66.31 instruction;

67.1 (4) curriculum directors;

67.2 (5) instructional support staff, contractors, and volunteers who assist in providing Tier
67.3 2 literacy interventions under the oversight and monitoring of a trained licensed teacher;

67.4 (6) employees who select literacy instructional materials for a district; and

67.5 (7) teachers licensed to teach English to multilingual learners.

67.6 (b) A district must provide training from a menu of approved evidence-based training
67.7 programs to the following teachers by July 1, 2027:

67.8 (1) teachers who provide foundational reading skills instruction to students in grades 4
67.9 to 12; and

67.10 (2) teachers who provide instruction to students in a state-approved alternative program.

67.11 (c) The commissioner of education may grant a district an extension to the deadlines in
67.12 this subdivision.

67.13 (d) Training provided by a department-approved certified trained facilitator may satisfy
67.14 the professional development requirements under this subdivision.

67.15 (e) Beginning July 1, 2027, an educator required to receive training under paragraph
67.16 (a), who is new to the state of Minnesota or is a newly licensed teacher who did not receive
67.17 instruction in the teaching of foundational reading skills based on structured literacy, must
67.18 complete one of the approved required trainings. Training must be offered through the
67.19 regional literacy network and facilitated by a local certified trained facilitator. The
67.20 Department of Education must review district literacy lead waiver requests and grant waivers
67.21 to educators new to the state or educators who provide reading instruction exclusively using
67.22 alternatives to sound-based approaches, and who have completed the professional
67.23 development requirements consistent with this subdivision.

67.24 ~~(e)~~ (f) For the 2024-2025 and 2025-2026 school year years only, the hours of instruction
67.25 requirement under section 120A.41 for students in an elementary and secondary school, as
67.26 defined in section 120A.05, ~~subdivision~~ subdivisions 9 and 13, is reduced by 5-1/2 hours
67.27 for a district that enters into an agreement with the exclusive representative of the teachers
67.28 that requires teachers to receive at least 5-1/2 hours of approved evidence-based training
67.29 required under this subdivision, on a day when other students in the district receive
67.30 instruction. If a charter school's teachers are not represented by an exclusive representative,
67.31 the charter school may reduce the number of instructional hours for students in an elementary
67.32 and secondary school, as defined in section 120A.05, ~~subdivision~~ subdivisions 9 and 13,
67.33 by 5-1/2 hours after consulting with its teachers in order to provide teachers with at least

5-1/2 hours of evidence-based training required under this subdivision on a day when other students receive instruction. The hours of instruction reduction for secondary school students is applicable only for the 2025-2026 school year.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 11. Minnesota Statutes 2024, section 120B.123, is amended by adding a subdivision to read:

Subd. 5a. Teacher licensure; renewal. (a) Starting July 1, 2027, a Tier 1 early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, and is licensed under section 122A.181 for their first licensure renewal must demonstrate that they are registered for, are currently taking, or have completed evidence-based structured literacy training consistent with training approved by the Department of Education. A Tier 1 teacher may demonstrate evidence of progress in meeting the subject matter reading standards for reading in administrative rule through evidence-based structured literacy coursework or through employer verification. The training required must be in progress before a second renewal of the Tier 1 license. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(b) Starting, July 1, 2027, a Tier 2 early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, and is licensed under section 122A.182, for their first licensure renewal must demonstrate that they are registered for, currently taking, or have completed evidence-based structured literacy training consistent with training approved by the Department of Education. A Tier 2 teacher may demonstrate evidence of progress in meeting the subject matter reading standards for reading in administrative rule through evidence-based structured literacy coursework or through employer verification. The training required must be in progress before the first

renewal of the Tier 2 license is granted. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(c) Starting July 1, 2027, a Tier 2 early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, who demonstrates field-specific teaching experience to complete the coursework requirements under section 122A.183, subdivision 2, clause (5), must demonstrate they have completed evidence-based structured literacy training required under subdivision 5 before the Professional Educator Licensing and Standards Board issues the Tier 3 license. The board must not deny a Tier 3 license to an educator who has made progress toward completion, but has not completed, the required training. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(d) Starting July 1, 2027, a teacher with a kindergarten through grade 12 reading endorsement or kindergarten through grade 12 English as a second language license from the Professional Educator Licensing and Standards Board must demonstrate to the school's relicensure committee they have completed evidence-based structured literacy training equivalent to the training required in subdivision 5. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(e) An educator that fails to complete the required professional development within a vendor's subscription window due to medical, personal, or family leave or for reasons tied to a learning disability, must not be held financially responsible for the costs of extending the training. An educator that fails to complete the required professional development within a vendor's subscription window for reasons of insubordination or willful refusal to comply with state and district directives regarding the professional development are subject to the

70.1 disciplinary procedures outlined in their collective bargaining agreement or set by their
70.2 hiring charter school or cooperative.

