A bill for an act

relating to education and education finance; general education; education
excellence; teachers; special education; health and safety; facilities, fund transfers,
and accounting; nutrition and libraries; early childhood; community education and
lifelong learning; state agencies; and forecast; amending Minnesota Statutes 2020,
sections 12.21, subdivision 3; 43A.08, subdivisions 1, 1a; 120A.35; 120A.40;
120A.41; 120A.414; 120A.42; 120B.021, subdivision 4; 120B.11, subdivisions
1, 1a; 120B.132, subdivisions 1, 3; 121A.04, subdivision 4; 121A.21; 121A.45,
by adding a subdivision; 121A.53, subdivision 2; 121A.55; 121A.61, subdivision
3; 121A.64; 122A.06, subdivision 4, by adding a subdivision; 122A.092, by adding
a subdivision; 122A.181, subdivisions 1, 3; 122A.40, subdivisions 3, 10; 122A.41,
subdivision 14a, by adding a subdivision; 122A.416; 122A.61, subdivision 1;
122A.635, subdivisions 1, 2; 122A.70; 122A.76; 123A.05, subdivision 1; 123A.30,
subdivision 6; 123B.10, by adding a subdivision; 123B.44, subdivisions 1, 5, 6;
123B.595, subdivision 3; 123B.86, subdivision 3; 124D.05, subdivision 3; 124D.09,
subdivisions 5a, 7, 9, 11, 12, 22; 124D.111; 124D.12; 124D.121; 124D.122;
124D.126, subdivision 1; 124D.127; 124D.19, subdivision 2; 124D.20, subdivisions
3, 7, 8; 124D.531, subdivision 1; 124E.05, subdivisions 5, 6; 126C.01, subdivision
8; 126C.05, subdivision 8; 126C.10, subdivisions 2a, 18a; 126C.15, subdivisions
1, 5; 126C.17, subdivision 6; 126C.40, subdivision 1; 126C.44; 127A.49,
subdivision 3; 128C.01, subdivision 4; 134.355, subdivisions 5, 6, 7; 297A.70,
subdivision 2; 352.01, subdivision 2a; 354.05, subdivision 2; 469.176, subdivision
2; 609A.03, subdivision 7a; Laws 2017, First Special Session chapter 5, article 2,
section 52; Laws 2019, First Special Session chapter 11, article 1, section 25,
subdivisions 2, as amended, 3, as amended, 4, as amended, 6, as amended, 7, as
amended, 9, as amended; article 2, section 33, subdivisions 2, as amended, 3, as
amended, 5, as amended, 6, as amended, 16, as amended; article 3, section 23,
subdivision 3, as amended; article 4, section 11, subdivisions 2, as amended, 3, as
amended, 4, as amended, 5, as amended; article 6, section 7, subdivisions 2, as
amended, 3, as amended; article 7, section 1, subdivisions 2, as amended, 3, as
amended, 4, as amended; article 8, section 13, subdivisions 5, as amended, 14, as
amended; article 9, section 3, subdivision 2, as amended; article 10, section 5,
subdivision 2, as amended; Laws 2020, chapter 116, article 3, section 8; proposing
coding for new law in Minnesota Statutes, chapters 121A; 122A; 124D; 127A;
repealing Minnesota Statutes 2020, sections 124D.8957, subdivision 30; 129C.10,
subdivisions 1, 2, 3, 3a, 3b, 4a, 4b, 6, 7, 8; 129C.105; 129C.15; 129C.20; 129C.25;
129C.26; 129C.27; Minnesota Rules, parts 3500.1000; 3600.0010, subparts 1, 2,
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

GENERAL EDUCATION

Section 1. Minnesota Statutes 2020, section 123A.05, subdivision 1, is amended to read:

Subdivision 1. Governance. (a) A district may establish an area learning center, alternative learning program, or contract alternative in accordance with sections 124D.68, subdivision 3, paragraph (d), and 124D.69.

(b) An area learning center is encouraged to cooperate with a service cooperative, an intermediate school district, a local education and employment transitions partnership, public and private secondary and postsecondary institutions, public agencies, businesses, and foundations. Except for a district located in a city of the first class, an area learning center must be established in cooperation with other districts and may serve the geographic area of at least two districts. An area learning center must provide comprehensive educational services to enrolled secondary students throughout the year, including a daytime school within a school or separate site for both high school and middle school level students.

(c) An alternative learning program may serve the students of one or more districts, may designate which grades are served, and may make program hours and a calendar optional.

(d) A contract alternative is an alternative learning program operated by a private organization that has contracted with a school district to provide educational services for students under section 124D.68, subdivision 2.

Sec. 2. Minnesota Statutes 2020, section 123B.44, subdivision 1, is amended to read:

Subdivision 1. Provided services. The commissioner of education shall promulgate rules under the provisions of chapter 14 requiring each district or other intermediary service area: (a) to provide each year upon formal request by a specific date by or on behalf of a nonpublic school pupil enrolled in a nonpublic school located in that district or area, the same specific health services as are provided for public school pupils by the district where the nonpublic school is located; and (b) to provide each year upon formal request by a specific date by or on behalf of a nonpublic school elementary or secondary pupil enrolled in a nonpublic school located in that district or area or an elementary or secondary pupil enrolled in an American Indian-controlled tribal contract or grant school, the same specific health services as are provided to public school pupils by the district where the nonpublic school is located.
guidance and counseling services as are provided for public school secondary pupils by the district where the nonpublic school is located. The district where the nonpublic school is located must provide the necessary transportation within the district boundaries between the nonpublic school and a public school or neutral site for nonpublic school pupils who are provided pupil support services under this section if the district elects to provide pupil support services at a site other than the nonpublic school. Each request for pupil support services must set forth the guidance and counseling or health services requested by or on behalf of all eligible nonpublic school pupils enrolled in a given nonpublic school. No district or intermediary service area must not expend an amount for these pupil support services which exceeds the amount allotted to it under this section.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

Sec. 3. Minnesota Statutes 2020, section 123B.44, subdivision 5, is amended to read:

Subd. 5. Guidance and counseling services; allotment. Each school year the commissioner shall allot to the school districts or intermediary service areas for the provision of guidance and counseling services pursuant to this section the actual cost of the services provided for the pupils in each respective nonpublic school for that school year. The allotment for guidance and counseling services for the elementary pupils in each nonpublic school must not exceed the average expenditure per public school elementary pupil for these services by those Minnesota public schools that provide these services to their elementary pupils, multiplied by the number of elementary pupils in that particular nonpublic school who request these services and who are enrolled as of September 15 of the current school year. The allotment for guidance and counseling services for the secondary pupils in each nonpublic school must not exceed the average expenditure per public school secondary pupil for these services by those Minnesota public schools which provide these services to their secondary pupils, multiplied by the number of secondary pupils in that particular nonpublic school who request these services and who are enrolled as of September 15 of the current school year.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

Sec. 4. Minnesota Statutes 2020, section 123B.44, subdivision 6, is amended to read:

Subd. 6. Computation of maximum allotments. For purposes of computing maximum allotments for each school year pursuant to this section, the average public school expenditure per pupil for health services and the average public school expenditure per elementary and secondary pupil for guidance and counseling services shall be computed and established

Article 1 Sec. 4.
by the department by February 1 of the preceding school year from the most recent public
school year data then available.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2022 and later.

Sec. 5. Minnesota Statutes 2020, section 126C.01, subdivision 8, is amended to read:

Subd. 8. **Shared time pupils.** "Shared time pupils" means those pupils who:

(1) attend public school programs for part of the regular school day; or

(2) attend public school career and technical education programs offered for secondary
credit outside of the regular school day;

and who otherwise fulfill the requirements of section 120A.22 by attendance at a nonpublic
school.

**EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

Sec. 6. Minnesota Statutes 2020, section 126C.10, subdivision 2a, is amended to read:

Subd. 2a. **Extended time revenue.** (a) A school district's extended time revenue is equal
to the product of $5,117 and the sum of the adjusted pupil units of the district for each pupil
in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05,
subdivision 8.

(b) Extended time revenue for pupils placed in an on-site education program at the Prairie
Lakes Education Center or the Lake Park School, located within the borders of Independent
School District No. 347, Willmar, for instruction provided after the end of the preceding
regular school year and before the beginning of the following regular school year equals
membership hours divided by the minimum annual instructional hours in section 126C.05,
subdivision 15, not to exceed 0.20, times the pupil unit weighting in section 126C.05,
subdivision 1, times $5,117.

(c) A school district qualifies for extended time revenue for every pupil placed in a
children's residential facility, whether the education services are provided on-site or off-site
for instruction provided after the end of the preceding regular school year and before the
beginning of the following regular school year. Extended time revenue under this paragraph
equals total membership hours in summer instruction divided by the minimum annual
instructional hours in section 126C.05, subdivision 15, not to exceed 0.20, times the pupil
unit weighting in section 126C.05, subdivision 1, times $5,117.
(d) For purposes of this subdivision, "children's residential facility" means a residential facility for children, including a psychiatric residential treatment facility (PRTF), licensed by the Department of Human Services or the Department of Corrections and subject to Minnesota Rules, chapter 2960, or an inpatient hospitalization that includes mental health services.

(e) A school district's extended time revenue may be used for extended day programs, extended week programs, summer school, vacation break academies such as spring break academies and summer term academies, and other programming authorized under the learning year program.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

Sec. 7. Minnesota Statutes 2020, section 126C.10, subdivision 18a, is amended to read:

Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special school district's transportation sparsity revenue under subdivision 18 is increased by the greater of zero or \( \frac{18.2}{70} \) percent of the difference between:

1. the lesser of the district's total cost for regular and excess pupil transportation under section 123B.92, subdivision 1, paragraph (b), including depreciation, for the previous fiscal year or 105 percent of the district's total cost for the second previous fiscal year; and
2. the sum of:
   i. 4.66 percent of the district's basic revenue for the previous fiscal year;
   ii. transportation sparsity revenue under subdivision 18 for the previous fiscal year;
   iii. the district's charter school transportation adjustment for the previous fiscal year; and
   iv. the district's reimbursement for transportation provided under section 123B.92, subdivision 1, paragraph (b), clause (1), item (vi).
(b) A charter school's pupil transportation adjustment equals the school district per pupil adjustment under paragraph (a).

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

Sec. 8. Minnesota Statutes 2020, section 126C.15, subdivision 1, is amended to read:

Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10, subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll

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under-prepared to learn and whose progress toward meeting state or local content or performance standards is below the level that is appropriate for learners of their age. Basic skills revenue may also be used for programs designed to prepare children and their families for entry into school whether the student first enrolls in kindergarten or first grade. Any of the following may be provided to meet these learners' needs:

(1) direct instructional services under the assurance of mastery program according to section 124D.66;

(2) remedial instruction in reading, language arts, mathematics, other content areas, or study skills to improve the achievement level of these learners;

(3) additional teachers and teacher aides to provide more individualized instruction to these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;

(4) a longer school day or week during the regular school year or through a summer program that may be offered directly by the site or under a performance-based contract with a community-based organization;

(5) comprehensive and ongoing staff development consistent with district and site plans according to section 122A.60 and to implement plans under section 120B.12, subdivision 4a, for teachers, teacher aides, principals, and other personnel to improve their ability to identify the needs of these learners and provide appropriate remediation, intervention, accommodations, or modifications;

(6) instructional materials, digital learning, and technology appropriate for meeting the individual needs of these learners;

(7) programs to reduce truancy, encourage completion of high school, enhance self-concept, provide health services, provide nutrition services, provide a safe and secure learning environment, provide coordination for pupils receiving services from other governmental agencies, provide psychological services to determine the level of social, emotional, cognitive, and intellectual development, and provide counseling services, guidance services, and social work services;

(8) bilingual programs, bicultural programs, and programs for English learners;

(9) all-day kindergarten;

(10) early education programs, parent-training programs, school readiness programs, kindergarten voluntary prekindergarten and school readiness plus programs for four-year-olds, voluntary home visits under section 124D.13, subdivision 4, and other outreach efforts designed to prepare children for kindergarten;
7.1 (11) extended school day and extended school year programs, including summer programs that may be offered directly by the site or under a performance-based contract with a community-based organization; and

7.2 (12) substantial parent involvement in developing and implementing remedial education or intervention plans for a learner, including learning contracts between the school, the learner, and the parent that establish achievement goals and responsibilities of the learner and the learner's parent or guardian.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

Sec. 9. Minnesota Statutes 2020, section 126C.15, subdivision 5, is amended to read:

Subd. 5. Annual expenditure report. Each year a district that receives basic skills revenue must submit a report identifying the expenditures it incurred to meet the needs of eligible learners under subdivision 1. The report must conform to uniform financial and reporting standards established for this purpose and provide a breakdown by functional area. Using valid and reliable data and measurement criteria, the report also must determine whether increased expenditures raised student achievement levels.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

Sec. 10. Minnesota Statutes 2020, section 126C.17, subdivision 6, is amended to read:

Subd. 6. Referendum equalization levy. (a) A district's referendum equalization levy equals the sum of the first tier referendum equalization levy and the second tier referendum equalization levy.

(b) A district's first tier referendum equalization levy equals the district's first tier referendum equalization revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to $567,000. For fiscal year 2023 and later, a district's first tier referendum equalization levy must not exceed the amount raised by a tax rate of 0.062 percent times the referendum market value of the district times the ratio of the district's first tier referendum equalization allowance to $460.

(c) A district's second tier referendum equalization levy equals the district's second tier referendum equalization revenue times the lesser of one or the ratio of the district's referendum market value per resident pupil unit to $290,000. For fiscal year 2023 and later, a district's second tier referendum equalization levy must not exceed the amount raised by a tax rate of 0.155 percent times the referendum market value of the district times the ratio of the district's second tier referendum equalization allowance to 25 percent of the formula.
allowance, minus the sum of $300 and the district's first tier referendum equalization allowance.

EFFECTIVE DATE. This section is effective for taxes payable in 2022 and later.

Sec. 11. Minnesota Statutes 2020, section 127A.49, subdivision 3, is amended to read:

Subd. 3. Excess tax increment. (a) If a return of excess tax increment is made to a district pursuant to sections 469.176, subdivision 2, and 469.177, subdivision 9, or upon decertification of a tax increment district, the school district's aid and levy limitations must be adjusted for the fiscal year in which the excess tax increment is paid under the provisions of this subdivision.

(b) An amount must be subtracted from the district's aid for the current fiscal year equal to the product of:

1. the amount of the payment of excess tax increment to the district in the preceding year, times
2. the ratio of:
   i. the sum of the district's certified levy for the fiscal year in which the excess tax increment is paid in the third preceding year according to the following:
   A. section 123B.57, if the district received health and safety aid according to that section for the second preceding year;
   B. section 124D.20, if the district received aid for community education programs according to that section for the second preceding year;
   C. section 124D.135, subdivision 3, if the district received early childhood family education aid according to section 124D.135 for the second preceding year;
   D. section 126C.17, subdivision 6, if the district received referendum equalization aid according to that section for the second preceding year;
   E. section 126C.10, subdivision 13a, if the district received operating capital aid according to section 126C.10, subdivision 13b, in the second preceding year;
   F. section 126C.10, subdivision 29, if the district received equity aid according to section 126C.10, subdivision 30, in the second preceding year;
   G. section 126C.10, subdivision 32, if the district received transition aid according to section 126C.10, subdivision 33, in the second preceding year;
(H) section 123B.53, subdivision 5, if the district received debt service equalization aid according to section 123B.53, subdivision 6, in the second preceding year;

(I) section 123B.535, subdivision 4, if the district received natural disaster debt service equalization aid according to section 123B.535, subdivision 5, in the second preceding year;

(J) section 124D.22, subdivision 3, if the district received school-age care aid according to section 124D.22, subdivision 4, in the second preceding year; and

(K) section 122A.415, subdivision 5, if the district received alternative teacher compensation equalization aid according to section 122A.415, subdivision 6, paragraph (a), in the second preceding year; to

(ii) the total amount of the district's certified levy for the fiscal year in the third preceding year, plus or minus auditor's adjustments.

(c) An amount must be subtracted from the school district's levy limitation for the next levy certified equal to the difference between:

(1) the amount of the distribution of excess increment; and

(2) the amount subtracted from aid pursuant to clause (a).

If the aid and levy reductions required by this subdivision cannot be made to the aid for the fiscal year specified or to the levy specified, the reductions must be made from aid for subsequent fiscal years, and from subsequent levies. The school district must use the payment of excess tax increment to replace the aid and levy revenue reduced under this subdivision.

(d) This subdivision applies only to the total amount of excess increments received by a district for a calendar year that exceeds $25,000.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

Sec. 12. Minnesota Statutes 2020, section 469.176, subdivision 2, is amended to read:

Subd. 2. **Excess increments.** (a) The authority shall annually determine the amount of excess increments for a district, if any. This determination must be based on the tax increment financing plan in effect on December 31 of the year and the increments and other revenues received as of December 31 of the year. The authority must spend or return the excess increments under paragraph (c) within nine months after the end of the year.

(b) For purposes of this subdivision, "excess increments" equals the excess of:

(1) total increments collected from the district since its certification, reduced by any excess increments paid under paragraph (c), clause (4), for a prior year, over...
(2) the total costs authorized by the tax increment financing plan to be paid with increments from the district, reduced, but not below zero, by the sum of:

(i) the amounts of those authorized costs that have been paid from sources other than tax increments from the district;

(ii) revenues, other than tax increments from the district, that are dedicated for or otherwise required to be used to pay those authorized costs and that the authority has received and that are not included in item (i);

(iii) the amount of principal and interest obligations due on outstanding bonds after December 31 of the year and not prepaid under paragraph (c) in a prior year; and

(iv) increased by the sum of the transfers of increments made under section 469.1763, subdivision 6, to reduce deficits in other districts made by December 31 of the year.

(c) The authority shall use excess increment only to do one or more of the following:

(1) prepay any outstanding bonds;

(2) discharge the pledge of tax increment for any outstanding bonds;

(3) pay into an escrow account dedicated to the payment of any outstanding bonds; or

(4) return the excess amount to the county auditor who shall distribute the excess amount to the city or town, county, and school district in which the tax increment financing district is located in direct proportion to their respective local tax rates.

(d) For purposes of a district for which the request for certification was made prior to August 1, 1979, excess increments equal the amount of increments on hand on December 31, less the principal and interest obligations due on outstanding bonds or advances, qualifying under subdivision 1c, clauses (1), (2), (4), and (5), after December 31 of the year and not prepaid under paragraph (c).

(e) The county auditor must, prior to February 1 of each year, report to the commissioner of education the amount of any excess tax increment distributed to a school district within 30 days of the distribution for the preceding taxable year.

(f) For purposes of this subdivision, "outstanding bonds" means bonds which are secured by increments from the district.

(g) The state auditor may exempt an authority from reporting the amounts calculated under this subdivision for a calendar year, if the authority certifies to the auditor in its report that the total amount authorized by the tax increment plan to be paid with increments from...
the district exceeds the sum of the total increments collected for the district for all years by 20 percent.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2022 and later.

Sec. 13. **APPROPRIATIONS.**

**Subdivision 1. Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

**Subd. 2. General education aid.** For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

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<thead>
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<th>Year</th>
<th>Amount</th>
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<td>$7,443,657,000</td>
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The 2022 appropriation includes $717,326,000 for 2021 and $6,694,173,000 for 2022.

The 2023 appropriation includes $717,081,000 for 2022 and $6,726,576,000 for 2023.

**Subd. 3. Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

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<tr>
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</table>

The 2022 appropriation includes $269,000 for 2021 and $2,628,000 for 2022.

The 2023 appropriation includes $291,000 for 2022 and $3,267,000 for 2023.

**Subd. 4. Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

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</table>

The 2022 appropriation includes $269,000 for 2021 and $2,628,000 for 2022.

The 2023 appropriation includes $291,000 for 2022 and $3,267,000 for 2023.

**Subd. 5. Consolidation transition aid.** For districts consolidating under Minnesota Statutes, section 123A.485:

<table>
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<td>2023</td>
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</table>

The 2022 appropriation includes $30,000 for 2021 and $279,000 for 2022.

The 2023 appropriation includes $31,000 for 2022 and $342,000 for 2023.
Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

- $18,460,000 .... 2022
- $19,062,000 .... 2023

The 2022 appropriation includes $1,903,000 for 2021 and $16,557,000 for 2022.

The 2023 appropriation includes $1,839,000 for 2022 and $17,223,000 for 2023.

Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

- $19,344,000 .... 2022
- $19,084,000 .... 2023

The 2022 appropriation includes $1,910,000 for 2021 and $17,434,000 for 2022.

The 2023 appropriation includes $1,937,000 for 2022 and $17,147,000 for 2023.

Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No. 690, Warroad, to operate the Angle Inlet School:

- $65,000 .... 2022
- $65,000 .... 2023

Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

- $2,668,000 .... 2022
- $2,279,000 .... 2023

The 2022 appropriation includes $323,000 for 2021 and $2,345,000 for 2022.

The 2023 appropriation includes $260,000 for 2022 and $2,019,000 for 2023.

Subd. 10. **Pregnant and parenting pupil transportation reimbursement.** (a) To reimburse districts for transporting pregnant or parenting pupils under Minnesota Statutes, section 123B.92, subdivision 1, paragraph (b), clause (1), item (vi):

- $56,000 .... 2022
- $55,000 .... 2023

(b) To receive reimbursement, districts must apply using the form and manner of application prescribed by the commissioner. If the appropriation is insufficient, the commissioner must prorate the amount paid to districts seeking reimbursement.

(c) Any balance in the first year does not cancel but is available in the second year.
13.1 (d) The base for fiscal year 2024 and later is $55,000.

13.2 Subd. 11. Minnesota classroom support aid. (a) For providing onetime aid to school districts, charter schools, intermediate school districts, and the Minnesota State Academies for Minnesota classroom support aid:

13.3 $60,000,000 .... 2022

13.4 $0 .... 2023

13.5 (b) Of the amount in paragraph (a), the commissioner must allocate $2,000,000 to the four intermediate school districts and the Minnesota State Academies. The commissioner must directly distribute $400,000 to each intermediate school district and $400,000 to the Minnesota State Academies.

13.6 (c) Of the amount in paragraph (a), the commissioner must allocate the remainder of the appropriation to school districts and charter schools in an amount equal to $58,000,000 multiplied by the ratio of an eligible school district or charter school's fiscal year 2020 average daily membership divided by the total fiscal year 2020 average daily membership of all school districts and charter schools. The aid for a school district or charter school that received $5,000 per pupil or more of federal COVID-19 revenue must not exceed the lesser of the amount calculated under this paragraph or $1,000,000. Federal COVID-19 revenue per pupil for each school district or charter school equals:

13.7 (1) the sum of a school district or charter school's Elementary and Secondary School Emergency Relief formula-based allocation received under:

13.8 (i) the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136;

13.9 (ii) the Consolidated Appropriations Act, 2021, division M, Coronavirus Response and Relief Supplemental Appropriations Act, Public Law 116-260; and

13.10 (iii) the American Rescue Plan Act of 2021, Public Law 117-2; and

13.11 (2) divided by the school district or charter school's fiscal year 2020 average daily membership.

13.12 (d) One hundred percent of the aid under this section must be paid in the current year.

13.13 (e) This appropriation is available until June 30, 2023. This is a onetime appropriation.
ARTICLE 2

EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2020, section 120A.35, is amended to read:

120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.

Reasonable efforts must be made by a school district to accommodate any pupil who wishes to be excused from a curricular activity for a religious observance. A school board must provide annual notice to parents of the school district's policy relating to a pupil's absence from school for religious observance.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 2. Minnesota Statutes 2020, section 120A.40, is amended to read:

120A.40 SCHOOL CALENDAR.

(a) Except for learning programs during summer, flexible learning year programs authorized under sections 124D.12 to 124D.127, and learning year programs under section 124D.128, a district must not commence an elementary or secondary school year before Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops may be held before Labor Day. Districts that enter into cooperative agreements are encouraged to adopt similar school calendars.