70.3 Sec. 12. Minnesota Statutes 2024, section 120B.123, subdivision 7, is amended to read:

70.4 Subd. 7. **Department of Education.** (a) By July 1, 2023, the department must make
70.5 available to districts a list of approved evidence-based screeners in accordance with section
70.6 120B.12. A district must use an approved screener to assess students' mastery of foundational
70.7 reading skills in accordance with section 120B.12.

70.8 (b) The Department of Education must partner with CAREI as required under section
70.9 120B.124 to approve professional development programs, subject to final determination by
70.10 the department. After the implementation partnership under section 120B.124 ends, the
70.11 department must continue to regularly provide districts with information about professional
70.12 development opportunities available throughout the state on reading instruction that is
70.13 evidence-based.

70.14 (c) The department and CAREI must identify training required for a literacy lead and
70.15 literacy specialist employed by a district or Minnesota service cooperatives.

70.16 (d) The department must employ one or more literacy specialists to provide support to
70.17 districts implementing the Read Act and coordinate duties assigned to the department under
70.18 the Read Act. The literacy specialist must work on state efforts to improve literacy tracking
70.19 and implementation.

70.20 (e) The department must develop a template for a local literacy plan in accordance with
70.21 section 120B.12, subdivision 4a.

70.22 (f) The department must partner with CAREI as required under section 120B.124 to
70.23 approve literacy intervention models, subject to final determination by the department. The
70.24 department must make a list of the 15 approved evidence-based intervention models available
70.25 to districts as they are approved by the department and CAREI, starting November 1, 2025.
70.26 Upon approval of the evidence-based intervention models, the department must ensure the
70.27 models are reviewed by a contracted third party for culturally responsive guidance and
70.28 materials, and make those findings available to districts once the review process is complete.
70.29 The department must notify districts of the two-step review process for all materials approved
70.30 under the Read Act for effectiveness as evidence-based structured literacy, and for cultural
70.31 responsiveness.

70.32 (g) The department and CAREI must provide ongoing coaching, mentoring, and support
70.33 to certified trained facilitators.

71.1 **EFFECTIVE DATE.** This section is effective July 1, 2025.

71.2 Sec. 13. Minnesota Statutes 2024, section 120B.124, subdivision 2, is amended to read:

71.3 Subd. 2. ~~Reconsideration~~ Curriculum review cycle. (a) Every five years, starting July
71.4 1, 2030, the department and CAREI must provide districts an opportunity to request that
71.5 the department and CAREI add to the list of reviewed curricula or professional development
71.6 and intervention programs a specific curriculum or professional development program. The
71.7 department must publish the request procedure for reconsideration procedure review on the
71.8 department website by July 1, 2029. A request for reconsideration review must demonstrate
71.9 that the curriculum or professional development intervention program meets the requirements
71.10 of the Read Act, is evidence-based, and has structured literacy components. The department
71.11 and CAREI must review the request for reconsideration and approve or deny the request
71.12 within 60 days. The review process must use the rubric used to approve curriculum under
71.13 subdivision 1 with the addition of culturally responsive criteria as determined by the
71.14 department. Alternative curriculum and intervention programs for those who cannot access
71.15 sound-based approaches must be reviewed on the same review cycle as traditional programs.

71.16 (b) ~~The department and CAREI must conduct a final curriculum review of previously~~
71.17 ~~submitted curriculum by March 3, 2025, to review curriculum that is available to districts~~
71.18 ~~at no cost. The reviewed resources must be categorized as highly aligned, partially aligned,~~
71.19 ~~minimally aligned, or not aligned to evidence-based structured literacy practices. Nonranked~~
71.20 ~~curricular resources do not fully meet the criteria to be classified as a Tier 1 core highly~~
71.21 ~~aligned program. The reviewed resources categories are defined as follows:~~

71.22 (1) "highly aligned" means 100 percent of domains were at or above the cut point with
71.23 no significant red flags identified for the program;

71.24 (2) "partially aligned" means 60 to 99 percent of domains were at or above the cut point;

71.25 (3) "minimally aligned" means 34 to 59 percent of domains were at or above the cut
71.26 point; and

71.27 (4) "not aligned" means 33 percent or less of domains were at or above the cut point.