(b) A district may begin the school year on any day before Labor Day:

(1) to accommodate a construction or remodeling project of $400,000 or more affecting a district school facility;

(2) if the district has an agreement under section 123A.30, 123A.32, or 123A.35 with a district that qualifies under clause (1); or

(3) if the district agrees to the same schedule with a school district in an adjoining state.

(c) A school board may consider the community's religious observance when adopting an annual school calendar.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 3. Minnesota Statutes 2020, section 120A.41, is amended to read:

120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.

(a) A school board's annual school calendar must include at least 425 hours of instruction for a kindergarten student without a disability, 935 hours of instruction for a student in...
grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school. The school calendar for all-day kindergarten must include at least 850 hours of instruction for the school year. The school calendar for a prekindergarten student under section 124D.151, if offered by the district, must include at least 350 hours of instruction for the school year. A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the commissioner school board under section 124D.126.

(b) A school board's annual school calendar may include plans for up to five days of instruction provided through online instruction due to inclement weather. The inclement weather an unlimited number of days of instruction provided through distance learning due to weather or a health or natural disaster emergency. The distance learning plans must be developed according to section 120A.414.

(c) Hours of instruction include all learning opportunities and services designed to support a student to be prepared to succeed and lead by having the knowledge and skills to learn, engage civically, and lead meaningful lives, through implementation of evidence-based practices, quality instruction, and personalized learning supports. Such opportunities and services include but are not limited to blended learning, distance learning, project-based learning, work-based learning, service learning, supervised internships, and in-person learning in a school building.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 4. Minnesota Statutes 2020, section 120A.414, is amended to read:

120A.414 E-LEARNING DISTANCE LEARNING DAYS.

Subdivision 1. Days. "E-learning day" "Distance learning day" means a school day where a school offers full access to online instruction provided by students' individual teachers due to inclement weather or a health or natural disaster emergency as determined by the school board or superintendent. A school district or charter school that chooses to have e-learning distance learning days may have up to five e-learning an unlimited number of distance learning days in one school year. An e-learning A distance learning day is counted as a day of instruction and included in the hours of instruction under section 120A.41.

Subd. 2. Plan. A school board may use its 2020-2021 school year distance learning plan or may adopt an e-learning a distance learning day plan after consulting with the exclusive representative of the teachers. A charter school may adopt an e-learning a distance learning day plan after consulting with its teachers. The plan must include accommodations for
subtends without Internet access at home and for digital device access for families without
the technology or an insufficient amount of technology for the number of children in the
household. A school's e-learning distance learning day plan must provide accessible options
for students with disabilities under chapter 125A.

Subd. 3. Annual notice. A school district or charter school must notify parents and
students of the e-learning distance learning day plan at the beginning of the school year.

Subd. 4. Daily notice. On an e-learning distance learning day declared by the school,
a school district or charter school must notify parents and students at least two hours prior
to the normal school start time that students need to follow the e-learning distance learning
day plan for that day.

Subd. 5. Teacher access. Each student's teacher must be accessible both online and by
telephone during normal school hours on an e-learning distance learning day to assist
students and parents.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 5. Minnesota Statutes 2020, section 120A.42, is amended to read:

120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.

(a) The governing body of any district may contract with any of the teachers of the
district for the conduct of schools, and may conduct schools, on either, or any, of the
following holidays, provided that a clause to this effect is inserted in the teacher's contract:
Martin Luther King's birthday, Lincoln's and Washington's birthdays, Columbus Day and
Veterans' Day. On Martin Luther King's birthday, Washington's birthday, Lincoln's birthday,
and Veterans' Day at least one hour of the school program must be devoted to a patriotic
observance of the day.

(b) A district may conduct a school program to honor Constitution Day and Citizenship
Day by providing opportunities for students to learn about the principles of American
democracy, the American system of government, American citizens' rights and
responsibilities, American history, and American geography, symbols, and holidays. Among
other activities under this paragraph, districts may administer to students the test questions
United States Citizenship and Immigration Services officers pose to applicants for
naturalization.

(c) Upon request of a group or organization identified as a patriotic society in United
States Code, title 36, formed to serve students under the age of 21, a school district must
include the group or organization in the school program identified in paragraph (a) or (b),
or provide a representative of a patriotic society an opportunity each school year to speak
for a reasonable amount of time to students during the school day. School districts must not
allow groups described as hate groups by the United States Federal Bureau of Investigation
in the schools.

Sec. 6. Minnesota Statutes 2020, section 120B.021, subdivision 4, is amended to read:

Subd. 4. Revisions and reviews required. (a) The commissioner of education must
revise and appropriately embed technology and information literacy standards consistent
with recommendations from school media specialists into the state's academic standards
and graduation requirements and implement a ten-year cycle to review and, consistent with
the review, revise state academic standards and related benchmarks, consistent with this
subdivision. During each ten-year review and revision cycle, the commissioner also must
examine the alignment of each required academic standard and related benchmark with the
knowledge and skills students need for career and college readiness and advanced work in
the particular subject area. The commissioner must include the contributions of Minnesota
American Indian tribes and communities as related to the academic standards during the
review and revision of the required academic standards.

(b) The commissioner must ensure that the statewide mathematics assessments
administered to students in grades 3 through 8 and 11 are aligned with the state academic
standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).
The commissioner must implement a review of the academic standards and related
benchmarks in mathematics beginning in the 2021-2022 school year and every ten years
thereafter.

(c) The commissioner must implement a review of the academic standards and related
benchmarks in arts beginning in the 2017-2018 school year and every ten years thereafter.

(d) The commissioner must implement a review of the academic standards and related
benchmarks in science beginning in the 2018-2019 school year and every ten years thereafter.

(e) The commissioner must implement a review of the academic standards and related
benchmarks in language arts beginning in the 2019-2020 school year and every ten years
thereafter.

(f) The commissioner must implement a review of the academic standards and related
benchmarks in social studies beginning in the 2020-2021 school year and every ten years
thereafter.
(g) The commissioner must implement a review of the academic standards and related benchmarks in physical education beginning in the 2022-2023 school year and every ten years thereafter.

(h) School districts and charter schools must revise and align local academic standards and high school graduation requirements in health, world languages, and career and technical education to require students to complete the revised standards beginning in a school year determined by the school district or charter school. School districts and charter schools must formally establish a periodic review cycle for the academic standards and related benchmarks in health, world languages, and career and technical education.

Sec. 7. Minnesota Statutes 2020, section 120B.11, subdivision 1, is amended to read:

Subdivision 1. Definitions. For the purposes of this section and section 120B.10, the following terms have the meanings given them.

(a) "Instruction" means methods of providing learning experiences that enable a student to meet state and district academic standards and graduation requirements including applied and experiential learning.

(b) "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills and career and college readiness.

(c) "World's best workforce" means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

(d) "Experiential learning" means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

(e) "On track for graduation" means that at the end of grade 9, a student has earned at least five credits and has received no more than one failing grade in a semester in a course in language arts, mathematics, science, or social studies. A student is off track for graduation if the student fails to meet either of these criteria.
Sec. 8. Minnesota Statutes 2020, section 120B.11, subdivision 1a, is amended to read:

**Subd. 1a. Performance measures.** (a) Measures to determine school district and school site progress in striving to create the world's best workforce must include at least:

(1) the size of the academic achievement gap, rigorous course taking under section 120B.35, subdivision 3, paragraph (c), clause (2), participation in honors or gifted and talented programming, and enrichment experiences by student subgroup;

(2) student performance on the Minnesota Comprehensive Assessments;

(3) high school graduation rates; and

(4) career and college readiness under section 120B.30, subdivision 1; and

(5) the number and percentage of students, by student subgroup, who are on track for graduation.

(b) Performance measures under this subdivision must be reported for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2).

Sec. 9. Minnesota Statutes 2020, section 120B.132, subdivision 1, is amended to read:

**Subdivision 1. Establishment; eligibility.** (a) A program is established to raise kindergarten through grade 12 academic achievement through increased student participation in preadvanced placement, advanced placement, and international baccalaureate programs, consistent with section 120B.13. Schools and charter schools eligible to participate under this section:

(1) must have a three-year plan approved by the local school board to establish a new international baccalaureate program leading to international baccalaureate authorization, expand an existing program that leads to international baccalaureate authorization, or expand an existing authorized international baccalaureate program; or

(2) must have a three-year plan approved by the local school board to create a new or expand an existing program to implement the college board advanced placement courses and exams or preadvanced placement initiative; and

(3) must propose to further raise students' academic achievement by:

(1) increasing the availability of and all students' access to advanced placement or international baccalaureate courses or programs;

(2) expanding the breadth of advanced placement or international baccalaureate courses or programs that are available to students;
(iii) (3) increasing the number and the diversity of the students who participate in advanced placement or international baccalaureate courses or programs and succeed;

(iv) (4) providing low-income and other disadvantaged students with increased access to advanced placement or international baccalaureate courses and programs; or

(v) (5) increasing the number of high school students, including low-income and other disadvantaged students, who receive college credit by successfully completing advanced placement or international baccalaureate courses or programs and achieving satisfactory scores on related exams.

(b) Within 90 days of receiving a grant under this section, a school district or charter school must:

(1) adopt a three-year plan approved by the local school board to establish a new international baccalaureate program leading to international baccalaureate authorization, expand an existing program that leads to international baccalaureate authorization, or expand an existing authorized international baccalaureate program; or

(2) adopt a three-year plan approved by the local school board to create a new or expand an existing program to implement the college board advanced placement courses and exams or preadvanced placement initiative.

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

Sec. 10. Minnesota Statutes 2020, section 120B.132, subdivision 3, is amended to read:

Subd. 3. Funding; permissible funding uses. (a) The commissioner shall award grants to applicant school districts and charter schools that meet the requirements of subdivisions 1 and 2. The commissioner must award grants on an equitable geographical basis to the extent feasible and consistent with this section. Grant awards must not exceed the lesser of:

(1) $85 times the number of pupils enrolled at the participating sites on October 1 of the previous fiscal year;

(2) the approved supplemental expenditures based on the budget submitted under subdivision 2. For charter schools in their first year of operation, the maximum funding award must be calculated using the number of pupils enrolled on October 1 of the current fiscal year. The commissioner may adjust the maximum funding award computed using prior year data for changes in enrollment attributable to school closings, school openings, grade level reconfigurations, or school district reorganizations between the prior fiscal year and the current fiscal year; or
$150,000 per district or charter school.

(b) School districts and charter schools that submit an application and receive funding under this section must use the funding, consistent with the application, to:

1. provide teacher training and instruction to more effectively serve students, including low-income and other disadvantaged students, who participate in preadvanced placement, advanced placement, or international baccalaureate courses or programs;

2. further develop preadvanced placement, advanced placement, or international baccalaureate courses or programs;

3. improve the transition between grade levels to better prepare students, including low-income and other disadvantaged students, for succeeding in preadvanced placement, advanced placement, or international baccalaureate courses or programs;

4. purchase books and supplies;

5. pay course or program fees;

6. increase students' participation in and success with preadvanced placement, advanced placement, or international baccalaureate courses or programs;

7. expand students' access to preadvanced placement, advanced placement, or international baccalaureate courses or programs through online learning;

8. hire appropriately licensed personnel to teach additional advanced placement or international baccalaureate courses or programs; or

9. engage in other activities to expand low-income or disadvantaged students' access to, participation in, and success with preadvanced placement, advanced placement, or international baccalaureate courses or programs. Other activities may include but are not limited to preparing and disseminating promotional materials to low-income and other disadvantaged students and their families.

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

Sec. 11. Minnesota Statutes 2020, section 121A.04, subdivision 4, is amended to read:

Subd. 4. **Provision of separate teams.** When an equal opportunity to participate in the elementary or secondary school level athletic program of an educational institution or public service is not provided to members of a sex whose overall athletic opportunities have previously been limited, that educational institution or public service shall, where there is demonstrated interest, provide separate teams for members of the excluded sex in sports.
which it determines will provide members of that excluded sex with an equal opportunity
to participate in its athletic program and which will attempt to accommodate their
demonstrated interests. A public elementary or secondary school, or a school that is a member
of the Minnesota State High School League, that permits a person whose sex is male to
participate in interscholastic or intramural athletics that are designed for women or girls, is
in violation of this section. Nothing in this section may be construed to invalidate a court
order.