71.28 It is a district's responsibility, when planning for curriculum implementation, to verify that
71.29 instruction and materials align with evidence-based structured literacy practices and to
71.30 resolve issues identified in the report and rubric provided by the Department of Education.

71.31 (c) A district must ensure that any red flags for a program are resolved through district
71.32 enhancements to the selected program.

72.1 (d) A program going through a full review cycle will be added to the reviewed curricula
72.2 and intervention program list after the review process is completed.

72.3 (e) Only materials that are categorized as highly aligned qualify for use of literacy aid
72.4 under section 124D.98, or state funding provided under the Read Act.

72.5 Sec. 14. Minnesota Statutes 2024, section 122A.181, subdivision 3, is amended to read:

72.6 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and
72.7 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license
72.8 may be renewed subject to paragraphs (b) ~~and (e)~~ to (d).

72.9 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1
72.10 license if:

72.11 (1) the district or charter school requesting the renewal demonstrates that it has posted
72.12 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license
72.13 for the position;

72.14 (2) the teacher holding the Tier 1 license took a content examination in accordance with
72.15 section 122A.185 and submitted the examination results to the teacher's employing district
72.16 or charter school within one year of the board approving the request for the initial Tier 1
72.17 license;

72.18 (3) the teacher holding the Tier 1 license participated in cultural competency training
72.19 consistent with section 120B.30, subdivision 8, within one year of the board approving the
72.20 request for the initial Tier 1 license; and

72.21 (4) the teacher holding the Tier 1 license met the mental illness training renewal
72.22 requirement under section 122A.187, subdivision 6.

72.23 The requirement in clause (2) does not apply to a teacher that teaches a class in a career and
72.24 technical education or career pathways course of study.

72.25 (c) A Tier 1 license must not be renewed more than three times, unless the requesting
72.26 district or charter school can show good cause for additional renewals. A Tier 1 license
72.27 issued to teach (1) a class or course in a career and technical education or career pathway
72.28 course of study, or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may
72.29 be renewed without limitation.

72.30 (d) Starting July 1, 2027, a Tier 1 licensed early childhood education teacher, elementary
72.31 education teacher, special education teacher who is responsible for teaching reading,
72.32 kindergarten through grade 12 English as a second language teacher, grade 4 through 12

classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, must demonstrate progress toward meeting the evidence-based literacy training requirements of section 120B.123, subdivision 5a, for their second licensure renewal.

Sec. 15. Minnesota Statutes 2024, section 122A.182, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed three times.

(b) Before a Tier 2 license is renewed for the first time, a teacher holding a Tier 2 license must participate in cultural competency training consistent with section 120B.30, subdivision 8, and mental illness training under section 122A.187, subdivision 6.

(c) Starting July 1, 2027, a Tier 2 licensed early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, must demonstrate that they have made progress toward completing the evidence-based literacy training requirements of section 120B.123, subdivision 5a, for the first renewal of their initial license.

(d) The board must issue rules setting forth the conditions for additional renewals after the initial license has been renewed three times.

Sec. 16. Minnesota Statutes 2024, section 122A.183, subdivision 2, is amended to read:

Subd. 2. **Coursework.** (a) An applicant for a Tier 3 license must meet the coursework requirement by demonstrating one of the following:

(1) completion of a Minnesota-approved teacher preparation program;

(2) completion of a state-approved teacher preparation program that includes field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The field-specific student teaching requirement does not apply to an applicant that has two years of field-specific teaching experience;

(3) a recommendation for licensure through the licensure via portfolio process;

(4) a professional teaching license from another state, evidence that the applicant's license is in good standing, and two years of field-specific teaching experience; or

(5) three years of teaching experience under a Tier 2 license and evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

(b) Starting July 1, 2027, a Tier 2 early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, who demonstrates field-specific teaching experience to complete the coursework requirements under this subdivision must demonstrate they have completed evidence-based structured literacy training according to section 120B.123, subdivision 5a, before the Professional Educator Licensing and Standards Board may issue an initial Tier 3 license.

Sec. 17. Minnesota Statutes 2024, section 124D.42, subdivision 8, is amended to read:

Subd. 8. **Minnesota reading corps program.** (a) A Minnesota reading corps program is established to provide ServeMinnesota AmeriCorps members with a data-based problem-solving model of literacy instruction to use in helping to train local Head Start program providers, other prekindergarten program providers, and staff in schools with students in kindergarten through grade 3 to evaluate and teach early literacy skills, including evidence-based literacy instruction under sections 120B.118 to 120B.124, to children age 3 to grade 3 and interventions for children in kindergarten to grade 3.

(b) Literacy programs under this subdivision must comply with the provisions governing literacy program goals and data use under section 142D.12, subdivision 3, paragraph (b).

(c) Literacy programs under this subdivision must use a department-approved screener, evidence-based reading instruction, and interventions focused on structured literacy. ServeMinnesota must demonstrate to the department that the training AmeriCorps members receive meets or exceeds the requirements of section 120B.124, subdivision 4, for volunteers. Minnesota Reading Corps AmeriCorps members are not required to complete the training under section ~~120B.24~~ 120B.124, subdivision 4.

(d) The commission must submit a biennial report to the committees of the legislature with jurisdiction over kindergarten through grade 12 education that records and evaluates program data to determine the efficacy of the programs under this subdivision.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 18. **REPEALER.**

Minnesota Statutes 2024, section 120B.124, subdivision 6, is repealed.

ARTICLE 5

SPECIAL EDUCATION

Section 1. Minnesota Statutes 2024, section 123B.32, subdivision 1, is amended to read:

Subdivision 1. **Language access plan required.** Starting in the 2025-2026 school year, during a regularly scheduled public board hearing, a school board must adopt a language access plan that specifies the district's process and procedures to render effective language assistance to students and adults who communicate in a language other than English or require additional assistance due to a disability. The language access plan must be available to the public and included in the school's handbook.

Sec. 2. Minnesota Statutes 2024, section 123B.32, subdivision 2, is amended to read:

Subd. 2. **Plan requirements.** The language access plan must include how the district and its schools will use trained or certified spoken language interpreters for communication related to academic outcomes, progress, determinations, and placement of students in specialized programs and services, such as special education and related individualized education programs under section 125A.08; and ensure meaningful participation in the individualized education program process by families where the family speaks a language other than English or has a disability themselves; how families and communities will be notified of their rights under this plan; and a process to appeal the accommodations of the access plan if needs are not met.

Sec. 3. Minnesota Statutes 2024, section 125A.091, subdivision 3a, is amended to read:

Subd. 3a. **Additional requirements for prior written notice.** In addition to federal law requirements, a prior written notice shall:

(1) inform the parent that except for the initial ~~placement of a child in special education~~ evaluation and the initial provision of special education and related services generally, the

76.1 school district will proceed with its proposal ~~for the child's placement or for providing~~
76.2 ~~special education services~~ unless the child's parent notifies the district of an objection within
76.3 14 days of when the district sends the prior written notice to the parent; and

76.4 (2) state that a parent who objects to a proposal or refusal in the prior written notice
76.5 may:

76.6 (i) request a conciliation conference under subdivision 7 or another alternative dispute
76.7 resolution procedure under subdivision 8 or 9; or

76.8 (ii) identify the specific part of the proposal or refusal the parent objects to and request
76.9 a meeting with appropriate members of the individualized education program team.

76.10 Sec. 4. Minnesota Statutes 2024, section 125A.091, subdivision 5, is amended to read:

76.11 Subd. 5. **Initial action; parent consent.** (a) A district must make reasonable efforts to
76.12 obtain written consent from the parent for an initial evaluation to determine whether their
76.13 child is a child with a disability.

76.14 (b) If the initial evaluation determines that the child qualifies as a child with a disability
76.15 under section 125A.02, the district must make reasonable efforts to obtain the written consent
76.16 of the child's parent for the initial provision of special education and related services
76.17 generally.

76.18 ~~(a)~~ (c) The district must not proceed with the initial evaluation of a child, ~~the initial~~
76.19 ~~placement of a child in a special education program, or the initial provision of special~~
76.20 ~~education services for a child~~ or the initial provision of special education and related services
76.21 to a child generally, without the prior written consent of the child's parent. The district is
76.22 not required to obtain the written consent of the child's parent to the particular special
76.23 education and related services proposed in the initial individualized education program but
76.24 must provide prior written notice consistent with federal requirements and the additional
76.25 requirements under subdivision 3a.