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

Sec. 12. Minnesota Statutes 2020, section 121A.45, is amended by adding a subdivision
to read:

Subd. 4. **Dismissal of students in kindergarten through grade three.** Notwithstanding
subdivision 2, a pupil in kindergarten through grade 3 may only be dismissed in
circumstances where the child poses a safety threat to the child or others.

Sec. 13. Minnesota Statutes 2020, section 121A.55, is amended to read:

**121A.55 POLICIES TO BE ESTABLISHED.**

Subdivision 1. **Written discipline policies; area learning centers; removal of students.** (a) The commissioner of education shall promulgate guidelines to assist each
school board. Each school board shall establish uniform criteria for dismissal and adopt
written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The
policies shall emphasize preventing dismissals through early detection of problems and
shall be designed to address students' inappropriate behavior from recurring. The policies
shall recognize the continuing responsibility of the school for the education of the pupil
during the dismissal period. The alternative educational services, if the pupil wishes to take
advantage of them, must be adequate to allow the pupil to make progress towards meeting
the graduation standards adopted under section 120B.02 and help prepare the pupil for
readmission.

(b) An area learning center under section 123A.05 may not prohibit an expelled or
excluded pupil from enrolling solely because a district expelled or excluded the pupil. The
board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to
exclude a pupil or to require an admission plan.
(c) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

Subd. 2. Annual discipline policy review; stakeholder group. (a) A school board must annually convene stakeholders to review the district's discipline policy. The stakeholder group must consist of at least 25 percent parents or guardians of current students and at least 25 percent of current students. Other stakeholders may include other community members and relevant school staff. The school board may assign the duty to review the discipline policy to an existing school or site council that has the same percentage of parents and students as required of the stakeholder group.

(b) The stakeholder group may make recommendations to the school board regarding changes to the discipline policy. The stakeholder group must have access to data on discipline incidents the district reports to the Department of Education and the Office for Civil Rights. Any data that includes identifiable student information must be excluded from the data provided to the stakeholder group.

Subd. 3. Parent, guardian, or student review of suspensions. The district's discipline policy must provide a process for a parent, guardian, or student age 18 or older to request review of an imposed suspension.

Sec. 14. Minnesota Statutes 2020, section 122A.06, subdivision 4, is amended to read:

Subd. 4. Comprehensive, scientifically based reading instruction. (a) "Comprehensive, scientifically based reading instruction" includes a program or collection of instructional practices that is based on valid, replicable evidence showing that when these programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension.

Comprehensive, scientifically based reading instruction also includes and integrates instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs in order to design and implement ongoing interventions so that students of all ages and proficiency levels can read and comprehend text, write, and apply higher level thinking skills. For English learners developing literacy skills, districts are encouraged to use strategies that teach reading and writing in the students' native language and English at the same time.
(b) "Fluency" is the ability of students to read text with speed, accuracy, and proper expression.

c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate individual sounds in spoken syllables and words.

d) "Phonics" is the understanding that there are systematic and predictable relationships between written letters and spoken words. Phonics instruction is a way of teaching reading that stresses learning how letters correspond to sounds and how to apply this knowledge in reading and spelling.

(e) "Reading comprehension" is an active process that requires intentional thinking during which meaning is constructed through interactions between text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.

(f) "Vocabulary development" is the process of teaching vocabulary both directly and indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich contexts, incidental learning, and use of computer technology enhance the acquiring of vocabulary.

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

Sec. 15. Minnesota Statutes 2020, section 123B.86, subdivision 3, is amended to read:

Subd. 3. **Board control.** (a) When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of school children and any other matter relating thereto shall be within the sole discretion, control and management of the board.

(b) A school board and a nonpublic school may mutually agree to a written plan for the board to provide nonpublic pupil transportation to nonpublic students.

(1) A school board that provides pupil transportation through its employees may transport nonpublic pupils according to the plan and retain the nonpublic pupil transportation aid attributable to that plan. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services not required under sections 123B.84 to 123B.87.
(2) A school board that contracts for pupil transportation services may enter into a contractual arrangement with a school bus contractor according to the written plan adopted by the school board and the nonpublic school to transport nonpublic pupils and retain the nonpublic pupil transportation aid attributable to that plan for purposes of paying the school bus contractor. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services included in the contract that are not required under sections 123B.84 to 123B.87.

(c) The school district must report the number of nonpublic pupils transported and the nonpublic pupil transportation expenditures incurred under paragraph (b) in the form and manner specified by the commissioner.

Sec. 16. Minnesota Statutes 2020, section 124D.09, subdivision 5a, is amended to read:

Subd. 5a. Authorization; career or technical education. A 10th, 11th, or 12th grade pupil enrolled in a district 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 enroll in a career or technical education course offered by a Minnesota state college or university. A 10th grade pupil applying for enrollment in a career or technical education course under this subdivision must have received a passing score on the 8th grade Minnesota Comprehensive Assessment in reading as a condition of enrollment. A current 10th grade pupil who did not take the 8th grade Minnesota Comprehensive Assessment in reading may substitute another reading assessment accepted by the enrolling postsecondary institution. A secondary pupil may enroll in the pupil's first postsecondary options enrollment course under this subdivision. A student who is refused enrollment by a Minnesota state college or university under this subdivision must have received a passing score on the 8th grade Minnesota Comprehensive Assessment in reading as a condition of enrollment. A current 10th grade pupil who did not take the 8th grade Minnesota Comprehensive Assessment in reading may substitute another reading assessment accepted by the enrolling postsecondary institution. A secondary pupil may enroll in the pupil's first postsecondary options enrollment course under this subdivision. A student who is refused enrollment by a Minnesota state college or university under this subdivision may apply to an eligible institution offering a career or technical education course. A 10th grade student who qualifies to enroll in a career or technical education course under this subdivision may enroll in more than one career or technical education course in their first semester of their 10th grade school year. The postsecondary institution must give priority to its students according to subdivision 9. If a secondary student receives a grade of "C" or better in the career or technical education course taken under this subdivision, the postsecondary institution must allow the student to take additional postsecondary courses for secondary credit at that institution, not to exceed the limits in subdivision 8. A "career or technical course" is a course that is part of a career and technical education program that provides individuals with coherent, rigorous content aligned with academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current
and emerging professions and provide technical skill proficiency, an industry recognized
credential, and a certificate, a diploma, or an associate degree.

Sec. 17. Minnesota Statutes 2020, section 124D.09, subdivision 7, is amended to read:

Subd. 7. Dissemination of information; notification of intent to enroll. By the earlier
of (1) three weeks prior to the date by which a student must register for district courses for
the following school year, or (2) March 1 of each year, a district must provide up-to-date
information on the district's website and in materials that are distributed to parents and
students about the program, including information about enrollment requirements and the
ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the
district in planning, a pupil must inform the district by May 30 of each year of the pupil's
intent to enroll in postsecondary courses during the following school year. A pupil is bound
by notifying or not notifying the district by May 30. The May 30 deadline does not apply
if the district does not meet the requirements for dissemination of information under this
subdivision.

Sec. 18. Minnesota Statutes 2020, 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, or guardian on educational and programmatic, and financial
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
eyear 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.

Sec. 19. Minnesota Statutes 2020, section 124D.09, subdivision 11, is amended to read:

Subd. 11. Participation in high school activities. Enrolling in a course under this section shall not, by itself, prohibit a pupil from participating in activities sponsored by the pupil's high school, leadership roles, or participating in national organizations sponsored by the pupil's high school.

Sec. 20. Minnesota Statutes 2020, section 124D.09, subdivision 12, is amended to read:

Subd. 12. Credits; grade point average weighting policy. (a) A pupil must not audit a course under this section.

(b) A district shall grant academic credit to a pupil enrolled in a course for secondary credit if the pupil successfully completes the course. Seven quarter or four semester college credits equal at least one full year of high school credit. Fewer college credits may be prorated. A district must also grant academic credit to a pupil enrolled in a course for postsecondary credit if secondary credit is requested by a pupil. If no comparable course is offered by the district, the district must, as soon as possible, notify the commissioner, who shall determine the number of credits that shall be granted to a pupil who successfully completes a course. If a comparable course is offered by the district, the school board shall grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits shall be final.

(c) A school board must adopt a policy regarding weighted grade point averages for any high school or dual enrollment course. The board must adopt an identical policy regarding
weighted grade point averages for credits earned through postsecondary enrollment options coursework as it gives to credits earned through comparable concurrent enrollment coursework. The policy must state whether the district offers weighted grades. A school board must annually publish on its website a list of courses for which a student may earn a weighted grade.

(d) The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil shall provide the school with a copy of the pupil's grade in each course taken for secondary credit under this section. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

(e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

(f) The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

Sec. 21. Minnesota Statutes 2020, section 124D.09, subdivision 22, is amended to read:

Subd. 22. Transportation. (a) A parent or guardian of a pupil enrolled in a course for secondary credit may apply to the pupil's district of residence for reimbursement for
transporting the pupil between the secondary school in which the pupil is enrolled or the
pupil's home and the postsecondary institution that the pupil attends. The state shall provide
state aid to a district in an amount sufficient to reimburse the parent or guardian, or district,
for the necessary transportation costs when the family's or guardian's income is at or below
the poverty level, as determined by the federal government. The reimbursement shall be
the pupil's or district's actual cost of transportation or 15 cents per mile traveled, whichever
is less. Reimbursement may not be paid for more than 250 miles per week. However, if the
nearest postsecondary institution is more than 25 miles from the pupil's resident secondary
school, the weekly reimbursement may not exceed the reimbursement rate per mile times
the actual distance between the secondary school or the pupil's home and the nearest
postsecondary institution times ten. The state must pay aid to the district according to this
subdivision. A district that is reimbursed for transporting an eligible pupil under this
subdivision must not charge any pupil for transportation to or from a postsecondary
institution.

(b) A parent or guardian of an alternative pupil enrolled in a course for secondary credit
may apply to the pupil's postsecondary institution for reimbursement for transporting the
pupil between the secondary school in which the pupil is enrolled or the pupil's home and
the postsecondary institution in an amount sufficient to reimburse the parent or guardian
for the necessary transportation costs when the family's or guardian's income is at or below
the poverty level, as determined by the federal government. The amount of the reimbursement
shall be determined as in paragraph (a). The state must pay aid to the postsecondary institution
according to this subdivision.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2022 and later.

Sec. 22. [124D.097] DISTANCE LEARNING OPTION.

A school district may offer a full distance learning option to its enrolled resident students.
A distance learning option may be part of a school's curriculum offerings. A student may
complete all of the educational expectations and graduation requirements according to
section 120B.02 through distance learning. A school district that offers distance learning is
not an online learning provider and is not subject to Department of Education approval
under section 124D.095. A school district may assign a student who is participating in full
distance learning to a building for purposes of determining compensatory revenue pupil
units under section 126C.05, subdivision 3, and free and reduced-price meal eligibility under
section 126C.05, subdivision 16.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.
Sec. 23. Minnesota Statutes 2020, section 124D.12, is amended to read:

124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.

Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use of flexible learning year programs. It is anticipated that the open selection of the type of flexible learning year operation from a variety of alternatives will allow each district seeking to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester plans, extended learning year plans, and flexible all-year plans. A school district with an approved four-day week plan in the 2014-2015 school year may continue under a four-day week plan through the end of the 2019-2020 school year. Future approvals are contingent upon meeting the school district's performance goals established in the district's plan under section 120B.11. The commissioner must give a school district one school year's notice before revoking approval of its flexible learning year program.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 24. Minnesota Statutes 2020, section 124D.121, is amended to read:

124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.

"Flexible learning year program" means any district plan approved by the commissioner school board that utilizes buildings and facilities during the entire year or that provides forms of optional scheduling of pupils and personnel during the learning year in elementary and secondary schools or residential facilities for children with a disability.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 25. Minnesota Statutes 2020, section 124D.122, is amended to read:

124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.