76.26 (d) Parental consent for the initial evaluation must not be construed as consent for the
76.27 initial provision of special education and related services generally.

76.28 (e) A district may not override the written refusal of a parent to consent to an initial
76.29 evaluation or reevaluation.

76.30 (f) If the parent of a child fails to respond to a request for, or refuses to consent to, the
76.31 initial provision of special education and related services generally, the district:

77.1 (1) may not use mediation or request a due process hearing in order to obtain agreement
77.2 or a ruling that services may be provided to the child;

77.3 (2) will not be considered in violation of the responsibility to make a free appropriate
77.4 public education available to the child; and

77.5 (3) is not required to convene an individualized education program team meeting or
77.6 develop an initial individualized education program for the child.

77.7 ~~(b)~~ (g) A parent, after consulting with health care, education, or other professional
77.8 providers, may agree or disagree to provide the parent's child with sympathomimetic
77.9 medications unless section 144.344 applies.

77.10 Sec. 5. [125A.092] STATE COMPLAINT PROCESS.

77.11 Subdivision 1. Filing a state complaint. (a) An organization or individual may file a
77.12 signed, written complaint with the Department of Education, Office of General Counsel,
77.13 Dispute Resolution.

77.14 (b) The complaint must include:

77.15 (1) a statement that a public agency, lead agency, or early intervention services provider
77.16 has violated a requirement of Part B or Part C of the federal Individuals with Disabilities
77.17 Education Act;

77.18 (2) the facts on which the statement is based;

77.19 (3) the signature and contact information for the complainant;

77.20 (4) if alleging violations with respect to a specific child:

77.21 (i) the name and address of the residence of the child;

77.22 (ii) the name of the school the child is attending, or the name of the early intervention
77.23 services provider serving the child; and

77.24 (iii) in the case of a homeless child or youth within the meaning of section 725(2) of the
77.25 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434(a)(2),
77.26 the available contact information for the child and the name of the school the child is
77.27 attending;

77.28 (5) a description of the nature of the problem of the child, including facts relating to the
77.29 problem; and

77.30 (6) a proposed resolution of the problem to the extent known and available to the party
77.31 at the time the complaint is filed.

78.1 (c) The complaint must allege a violation that occurred not more than one year prior to
78.2 the date that the complaint is received.

78.3 (d) The party filing the complaint must forward a copy of the complaint to the local
78.4 educational agency, public agency, or early intervention services provider serving the child
78.5 at the same time the party files the complaint with the Department of Education.

78.6 Subd. 2. **Remedies.** In resolving a complaint in which the Department of Education has
78.7 found a failure to provide appropriate services, the Department of Education, pursuant to
78.8 its general supervisory authority under Part B and Part C of the federal Individuals with
78.9 Disabilities Education Act, must address:

78.10 (1) the failure to provide appropriate services, including corrective action appropriate
78.11 to address the needs of the child, compensatory services, or monetary reimbursement; and

78.12 (2) appropriate future provision of services for all children with disabilities.

78.13 Subd. 3. **Time limit and procedures.** (a) Within 60 days after a complaint is filed, the
78.14 Department of Education must:

78.15 (1) carry out an independent on-site investigation if the Department of Education
78.16 determines that an investigation is necessary;

78.17 (2) give the complainant the opportunity to submit additional information, either orally
78.18 or in writing, about the allegations in the complaint;

78.19 (3) provide the public agency, lead agency, or early intervention services provider with
78.20 the opportunity to respond to the complaint, including at a minimum:

78.21 (i) at the discretion of the Department of Education, a proposal to resolve the complaint;
78.22 and

78.23 (ii) an opportunity for a parent who has filed a complaint and the public agency, lead
78.24 agency, or early intervention services provider to voluntarily engage in mediation consistent
78.25 with section 125A.091, subdivision 9;

78.26 (4) review all relevant information and make an independent determination as to whether
78.27 the public agency, lead agency, or early intervention services provider is violating a
78.28 requirement of Part B or Part C of the federal Individuals with Disabilities Education Act;
78.29 and

78.30 (5) issue a written decision to the complainant that addresses each allegation in the
78.31 complaint and contains:

78.32 (i) findings of fact and conclusions; and

79.1 (ii) the reasons for the Department of Education's final decision.