The board of any district or a consortium of districts, with the approval of the commissioner, may establish and operate a flexible learning year program in one or more of the day or residential facilities for children with a disability within the district. Consortiums may use a single application and evaluation process, though results, public hearings, and board approvals must be obtained for each district as required under appropriate sections. The commissioner must approve or disapprove of a flexible learning year application within 45 business days of receiving the application. If the commissioner disapproves the application, the commissioner must give the district or consortium detailed reasons for the disapproval.
EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 26. Minnesota Statutes 2020, section 124D.126, subdivision 1, is amended to read:

Subdivision 1. Powers and duties. The commissioner must:

(1) promulgate rules necessary to the operation of sections 124D.12 to 124D.127;

(2) cooperate with and provide supervision of flexible learning year programs to determine compliance with the provisions of sections 124D.12 to 124D.127, the commissioner's standards and qualifications, and the proposed program as submitted and approved;

(3) provide any necessary adjustments of attendance and membership computations and the dates and percentages of apportionment of state aids; and

(4) consistent with the definition of "average daily membership" in section 126C.05, subdivision 8, furnish the board of a district implementing a flexible learning year program with a formula for computing average daily membership. This formula must be computed so that tax levies to be made by the district, state aids to be received by the district, and any and all other formulas based upon average daily membership are not affected solely as a result of adopting this plan of instruction.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 27. Minnesota Statutes 2020, section 124D.127, is amended to read:

124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.

The board of any district, with the approval of the commissioner of education, may terminate a flexible learning year program in one or more of the day or residential facilities for children with a disability within the district. This section shall not be construed to permit an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 28. [124D.4536] RURAL CAREER AND TECHNICAL EDUCATION CONSORTIUM GRANTS.

Subdivision 1. Definition. (a) "Rural career and technical education (CTE) consortium" means a voluntary collaboration of at least one greater Minnesota service cooperative and other regional public and private partners, including school districts and higher education
institutions, that work together to provide career and technical education opportunities within the service cooperative's multicounty service area.

(b) A consortium that includes more than one service cooperative must designate one service cooperative to serve as fiscal host for the consortium.

Subd. 2. Establishment. (a) A rural CTE consortium shall:

(1) focus on the development of courses and programs that encourage collaboration between two or more school districts;

(2) develop new career and technical programs that focus on the industry sectors that fuel the rural regional economy;

(3) facilitate the development of highly trained and knowledgeable students who are equipped with technical and workplace skills needed by regional employers;

(4) improve access to career and technical education programs for students who attend sparsely populated rural school districts by developing public and private partnerships with business and industry leaders and by increasing coordination of high school and postsecondary program options;

(5) increase family and student awareness of the availability and benefit of career and technical education courses and training opportunities; and

(6) provide capital start-up costs for items, including but not limited to a mobile welding lab, medical equipment and lab, and industrial kitchen equipment.

(b) In addition to the requirements in paragraph (a), a rural CTE consortium may:

(1) address the teacher shortage crisis in career and technical education through incentive funding and training programs; and

(2) provide transportation reimbursement grants to provide equitable opportunities throughout the region for students to participate in career and technical education.

Subd. 3. Rural career and technical education advisory committee. In order to be eligible for a grant under this section, a greater Minnesota service cooperative must establish a rural career and technical education advisory committee to advise the cooperative on the administration of the rural CTE consortium.

Subd. 4. Private funding. A rural CTE consortium may receive other sources of funds to supplement state funding. All funds received shall be administered by the service cooperative that is a member of the consortium.
Section 29 of Minnesota Statutes 2020, section 124E.05, subdivision 5, is amended to read:

Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's performance every five years in a manner and form determined by the commissioner, subject to paragraphs (b) and (c), and may review an authorizer's performance more frequently at the commissioner's own initiative or at the request of a charter school operator, charter school board member, or other interested party. The commissioner, after completing the review, shall transmit a report with findings to the authorizer.

(b) Consistent with this subdivision, the commissioner must:

(1) use criteria appropriate to the authorizer and the schools it charters to review the authorizer's performance; and

(2) consult with authorizers, charter school operators, and other charter school stakeholders in developing review criteria under this paragraph.

(c) The commissioner's form must use existing department data on the authorizer to minimize duplicate reporting to the extent practicable. When reviewing an authorizer's performance under this subdivision, the commissioner must not:

(1) fail to credit;

(2) withhold points; or

(3) otherwise penalize an authorizer for failing to charter additional schools or for the absence of complaints against the authorizer's current portfolio of charter schools.

(d) An authorizer that is a school district that submitted a written promise under subdivision 4, paragraph (b), may submit a new written promise to comply with the requirements to the commissioner as part of the review process.
Sec. 30. Minnesota Statutes 2020, section 124E.05, subdivision 6, is amended to read:

Subd. 6. Corrective action. (a) If, consistent with this chapter, the commissioner finds that an authorizer has not met the requirements of this chapter, the commissioner may subject the authorizer to a corrective action plan, which may include terminating the contract with the charter school board of directors of a school it chartered. Last no longer than 130 business days. The commissioner may prohibit an authorizer on a corrective plan from accepting a transfer application from a charter school and an application to establish a charter school.

(b) The commissioner must notify the authorizer in writing of that the authorizer has been placed on a corrective plan. The notice must include any findings that may subject the authorizer to corrective action at the conclusion of the corrective plan and the authorizer then has 15 business days to request an informal hearing before the commissioner takes corrective action. The commissioner must hold an informal hearing within 15 days of the request. If the issues identified as the basis for the corrective action are not resolved at the informal hearing, the authorizer must make the requested improvements and notify the commissioner of the improvements within 45 business days. Within 20 business days, the commissioner must review the changes and notify the authorizer of any remaining issues to be resolved. An authorizer must address the remaining issues as directed by the commissioner within 20 business days. Within 15 business days, the commissioner must review the changes and notify the authorizer whether all issues in the corrective plan have been resolved.

(c) If the commissioner terminates a contract between an authorizer and a charter school under this paragraph, the commissioner may assist the affected charter school in acquiring a new authorizer. A charter school board of directors may submit to the commissioner a request to transfer to a new authorizer without the approval or consent of the current authorizer if that authorizer has been under a corrective action plan for more than 130 business days.

(d) The commissioner may at any time take corrective action against an authorizer, including terminating an authorizer's ability to charter a school, terminating a contract with a charter school, and other appropriate sanctions for:

1. failing to demonstrate the criteria under subdivision 3 under which the commissioner approved the authorizer;
2. violating a term of the chartering contract between the authorizer and the charter school board of directors;
3. unsatisfactory performance as an approved authorizer; or
any good cause shown that gives the commissioner a legally sufficient reason to take corrective action against an authorizer; or

(5) failing to meet the terms of a corrective action plan by the specified deadline.

Sec. 31. Minnesota Statutes 2020, section 126C.05, subdivision 8, is amended to read:

Subd. 8. Average daily membership. (a) Membership for pupils in grades kindergarten through 12 and for prekindergarten pupils with disabilities shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused. However, a pupil, regardless of age, who has been absent from school for 15 consecutive school days during the regular school year or for five consecutive school days during summer school or intersession classes of flexible school year programs without receiving instruction in the home or hospital shall be dropped from the roll and classified as withdrawn. Nothing in this section shall be construed as waiving the compulsory attendance provisions cited in section 120A.22. Average daily membership equals the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days the schools are in session, are providing distance learning under section 124D.097, or are providing e-learning distance learning days due to inclement weather under section 120A.414. Days of summer school or intersession classes of flexible school year programs are only included in the computation of membership for pupils with a disability not appropriately served primarily in the regular classroom. A student must not be counted as more than 1.2 pupils in average daily membership under this section and section 126C.10, subdivision 2a, paragraph (b). When the initial total average daily membership exceeds 1.2 for a pupil enrolled in more than one school district during the fiscal year, each district's average daily membership must be reduced proportionately.

(b) A student must not be counted as more than one pupil in average daily membership except for purposes of section 126C.10, subdivision 2a.

EFFECTIVE DATE. This section is effective for the 2021-2022 school year and later.

Sec. 32. [127A.20] EVIDENCE-BASED EDUCATION GRANTS.

Subdivision 1. Purpose and applicability. The purpose of this section is to create a process to describe, measure, and report on the effectiveness of any prekindergarten through grade 12 education program funded in whole or in part through funds appropriated by the legislature to the commissioner of education for grants to organizations. The evidence-based
evaluation required by this section applies to all grants awarded by the commissioner of
education on or after July 1, 2022.

Subd. 2. Goals. Each applicant for a grant awarded by the commissioner of education
must include in the grant application a statement of the goals of the education program and
grant funds. To the extent practicable, the goals must be aligned to the state of Minnesota's
world's best workforce and the federally required Every Student Succeeds Act accountability
systems.

Subd. 3. Strategies and data. Each applicant must include in the grant application a
description of the strategies that will be used to meet the goals specified in the application.
The applicant must also include a plan to collect data to measure the effectiveness of the
strategies outlined in the grant application.

Subd. 4. Reporting. Within 180 days of the end of the grant period, each grant recipient
must compile a report that describes the data that was collected and evaluate the effectiveness
of the strategies. The evidence-based report may identify or propose alternative strategies
based on the results of the data. The report must be submitted to the commissioner of
education and to the chairs and ranking minority members of the legislative committees
with jurisdiction over prekindergarten through grade 12 education. The report must be filed
with the Legislative Reference Library according to section 3.195.

Subd. 5. Grant defined. For purposes of this section, "grant" means money appropriated
from the state general fund to the commissioner of education for distribution to the grant
recipients.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 33. Laws 2017, First Special Session chapter 5, article 2, section 52, is amended to
read:

Sec. 52. EDUCATION INNOVATION RESEARCH ZONES PILOT ZONE
PROGRAM.

Subdivision 1. Establishment; requirements for participation; research innovation
zone plans. (a) The innovation research zone pilot program is established to improve student
and school outcomes consistent with the world's best workforce requirements under
Minnesota Statutes, section 120B.11. Innovation zone partnerships allow school districts
and charter schools to research and implement innovative education programming models
designed to better prepare students for the world of the 21st century.
(b) One or more school districts or charter schools may join together to form an innovation zone partnership. The partnership may include other nonschool partners, including postsecondary institutions, other units of local government, nonprofit organizations, and for-profit organizations. An innovation zone plan must be collaboratively developed in concert with the school's instructional staff.

(c) An innovation zone partnership must research and may implement innovative education programs and models that are based on proposed hypotheses. An innovation zone plan may include an emerging practice not yet supported by peer-reviewed research. Examples of innovation zone research may include, but are not limited to:

1. personalized learning, allowing students to excel at their own pace and according to their interests, aspirations, and unique needs;
2. the use of competency outcomes rather than seat time and course completion to fulfill standards, credits, and other graduation requirements;
3. multidisciplinary, real-world, inquiry-based, and student-directed models designed to make learning more engaging and relevant, including documenting and validating learning that takes place beyond the school day and school walls;
4. models of instruction designed to close the achievement gap, including new models for age three to grade 3 models, English as a second language models, early identification and prevention of mental health issues, and others;
5. new partnerships between secondary schools and postsecondary institutions, employers, or career training institutions enabling students to complete industry certifications, postsecondary education credits, and other credentials;
6. new methods of collaborative leadership including the expansion of schools where teachers have larger professional roles;
7. new ways to enhance parental and community involvement in learning;
8. new models of professional development for educators, including embedded professional development; or
9. new models in other areas such as whole child instruction, social-emotional skill development, technology-based or blended learning, parent and community involvement, professional development and mentoring, and models that increase the return on investment;
10. new models of evaluation, assessment, and accountability using multiple indicators including models that demonstrate alternative ways to validate students' academic attainment.
that have predictive validity to the state tests, but also include other variables such as problem
solving, creativity, analytical thinking, collaboration, respecting others, global understanding,
postgraduation student performance, and other information;

(11) improving teacher and principal mentoring and evaluation;

(12) granting a high school diploma to a student who meets the graduation requirements
under Minnesota Statutes, section 120B.02, subdivision 2, who demonstrates preparation
for postsecondary education or a career consistent with the world's best workforce goals
under Minnesota Statutes, section 120B.11, and who meets the following requirements:

(i) completes four years of high school; and

(ii) completes at least one year of postsecondary education at a two- or four-year college
or university through concurrent enrollment, advanced placement, or international
baccalaureate courses; or

(iii) completes a career certification up to the apprenticeship program level if one is
required for that certification;

(13) using the provisions in Minnesota Statutes, sections 124D.085, governing experiential
and applied learning opportunities; 124D.52, subdivision 9, governing standard adult high
school diploma requirements; and 126C.05, subdivision 15, paragraph (b), item (i), governing
the use of independent study;

(14) allow a student in grade 10, 11, or 12 to participate in career and technical programs
after school, on weekends, and during school breaks, including summers, and be included
in the average daily membership up to one. The classes must generate both high school and
postsecondary credit and lead to either a career certification, technical college degree, or
an apprenticeship program;

(15) methods to initiate prevention models to reduce student needs for special education
and to reduce teacher time devoted to the required special education documentation; or

(16) other innovations as determined by the local boards.