79.2 (b) An extension of the time limit is allowed only if:

79.3 (1) exceptional circumstances exist with respect to a particular complaint; or

79.4 (2) the parent, individual, or organization and the local educational agency, public agency,
79.5 or early intervention services provider involved agree to extend the time to engage in
79.6 mediation pursuant to section 125A.091, subdivision 9, or a facilitated team meeting pursuant
79.7 to section 125A.091, subdivision 11.

79.8 Subd. 4. **Complaints and due process hearings.** (a) If a written complaint is received
79.9 that is also the subject of a due process hearing under section 125A.091, subdivision 12, or
79.10 that contains multiple issues of which one or more are part of that hearing, the Department
79.11 of Education must set aside any part of the complaint that is being addressed in the due
79.12 process hearing until the conclusion of the hearing. However, any issue in the complaint
79.13 that is not a part of the due process action must be resolved using the time limit and
79.14 procedures described in paragraphs (c) and (d).

79.15 (b) If an issue raised in a complaint filed under this section has previously been decided
79.16 in a due process hearing involving the same parties:

79.17 (1) the due process hearing decision is binding on that issue; and

79.18 (2) the Department of Education must inform the complainant to that effect.

79.19 (c) If the local educational agency, public agency, or early intervention services provider
79.20 fails to implement the due process hearing decision, an individual or organization may file
79.21 a state complaint with the Department of Education alleging the agency or provider's failure
79.22 to implement the due process hearing decision.

79.23 Sec. 6. Minnesota Statutes 2024, section 125A.0942, subdivision 4, is amended to read:

79.24 Subd. 4. **Prohibitions.** (a) The following actions or procedures are prohibited:

79.25 (1) engaging in conduct prohibited under section 121A.58;

79.26 (2) requiring a child to assume and maintain a specified physical position, activity, or
79.27 posture that induces physical pain;

79.28 (3) totally or partially restricting a child's senses as punishment;

79.29 (4) presenting an intense sound, light, or other sensory stimuli using smell, taste,
79.30 substance, or spray as punishment;

(5) denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;

(6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under chapter 260E;

(7) withholding regularly scheduled meals or water;

(8) denying access to bathroom facilities;

(9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;

(10) prone restraint; and

(11) the use of seclusion on children from birth through grade 3 ~~by September 1, 2024~~, 6, unless the use of seclusion is explicitly agreed to by the student's parents and the rest of the individualized education program team under section 125A.08. Nothing in this section requires a school to create a seclusion room if one does not exist.

(b) At the end of each school year, a school district must report disaggregated data to the Department of Education on the students who have the use of seclusion in their individualized education program. By January 10 of each year, the commissioner must report the number of students statewide with the use of seclusion in their individualized education program based on the school district reports.

Sec. 7. Minnesota Statutes 2024, section 125A.0942, subdivision 6, is amended to read:

Subd. 6. **Behavior supports; reasonable force.** (a) School districts are encouraged to establish effective schoolwide systems of positive behavior interventions and supports.

(b) Nothing in this section or section 125A.0941 precludes the use of reasonable force under sections 121A.582; 609.06, subdivision 1; and 609.379. Any reasonable force used under sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported

81.1 to the Department of Education as a restrictive procedure, including physical holding or
81.2 seclusion used by an unauthorized or untrained staff person.

81.3 ~~(c) By February 1, 2024, the commissioner, in cooperation with stakeholders, must make~~
81.4 ~~recommendations to the legislature for urgently ending seclusion in Minnesota schools. The~~
81.5 ~~commissioner must consult with interested stakeholders, including parents of students who~~
81.6 ~~have been secluded or restrained; advocacy organizations; legal services providers; special~~
81.7 ~~education directors; teachers; paraprofessionals; intermediate school districts and cooperative~~
81.8 ~~units as defined under section 123A.24, subdivision 2; school boards; day treatment~~
81.9 ~~providers; county social services; state human services department staff; mental health~~
81.10 ~~professionals; autism experts; and representatives of groups disproportionately affected by~~
81.11 ~~restrictive procedures, including People of Color and people with disabilities. The~~
81.12 ~~recommendations must include specific dates for ending seclusion by grade or facility. The~~
81.13 ~~recommendations must identify existing resources and the new resources necessary for staff~~
81.14 ~~capacity, staff training, children's supports, child mental health services, and schoolwide~~
81.15 ~~collaborative efforts.~~

81.16 Sec. 8. **DEVELOPMENTAL DELAY AGE LIMIT WORKING GROUP.**

81.17 Subdivision 1. Working group. The Department of Education must establish a working
81.18 group on the age limit for children receiving special education services for developmental
81.19 delay.