(d) An innovation zone plan submitted to the commissioner must describe:

(1) how the plan will improve student and school outcomes consistent with the world's
best workforce requirements under Minnesota Statutes, section 120B.11;

(2) the role of each partner in the zone;

(3) the research methodology used for each proposed action in the plan;
the exemptions from statutes and rules in subdivision 2 that the research innovation zone partnership will use;

(5) a description of how teachers and other educational staff from the affected school sites will be included in the planning and implementation process;

(6) a detailed description of expected outcomes and graduation standards;

(7) a timeline for implementing the plan and assessing the outcomes; and

(8) how results of the plan will be disseminated.

The governing board for each partner must approve the innovation zone plan.

c) Upon unanimous approval of the initial innovation zone partners and approval of the commissioner of education, the innovation zone partnership may extend membership to other partners. A new partner's membership is effective 30 days after the innovation zone partnership notifies the commissioner of the proposed change in membership unless the commissioner disapproves the new partner's membership and updates their plan.

f) Notwithstanding any other law to the contrary, a school district or charter school participating in an innovation zone partnership under this section continues to receive all revenue and maintains its taxation authority in the same manner as before its participation in the innovation zone partnership. The innovation zone school district and charter school partners remain organized and governed by their respective school boards with general powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any employment agreements under Minnesota Statutes, chapters 122A and 179A. School district and charter school employees participating in an innovation zone partnership remain employees of their respective school district or charter school.

(g) An innovation zone partnership may submit its plan at any time to the commissioner in the form and manner specified by the commissioner. The commissioner must approve or reject the plan after reviewing the recommendation of the Innovation Research Zone Advisory Panel. An initial innovation zone plan that has been rejected by the commissioner may be resubmitted to the commissioner after the innovation zone partnership has modified the plan to meet each individually identified objection.

(h) An innovation zone plan must not cause an increase in state aid or levies for partners.

Subd. 2. Exemptions from laws and rules. (a) Notwithstanding any other law to the contrary, an innovation zone partner with an approved plan filed with the commissioner is exempt from each of the following state education laws and rules specifically identified in its plan:
(1) any law or rule from which a district-created, site-governed school under Minnesota Statutes, section 123B.045, is exempt;

(2) any statute or rule from which the commissioner has exempted another district or charter school, as identified in the list published on the Department of Education's Web site under subdivision 4, paragraph (b);

(3) online learning program approval under Minnesota Statutes, section 124D.095, subdivision 7, if the school district or charter school offers a course or program online combined with direct access to a teacher for a portion of that course or program;

(4) restrictions on extended time revenue under Minnesota Statutes, section 126C.10, subdivision 2a, for a student who meets the criteria of Minnesota Statutes, section 124D.68, subdivision 2; and

(5) any required hours of instruction in any class or subject area for a student who is meeting all competencies consistent with the graduation standards described in the innovation zone plan.

(b) The exemptions under this subdivision must not be construed as exempting an innovation zone partner from the Minnesota Comprehensive Assessments or as increasing any state aid or levy.

Subd. 3. Innovation Research Zone Advisory Panel. (a) The commissioner must establish and convene an Innovation Research Zone Advisory Panel to review all innovation zone plans submitted for approval.

(b) The panel must be composed of nine members. One member must be appointed by each of the following organizations: Educators for Excellence, Education Minnesota, Minnesota Association of Secondary School Principals, Minnesota Elementary School Principals' Association, Minnesota Association of School Administrators, Minnesota School Boards Association, Minnesota Association of Charter Schools, and the Office of Higher Education. The commissioner must appoint one member with expertise in evaluation and research.

Subd. 4. Commissioner approval; duties. (a) Upon recommendation of the Innovation Research Zone Advisory Panel, the commissioner may approve up to three innovation zone plans in the seven-county metropolitan area and up to three in greater Minnesota. If an innovation zone partnership fails to implement its innovation zone plan as described in its application and according to the stated timeline, upon recommendation of the Innovation Research Zone Advisory Panel, the commissioner must may alert the partnership members
and provide the opportunity to remediate. If implementation continues to fail, the
commissioner must suspend or terminate the innovation zone plan.

(b) The commissioner must publish a list of the exemptions the commissioner has granted
to a district or charter school on the Department of Education's Web site by July 1, 2017.
The list must be updated annually.

Subd. 5. Project evaluation, dissemination, and report to legislature. Each research
innovation zone partnership must submit project data to the commissioner in the form and
manner provided for in the approved application specified by the commissioner. At least
once every two years, the commissioner must analyze each innovation zone's progress
in realizing the objectives of the innovation zone partnership's plan. The commissioner must
To the extent practicable, and using existing resources, the commissioner may summarize
and categorize innovation zone plans and submit a report to the legislative committees
having jurisdiction over education by February 1 of each odd-numbered year in accordance
with Minnesota Statutes, section 3.195.

Sec. 34. ACADEMIC STANDARDS REVIEW SUSPENSION.

Notwithstanding Minnesota Statutes, section 120B.021, the commissioner of education
must suspend any ongoing review or revision of academic standards, or implementation of
revised academic standards under Minnesota Statutes, section 120B.021, until June 1, 2023.

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

Sec. 35. DIGITAL WELL-BEING GRANT.

Subdivision 1. Findings; grant. (a) The legislature finds that the negative effects of
screen overuse and misuse impact the healthy development of young people. Research
supports a growing amount of evidence on the effects of screen overuse and misuse on the
following dimensions of well-being:

(1) physically, including sleep disturbances, eye strain, headaches, obesity, back and
neck pain, and physiological changes in the brain;

(2) mentally, including depression, anxiety, suicidal ideation, and addictive tendencies;

(3) socially, including loneliness, social upward mobility comparison, nomophobia,
sexting, cyberbullying, unfiltered access to pornography, and diminished social and
interpersonal skills;
emotionally, including emotional dysregulation, decreased ability to express empathy, and lowered self-esteem; and

(5) cognitive distraction, including diminished academic performance, decreased working memory, decrease in cognitive capacity and functioning, and increase in ADHD.

(b) The effects of screen overuse and misuse impact every generation, gender, race, and social class. Technology poses a greater detriment to underserved populations on social mobility comparisons, academic achievement, distraction by devices in the learning environment, compromised use of technology as a learning tool, reduced social and emotional learning skills, and lower levels of learning motivation and self-confidence.

(c) The negative effects of social media on young people include sleep disruption, increased cyberbullying and rumor spreading, increased depression and anxiety, declines in life satisfaction, loss of interest in daily activities with peers, increased tendency to send sexualized images, suicidal ideation, self-harming, and obesity.

(d) The commissioner of education must award a grant to LiveMore ScreenLess, a Minnesota-based organization that collaborates with communities to promote digital well-being. LiveMore ScreenLess must use the grant funds as described in subdivisions 2 to 5.

Subd. 2. Digital well-being resource hub. The grant to LiveMore ScreenLess must be used to support the development of a library of resources for young people, parents, schools, after-school programs, and community-based organizations to serve Minnesota as the premiere resource for promoting digital well-being.

Subd. 3. Network of organizations. LiveMore ScreenLess must identify key local and national organizations focused on particular aspects of healthy screen use and healthy youth development, including the issues of cyberbullying, suicide prevention, mental health, antipornography, mindfulness, and social and emotional learning, in order to create a robust network for addressing digital well-being. LiveMore ScreenLess must collaborate, coordinate, and build upon Minnesota organizations and resources to address the effects of screen overuse and misuse with other advocates of young people.

Subd. 4. Train-the-trainer series. LiveMore ScreenLess must implement the digital well-being train-the-trainer series for all Minnesotans serving and advocating for young people in Minnesota, including youth development and leadership organizations, schools, community-based organizations, government sectors, and other related agencies.
Subd. 5. Peer-to-peer training development. LiveMore ScreenLess must deliver peer-to-peer training to develop young people as mentors and leaders to advocate and promote digital well-being among their peers and younger students.

Sec. 36. EDUCATION SAVINGS ACCOUNTS FOR STUDENTS ACT.

Subdivision 1. Title. This act will be known as the "Education Savings Accounts for Students Act."

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

(b) "Commissioner" means the commissioner of education.

(c) "Department" means the Department of Education.

(d) "Educational service provider" means an eligible school, tutor, or other person or organization that provides education-related services and products to participating students. The eligible student's parent shall not be an educational service provider for that student.

(e) "Eligible school" means a nonpublic school where a student can fulfill compulsory education requirements and that is recognized by the commissioner or accredited by an accrediting agency recognized by the Minnesota Nonpublic Education Council under Minnesota Statutes, section 123B.445, paragraph (a). An eligible school does not include a home school under Minnesota Statutes, sections 120A.22, subdivision 4, and 120A.24.

(f) "Eligible student" means any student who (1) resides in Minnesota, (2) attended a public school or a public charter school during the semester preceding participation in the program, and (3) is a member of a household that has a total annual income during the year prior to initial participation in the program, without consideration of the benefits under this program, that does not exceed an amount equal to three times the income standard used to qualify for a reduced-price meal under the National School Lunch Program.

(g) "Parent" means a resident of this state who is a parent, legal guardian, custodian, or other person with the authority to act on behalf of the eligible student.

(h) "Postsecondary institution" means a college or university accredited by a state, regional, or national accrediting organization.

(i) "Program" means a program to implement education savings accounts (ESAs).

(j) "Tutor" means a person who (1) is certified or licensed by a state, regional, or national certification or licensing organization to teach, (2) has earned a valid teacher's license, or (3) has experience teaching at a postsecondary institution.
Subd. 3. **Education savings account (ESA) program.** (a) An eligible student qualifies to participate in the program if the student's parent signs an agreement:

1. to arrange for the provision of organized, appropriate educational services with measurable goals to the participating student in at least the subjects of reading, writing, mathematics, social studies, and science; and

2. to not enroll the participating student in a public school or a public charter school for as long as the student is participating in the program.

(b) A parent shall use the funds deposited in a participating student's ESA for any of the following qualifying expenses to educate the student using any of the methods or combination of methods in this paragraph that meet the requirement in paragraph (a), clause (1):

1. tuition and fees at an eligible school;
2. payment to a tutor;
3. payment for purchase of curriculum, including any textbooks and supplemental materials required by the curriculum;
4. fees for transportation to and from an educational service provider paid to a fee-for-service transportation provider;
5. tuition and fees for online learning programs or courses;
6. fees for nationally standardized norm-referenced achievement tests, including alternate assessments, and fees for advanced placement examinations or similar courses and any examinations related to college or university admission;
7. educational services or therapies from a licensed or certified practitioner or provider, including licensed or certified paraprofessionals or educational aides;
8. services provided by a public school, including individual classes and extracurricular programs;
9. tuition, fees, and textbooks at a postsecondary institution;
10. no more than $300 in annual consumable school supplies necessary for the student's education; or
11. computer hardware and software and other technological devices if an eligible school, tutor, educational service provider, or licensed medical professional verifies in writing that these items are necessary for the student to meet annual, measurable goals.
(c) Neither a participating student nor anyone on the student's behalf may receive cash or cash-equivalent items, such as gift cards or store credit, from refunds or rebates from a provider of services or products in this program. Refunds or rebates shall be credited directly to the participating student's ESA. The funds in an ESA may only be used for education-related purposes. Eligible schools, postsecondary institutions, and educational service providers that serve participating students shall provide parents with a receipt for all qualifying expenses.

(d) Payment for educational services through an ESA shall not preclude parents from paying for educational services using non-ESA funds.

(e) For purposes of continuity of educational attainment, students who enroll in the program shall remain eligible to receive monthly ESA payments until the participating student returns to a public school, graduates from high school, or completes the school year in which the student reaches the age of 21, whichever occurs first.

(f) Any funds remaining in a student's ESA upon graduation from high school may be used to attend or take courses from a postsecondary institution, with qualifying expenses subject to the applicable conditions in paragraph (b).

(g) Upon the participating student's graduation from a postsecondary institution or after any period of four consecutive years after graduation from high school that the student is not enrolled in a postsecondary institution, the participating student's ESA shall be closed and any remaining funds shall be returned to the state general fund.

(h) A participating student shall be allowed to return to the resident school district at any time after enrolling in the program, according to rules adopted by the commissioner providing for the least disruptive process for doing so. Upon a participating student's return to the resident school district, the student's ESA shall be closed and any remaining funds shall be returned to the state general fund.

(i) The commissioner shall begin accepting applications for the program on July 1, 2022.

Subd. 4. Funding. (a) The commissioner shall determine the amount to be deposited in each student's ESA on a first-come, first-served basis. The commissioner shall calculate the following to determine the ESA amount: the statewide average general education aid per adjusted pupil unit.

(b) The information in paragraph (a) must be provided by the school in the form required by the commissioner.
(c) The commissioner shall allow program participation of up to one percent of public school average daily membership in fiscal year 2023, one and a half percent of public school average daily membership in fiscal year 2024, and two percent of public school average daily membership in fiscal year 2025 and later.

Subd. 5. District aid adjustment. The commissioner shall make a onetime adjustment to a serving school district's general education aid in the fiscal year following a participating student's withdrawal from the district. The commissioner shall increase the district's general education aid for each participating student who withdrew from the district by an amount equal to ten percent of the statewide average general education revenue per adjusted pupil unit for the previous fiscal year.

Subd. 6. Administration. (a) The commissioner shall create a standard form that parents of students may submit to establish the student's eligibility for an ESA. The commissioner shall ensure that the application is readily available to interested families through various sources, including the department's website, and a copy of procedural safeguards annually given to parents.

(b) The commissioner shall provide parents of participating students with a written explanation of the allowable uses of ESAs, the responsibilities of parents, and the duties of the commissioner. The information shall also be made available on the department's website.

(c) The commissioner shall annually notify all students who are eligible to participate of the existence of the program and shall ensure that low-income families are made aware of their potential eligibility.

(d) The commissioner may deduct up to three percent from appropriations made to fund ESAs to cover the costs of overseeing and administering the program.

(e) The commissioner shall make payments to the ESAs of participating students on a monthly basis unless there is evidence of misuse of the ESA pursuant to this subdivision.

(f) The commissioner shall make a determination of eligibility and shall approve the application within 45 business days of receiving an application for participation in the program.

Subd. 7. ESA establishment. (a) To ensure that funds are spent appropriately, the commissioner shall adopt rules and policies necessary for the administration of the program, including the auditing of ESAs, and shall conduct or contract for random audits throughout the year.
(b) Beginning with the 2022-2023 school year, the commissioner shall issue ESA cards to parents making expenditures under this section on behalf of a participating student. ESA cards shall be issued to parents upon enrollment in the program and shall expire when the participating student's ESA is closed, except for the periodic expiration and replacement of cards in the normal course of business. All unexpended amounts shall remain in the student's ESA and be combined with the following year's allocation of ESA funds, subject to subdivision 3, paragraphs (f) and (g).

(c) The commissioner, taking into consideration requests from the parents of participating students, shall use merchant category classification (MCC) codes, or a similar system as practicable and consistent with current technology, to identify categories of providers that provide services and products consistent with subdivision 3, paragraph (b). The commissioner shall make a list of blocked and unblocked MCC codes publicly available for purposes of the program.

(d) The commissioner shall adopt a process for removing educational service providers that defraud parents and for referring cases of fraud to law enforcement.

(e) The commissioner shall establish or contract for the establishment of an online, anonymous fraud-reporting service and an anonymous telephone hotline for fraud reporting.

(f) The commissioner shall adopt rules implementing policies on misspending of ESA funds.

(g) Any amount not spent in the allowable categories pursuant to the agreement will cause the ESA card to be temporarily suspended and the parent contacted within five business days by United States mail at the parent's home address explaining the suspension, detailing the violation, and requesting the parent to:

(1) provide additional documentation within 15 business days justifying the expenditure;

or

(2) repay the misspent amount within 15 business days.

(h) If the parent does not provide sufficient documentation and refuses to repay the amount, the commissioner shall begin the removal process and shall seek to recover the misspent funds using administrative measures or other appropriate measures, including referral to collections, seeking a civil judgment, or referral to law enforcement.

(i) If the parent repays the amount within the requested time frame, then the offense will be recorded and held in the parent's file.
Three offenses within a consecutive three-year period shall disqualify the student from participating in the program.

If the commissioner determines that a parent has failed to comply with the terms of the agreement as specified in subdivision 3, the commissioner shall suspend the participating student's ESA. The commissioner shall notify the parent in writing within five business days that the ESA has been suspended and that no further transactions will be allowed or disbursements made. The notification shall specify the reason for the suspension and state that the parent has 21 business days to respond and take corrective action.

If the parent fails to respond to the commissioner, furnish reasonable and necessary information, or make a report that may be required for reinstatement within the 21-day period, the commissioner may remove the participating student from the program.

The decision of the commissioner under this section is subject to judicial review under Minnesota Statutes, sections 14.63 to 14.69. The decision of the commissioner is stayed pending an appeal.

The commissioner shall refer cases of substantial misuse of funds to law enforcement agencies for investigation if evidence of fraudulent intent and use of an ESA is obtained.

An eligible nonpublic school is autonomous and not an agent of the state or federal government, and therefore:

1. the commissioner, department, or any other government agency shall not in any way regulate the educational program of a nonpublic school or educational service provider that accepts funds from the parent of a participating student;

2. the creation of the program does not expand the regulatory authority of the state, its officers, or any school district to impose any additional regulation of nonpublic schools or educational service providers beyond those necessary to enforce the requirements of the program; and

3. eligible schools and educational service providers shall be given the maximum freedom to provide for the educational needs of their students without governmental control.

No eligible school or educational service provider shall be required to alter its creed, practices, admission policies, or curriculum in order to accept participating students.

If any provision of this law or its application is found to be unconstitutional and void, the remaining provisions or applications of this law that can be given effect without the invalid provision or application are valid.

This section is effective the day following final enactment.
### Sec. 37. Appropriations.

#### Subdivision 1. Department of Education.
The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

#### Subd. 2. Achievement and integration aid.
For achievement and integration aid under Minnesota Statutes, section 124D.862:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$83,930,000</td>
<td>2023</td>
<td>$83,228,000</td>
</tr>
</tbody>
</table>

The 2022 appropriation includes $8,868,000 for 2021 and $75,062,000 for 2022.

The 2023 appropriation includes $8,340,000 for 2022 and $74,888,000 for 2023.

#### Subd. 3. Interdistrict desegregation or integration transportation grants.
For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$12,319,000</td>
<td>2023</td>
<td>$14,822,000</td>
</tr>
</tbody>
</table>

#### Subd. 4. Literacy incentive aid.
For literacy incentive aid under Minnesota Statutes, section 124D.98:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$45,103,000</td>
<td>2023</td>
<td>$45,964,000</td>
</tr>
</tbody>
</table>

The 2022 appropriation includes $4,463,000 for 2021 and $40,640,000 for 2022.

The 2023 appropriation includes $4,515,000 for 2022 and $41,449,000 for 2023.

#### Subd. 5. Tribal contract school aid.
For tribal contract school aid under Minnesota Statutes, section 124D.83:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$2,634,000</td>
<td>2023</td>
<td>$2,936,000</td>
</tr>
</tbody>
</table>

The 2022 appropriation includes $240,000 for 2021 and $2,394,000 for 2022.

The 2023 appropriation includes $266,000 for 2022 and $2,670,000 for 2023.

#### Subd. 6. American Indian education aid.
For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$11,358,000</td>
<td>2023</td>
<td>$11,774,000</td>
</tr>
</tbody>
</table>
The 2022 appropriation includes $1,102,000 for 2021 and $10,256,000 for 2022.

The 2023 appropriation includes $1,139,000 for 2022 and $10,635,000 for 2023.

**Subd. 7. ServeMinnesota program.** (a) For funding ServeMinnesota programs under Minnesota Statutes, sections 124D.37 to 124D.45:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$900,000</td>
</tr>
<tr>
<td>2023</td>
<td>$900,000</td>
</tr>
</tbody>
</table>

(b) A grantee organization may provide health and child care coverage to the dependents of each participant enrolled in a full-time ServeMinnesota program to the extent such coverage is not otherwise available. Any balance in the first year does not cancel but is available in the second year.

**Subd. 8. Early childhood literacy programs.** (a) For early childhood literacy programs under Minnesota Statutes, section 119A.50, subdivision 3:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$7,950,000</td>
</tr>
<tr>
<td>2023</td>
<td>$7,950,000</td>
</tr>
</tbody>
</table>

(b) Up to $7,950,000 each year is for leveraging federal and private funding to support AmeriCorps members serving in the Minnesota reading corps program established by ServeMinnesota, including costs associated with training and teaching early literacy skills to children ages three through grade 3 and evaluating the impact of the program under Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

(c) Any balance in the first year does not cancel but is available in the second year.

**Subd. 9. Minnesota math corps program.** (a) For the Minnesota math corps program under Minnesota Statutes, section 124D.42, subdivision 9:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$500,000</td>
</tr>
<tr>
<td>2023</td>
<td>$500,000</td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.

**Subd. 10. Student organizations.** (a) For student organizations:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$768,000</td>
</tr>
<tr>
<td>2023</td>
<td>$768,000</td>
</tr>
</tbody>
</table>

(b) $46,000 each year is for student organizations serving health occupations (HOSA).

(c) $100,000 each year is for student organizations serving trade and industry occupations (Skills USA, secondary and postsecondary).
(d) $95,000 each year is for student organizations serving business occupations (BPA, secondary and postsecondary).

(e) $193,000 each year is for student organizations serving agriculture occupations (FFA, PAS).

(f) $185,000 each year is for student organizations serving family and consumer science occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and 31, the student organizations serving FCCLA shall continue to serve students younger than grade 9.

(g) $109,000 each year is for student organizations serving marketing occupations (DECA and DECA collegiate).

(h) $40,000 each year is for the Minnesota Foundation for Student Organizations.

(i) Any balance in the first year does not cancel but is available in the second year.

Subd. 11. Museums and education centers. (a) For grants to museums and education centers:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$460,000</td>
<td>2023</td>
<td>$460,000</td>
</tr>
</tbody>
</table>

(b) $269,000 each year is for the Minnesota Children's Museum.

(c) $50,000 each year is for the Children's Museum of Rochester.

(d) $50,000 each year is for the Duluth Children's Museum.

(e) $41,000 each year is for the Minnesota Academy of Science.

(f) $50,000 each year is for the Headwaters Science Center.

(g) Any balance in the first year does not cancel but is available in the second year.

(h) The base for fiscal year 2024 and later is $510,000. The base for fiscal year 2024 and later is for the museums and amounts indicated in paragraphs (b) through (f), and includes $50,000 each year for the Children's Museum of Southern Minnesota.