81.20 Subd. 2. Members. (a) The commissioner of education must consult with the
81.21 organizations identified in paragraph (b) before naming appointed members to the working
81.22 group.

81.23 (b) By July 1, 2025, the commissioner must appoint the following members to the
81.24 working group:

81.25 (1) the commissioner or the commissioner's designee;

81.26 (2) two representatives from Minnesota Administrators for Special Education, consisting
81.27 of one member from the seven-county metropolitan area and one member from outside the
81.28 metropolitan area;

81.29 (3) one representative from the Professional Educator Licensing and Standards Board;

81.30 (4) two representatives from the Minnesota Association of Colleges for Teacher
81.31 Education;

(5) two representatives from Education Minnesota, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(6) two representatives from the PACER Center;

(7) two representatives from the Minnesota School Psychologists Association, consisting of one member working in a school setting and one member working in a postsecondary school psychologist preparation program; and

(8) two representatives from the Minnesota School Social Workers Association, consisting of one member working in a school setting and one member working in a postsecondary school social worker preparation program.

Subd. 3. **Duties.** The working group must meet on a regular basis and review current law limiting the eligibility of children seven years old or older from receiving intervention services for developmental delay, and assess the impact of extending eligibility to children under age nine. The working group must report its findings and recommendations to the legislative committees with jurisdiction over kindergarten through grade 12 education by February 1, 2026.

Subd. 4. **Administrative provisions.** (a) The commissioner or commissioner's designee must convene the initial meeting of the working group. Upon request, the commissioner must provide meeting space and administrative support for the group.

(b) Members of the working group serve without compensation or payment of expenses.

(c) The working group expires February 1, 2026, or upon submission of the report to the legislature required under subdivision 3, whichever is earlier.

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 6

SCHOOL NUTRITION AND FACILITIES

Section 1. Minnesota Statutes 2024, section 124D.111, is amended by adding a subdivision to read:

Subd. 1e. **Free school meals program required notice.** (a) A school district site or charter school site that qualifies for the free school meals program but does not participate in the free school meals program under subdivision 1c must annually provide notice to parents and students enrolled at the site.

(b) The notice must be in writing and must at least:

83.1 (1) indicate that the school site does not participate in the free school meals program;
83.2 (2) estimate the amount that the average student at the school site will pay in total meal
83.3 sales fees for the current school year for food that would otherwise be included in a federally
83.4 reimbursable meal; and

83.5 (3) indicate that the student would be eligible to receive breakfast and lunch at no cost
83.6 if the site participated in the free school meals program.

83.7 (c) The site must provide the required notice no later than 15 days after the beginning
83.8 of each school year.

83.9 (d) The site must provide the required notice in the same languages as the application
83.10 for educational benefits provided to students at that site.

83.11 **EFFECTIVE DATE.** This section is effective for the 2025-2026 school year and later.

83.12 Sec. 2. Minnesota Statutes 2024, section 124D.117, subdivision 2, is amended to read:

83.13 Subd. 2. **Exemption.** Subdivision 1 does not apply to a school in which fewer than 25
83.14 pupils are expected to take part in the program or a school that participates in the free school
83.15 meals program under section 124D.111. It also does not apply to a district that does not
83.16 participate in the national school lunch program.

83.17 Sec. 3. Minnesota Statutes 2024, section 124D.119, subdivision 5, is amended to read:

83.18 Subd. 5. **Summer Food Service Program locations.** Consistent with Code of Federal
83.19 Regulations, title 7, ~~section 225.6(d)(1)(ii)~~ part 225, the Department of Education must not
83.20 approve a new Summer Food Service Program open site that is within a half-mile radius of
83.21 an existing Summer Food Service Program open site. The department may approve a new
83.22 Summer Food Service Program open site within a half-mile radius only if the new program
83.23 will not be serving the same group of children for the same meal type or if there are safety
83.24 issues that could present barriers to participation.

83.25 **ARTICLE 7**

83.26 **STATE AGENCIES**

83.27 Section 1. Minnesota Statutes 2024, section 13.32, subdivision 5, is amended to read:

83.28 Subd. 5. **Directory information.** (a) Educational data designated as directory information
83.29 is public data on individuals to the extent required under federal law. Directory information
83.30 must be designated pursuant to the provisions of:

84.1 (1) this subdivision; and

84.2 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
84.3 34, section 99.37, which were in effect on January 3, 2012.

84.4 (b) When conducting the directory information designation and notice process required
84.5 by federal law, an educational agency or institution shall give parents and students notice
84.6 of the right to refuse to let the agency or institution designate specified data about the student
84.7 as directory information. This notice may be given by any means reasonably likely to inform
84.8 the parents and students of the right.

84.9 (c) An educational agency or institution may not designate a student's home address,
84.10 telephone number, email address, or other personal contact information as directory
84.11 information under this subdivision. This paragraph does not apply to a postsecondary
84.12 institution.

84.13 (d) When requested, educational agencies or institutions must share personal student
84.14 contact information and directory information, whether public or private, with the Minnesota
84.15 Department of Education, as required for federal reporting purposes.

84.16 (e) When requested, and in accordance with requirements for parental consent in the
84.17 Code of Federal Regulations, title 34, section 300.622 (b)(2), and part 99, educational
84.18 agencies or institutions may share personal student contact information and directory
84.19 information for students served in special education with postsecondary transition planning
84.20 and services under section 125A.08, paragraph (b), clause (1), whether public or private,
84.21 with the Department of Employment and Economic Development, as required for
84.22 coordination of services to students with disabilities under sections 125A.08, paragraph (b),
84.23 clause (1); 125A.023; and 125A.027.

84.24 Sec. 2. Minnesota Statutes 2024, section 120B.021, subdivision 3, is amended to read:

84.25 Subd. 3. **Rulemaking.** (a) The commissioner, consistent with the requirements of this
84.26 section and section 120B.022, must adopt statewide rules under ~~section 14.389~~ chapter 14
84.27 for implementing statewide rigorous core academic standards in language arts, mathematics,
84.28 science, social studies, physical education, and the arts.

84.29 (b) The commissioner must adopt statewide rules for implementing statewide rigorous
84.30 core academic standards in health.

85.1 Sec. 3. **MINNESOTA STATE HIGH SCHOOL LEAGUE; CATASTROPHIC**
85.2 **INJURY.**

85.3 Subdivision 1. **Insurance policy.** The Minnesota State High School League must enter
85.4 a contract for a catastrophic injury insurance policy that provides coverage for students
85.5 involved in high school league-sponsored extracurricular activities. The insurance policy
85.6 must provide at least \$5,000,000 in lifetime coverage per catastrophic injury.

85.7 Subd. 2. **Catastrophic injury payments.** The Minnesota State High School League
85.8 may make catastrophic injury payments from the Minnesota State High School League
85.9 Foundation to two former high school athletes who suffered catastrophic injuries during
85.10 high school league-sponsored events as a final payment for payment of expenses not covered
85.11 by the league's catastrophic accident insurance policy of the former high school athletes'
85.12 private insurance. The Minnesota State High School League may make payments to a student
85.13 athlete who sustained a catastrophic injury in a hockey game in 2011 and to a student who
85.14 sustained a catastrophic injury in a football game in 2022.

85.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

APPENDIX
Article locations for S1740-2

ARTICLE 1 GENERAL EDUCATION..... Page.Ln 2.2

ARTICLE 2 EDUCATION EXCELLENCE..... Page.Ln 14.1

ARTICLE 3 CHARTER SCHOOLS..... Page.Ln 41.3

ARTICLE 4 THE READ ACT..... Page.Ln 58.1

ARTICLE 5 SPECIAL EDUCATION..... Page.Ln 75.7

ARTICLE 6 SCHOOL NUTRITION AND FACILITIES..... Page.Ln 82.23

ARTICLE 7 STATE AGENCIES..... Page.Ln 83.25

APPENDIX
Repealed Minnesota Statutes: S1740-2

120B.124 READ ACT IMPLEMENTATION PARTNERSHIP.

Subd. 6. **Comprehensive review of literacy materials.** Starting in 2033, the department and an institution of higher education may partner to conduct a comprehensive review of curriculum and intervention materials to identify literacy curriculum and supporting materials, and intervention materials that are evidence-based, focused on structured literacy, culturally and linguistically responsive, and reflect diverse populations. The department must post on its website the rubrics used to evaluate curriculum and intervention materials. The department must revise the list of approved curriculum and supporting materials, and intervention materials based on the findings of the review.

123B.935 ACTIVE TRANSPORTATION SAFETY TRAINING.

No active language found for: 123B.935.2