Subd. 12. Starbase MN. (a) For a grant to Starbase MN for a rigorous science, technology, engineering, and math (STEM) program providing students in grades 4 through 6 with a multisensory learning experience and a hands-on curriculum in an aerospace environment using state-of-the-art technology:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$500,000</td>
<td>2023</td>
<td>$500,000</td>
</tr>
</tbody>
</table>
(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 13. **Recovery program grants.** (a) For recovery program grants under Minnesota Statutes, section 124D.695:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$750,000</td>
<td>2023</td>
</tr>
<tr>
<td>2023</td>
<td>$750,000</td>
<td></td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 14. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota College of Education and Human Development for the operation of the Minnesota Principals Academy:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$200,000</td>
<td>2023</td>
</tr>
<tr>
<td>2023</td>
<td>$200,000</td>
<td></td>
</tr>
</tbody>
</table>

(b) Of these amounts, $50,000 must be used to pay the costs of attendance for principals and school leaders from schools identified for intervention under the state's accountability system as implemented to comply with the federal Every Student Succeeds Act. To the extent funds are available, the Department of Education is encouraged to use up to $200,000 of federal Title II funds to support additional participation in the Principals Academy by principals and school leaders from schools identified for intervention under the state's accountability system as implemented to comply with the federal Every Student Succeeds Act.

(c) The Principals Academy must provide participating principals and school leaders with information on, or instruction in, the language essentials for teachers of reading and spelling program and other comprehensive, scientifically based reading instruction as defined in Minnesota Statutes, section 122A.06.

(d) Any balance in the first year does not cancel but is available in the second year.

Subd. 15. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124E.22:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$93,242,000</td>
<td>2023</td>
</tr>
<tr>
<td>2023</td>
<td>$99,545,000</td>
<td></td>
</tr>
</tbody>
</table>

The 2022 appropriation includes $8,617,000 for 2021 and $84,625,000 for 2022.

The 2023 appropriation includes $9,402,000 for 2022 and $90,143,000 for 2023.

Subd. 16. **Statewide testing and reporting system.** (a) For the statewide testing and reporting system under Minnesota Statutes, section 120B.30:
Subd. 17. Examination fees; teacher training and support programs. (a) For students' advanced placement and international baccalaureate examination fees under Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$9,692,000</td>
<td>2022</td>
</tr>
<tr>
<td>2023</td>
<td>$9,692,000</td>
<td>2023</td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.

(c) The base for fiscal year 2024 and later is $10,892,000.

Subd. 18. Grants to increase science, technology, engineering, and math course offerings. (a) For grants to schools to encourage low-income and other underserved students to participate in advanced placement and international baccalaureate programs according to Minnesota Statutes, section 120B.132:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$4,500,000</td>
<td>2022</td>
</tr>
<tr>
<td>2023</td>
<td>$4,500,000</td>
<td>2023</td>
</tr>
</tbody>
</table>

(b) The advanced placement program shall receive 75 percent of the appropriation each year and the international baccalaureate program shall receive 25 percent of the appropriation each year. The department, in consultation with representatives of the advanced placement and international baccalaureate programs selected by the Advanced Placement Advisory Council and International Baccalaureate Minnesota, respectively, shall determine the amounts of the expenditures each year for examination fees and training and support programs for each program.

(c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least $500,000 each year is for teachers to attend subject matter summer training programs and follow-up support workshops approved by the advanced placement or international baccalaureate programs. The amount of the subsidy for each teacher attending an advanced placement or international baccalaureate summer training program or workshop shall be the same. The commissioner shall determine the payment process and the amount of the subsidy.

(d) The commissioner shall pay all examination fees for all students of low-income families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of available appropriations, shall also pay examination fees for students sitting for an advanced placement examination, international baccalaureate examination, or both.

(e) Any balance in the first year does not cancel but is available in the second year.
(b) Any balance in the first year does not cancel but is available in the second year.

c) The commissioner must consider grant applications from schools located in greater Minnesota and from schools located in the seven-county metropolitan area.

Subd. 19. Rural career and technical education consortium. (a) To the Minnesota Service Cooperatives for rural career and technical education consortium grants under Minnesota Statutes, section 124D.4536:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$250,000</td>
<td>2022</td>
</tr>
<tr>
<td>2023</td>
<td>$250,000</td>
<td>2023</td>
</tr>
</tbody>
</table>

(b) If the appropriation in the first year is insufficient, the 2023 appropriation is available. Any balance in the first year does not cancel but is available in the second year.

Subd. 20. Concurrent enrollment aid. (a) For concurrent enrollment aid under Minnesota Statutes, section 124D.091:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$5,000,000</td>
<td>2022</td>
</tr>
<tr>
<td>2023</td>
<td>$5,000,000</td>
<td>2023</td>
</tr>
</tbody>
</table>

(b) If the appropriation is insufficient, the commissioner must proportionately reduce the aid payment to each school district.

c) Any balance in the first year does not cancel but is available in the second year.

Subd. 21. P-TECH schools. (a) For P-TECH support grants under Minnesota Statutes, section 124D.093, subdivision 5:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$791,000</td>
<td>2022</td>
</tr>
<tr>
<td>2023</td>
<td>$791,000</td>
<td>2023</td>
</tr>
</tbody>
</table>

(b) The amounts in this subdivision are for grants to a public-private partnership that includes Independent School District No. 535, Rochester.

c) Any balance in the first year does not cancel but is available in the second year.

d) The base for fiscal year 2024 and later is $791,000 for a public-private partnership that includes Independent School District No. 535, Rochester.

Subd. 22. College entrance examination reimbursement. (a) To reimburse districts for students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph (e), for payment of their college entrance examination fee:
(b) The commissioner must reimburse school districts for the costs for free or reduced-price meal eligible students who take the ACT or SAT test under Minnesota Statutes, section 120B.30, subdivision 1.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 23. Minnesota Independence College and Community. (a) For transfer to the Office of Higher Education for grants to Minnesota Independence College and Community for tuition reduction and institutional support:

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 24. Sanneh Foundation. (a) For grants to the Sanneh Foundation for purposes of paragraph (b):

(b) The grants to the Sanneh Foundation must be directed toward programs for low-performing and chronically absent students with a focus on low-income students and students of color. The goals of the grants include decreasing absenteeism, encouraging school engagement, improving grades, and improving graduation rates. The grants may be used to:

(1) provide all-day, in-school academic and behavioral interventions and social and emotional learning throughout the school year;

(2) provide year-round, out-of-school behavioral, social, and emotional learning interventions and enrichment activities;

(3) enhance career exploration opportunities, including exposure to businesses and business activities; and

(4) develop pathways in cooperation with business higher education partners for participants to pursue careers in education and youth development.

(c) Any balance in the first year does not cancel but is available in the second year. The base for fiscal year 2024 and later is $0.
Subd. 25. Digital well-being. (a) For a grant to LiveMore ScreenLess to promote digital well-being:

\[
\begin{array}{ccc}
\text{Year} & \text{Amount} & \text{Date} \\
0 & 1,500,000 & 2022 \\
0 & 0 & 2023 \\
\end{array}
\]

(b) Prior to receiving funds under this subdivision, LiveMore ScreenLess must submit a proposed budget and timeline for expenditure of grant funds to the commissioner. LiveMore ScreenLess must submit regular progress reports in a form and manner determined by the commissioner in each year of the grant, which may include financial reconciliation of expenditures made by LiveMore ScreenLess.

(c) By January 15 of each year, LiveMore ScreenLess must submit a report detailing expenditures, activities, and outcomes to the commissioner and the chairs and ranking minority members of the legislative committees with primary jurisdiction over kindergarten through grade 12 education policy and finance.

(d) Any balance in the first year does not cancel but is available in the second year. The base for fiscal year 2024 and later is $0.

Subd. 26. Education savings accounts. (a) For education savings accounts development and funding:

\[
\begin{array}{ccc}
\text{Year} & \text{Amount} & \text{Date} \\
0 & 2,245,000 & 2022 \\
0 & 74,186,000 & 2023 \\
\end{array}
\]

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 27. Online access to music education. (a) For a grant to the MacPhail Center for Music to broaden access to music education in Minnesota:

\[
\begin{array}{ccc}
\text{Year} & \text{Amount} & \text{Date} \\
0 & 150,000 & 2022 \\
0 & 150,000 & 2023 \\
\end{array}
\]

(b) The MacPhail Center must use the grants received under paragraph (a) to broaden access to music education in Minnesota. The program must supplement and enhance an existing program and may provide individual instruction, sectional ensembles, and other group activities, workshops, and early childhood music activities. The MacPhail Center must design its program in consultation with the Department of Education arts education specialist under Minnesota Statutes, section 127A.155. The grants may be used by the MacPhail Center for employee costs and for any related travel costs.

(c) Upon request from a school's music educator, the MacPhail Center may enter into an agreement with the school to provide a program according to paragraph (b). In an early
childhood setting, the MacPhail Center may provide a program upon a request initiated by an early childhood educator.

(d) By January 15 of each year, the MacPhail Center shall prepare and submit a report to the legislative committees with jurisdiction over education finance describing the online programs offered, program outcomes, the students served, an estimate of the unmet need for music education, and a detailed list of expenditures for the previous year.

(e) The base for fiscal year 2024 and later is $0.

Sec. 38. **REVISOR INSTRUCTION.**

(a) The revisor of statutes shall codify section 33 as Minnesota Statutes, section 124D.901.

(b) The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering. The revisor shall also make any technical language and other changes necessitated by the renumbering and cross-reference changes in this act.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Requirements Statewide Assessments</td>
<td></td>
</tr>
<tr>
<td>120B.30, subdivision 1a, paragraph (h)</td>
<td>120B.30, subdivision 1</td>
</tr>
<tr>
<td>120B.30, subdivision 1, paragraph (q)</td>
<td>120B.30, subdivision 2</td>
</tr>
<tr>
<td>120B.30, subdivision 1a, paragraph (g)</td>
<td>120B.30, subdivision 3</td>
</tr>
<tr>
<td>120B.30, subdivision 1b</td>
<td>120B.30, subdivision 4</td>
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<tr>
<td>120B.30, subdivision 1, paragraph (n)</td>
<td>120B.30, subdivision 5, paragraph (a)</td>
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<td>120B.30, subdivision 5, paragraph (b)</td>
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<tr>
<td>120B.30, subdivision 1a, paragraph (e)</td>
<td>120B.30, subdivision 6, paragraph (a)</td>
</tr>
<tr>
<td>120B.30, subdivision 2, paragraph (a)</td>
<td>120B.30, subdivision 6, paragraph (b)</td>
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<tr>
<td>120B.30, subdivision 2, paragraph (b), clauses (1) and (2)</td>
<td>120B.30, subdivision 6, paragraph (c)</td>
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<tr>
<td>120B.30, subdivision 2</td>
<td>120B.30, subdivision 6, paragraph (d)</td>
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<tr>
<td>120B.30, subdivision 4</td>
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<td>120B.30, subdivision 8</td>
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<td>120B.30, subdivision 6</td>
<td>120B.30, subdivision 9</td>
</tr>
<tr>
<td>120B.30, subdivision 1, paragraph (e)</td>
<td>120B.30, subdivision 10</td>
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</table>

General Requirements Test Design

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58.32 120B.301, subdivision 3, paragraph (ac)
58.33 Sec. 39. REPEALER.
58.34 Minnesota Rules, part 3500.1000, is repealed.
ARTICLE 3

TEACHERS

Section 1. Minnesota Statutes 2020, section 121A.53, subdivision 2, is amended to read:

Subd. 2. Report. (a) The school board must include state student identification numbers of affected pupils on all dismissal and other disciplinary reports required by the department.

The department must report annually to the commissioner summary data on the number of dismissals and physical assaults of district employees by a student by age, grade, gender, race, and special education status of the affected pupils. All dismissal and other disciplinary reports must be submitted through the department electronic reporting system.

(b) The commissioner must aggregate the district data reported under this section and include the aggregated data, including aggregated data on physical assaults of a district employee by a student, in the annual school performance reports under section 120B.36.

(c) A teacher that is physically assaulted by a student must receive a copy of the report to the commissioner submitted according to subdivision 1.

Sec. 2. Minnesota Statutes 2020, section 121A.61, subdivision 3, is amended to read:

Subd. 3. Policy components. The policy must include at least the following components:

(a) rules governing student conduct and procedures for informing students of the rules;

(b) the grounds for removal of a student from a class;

(c) the authority of the classroom teacher to remove students from the classroom pursuant to procedures and rules established in the district's policy;

(d) the procedures for removal of a student from a class by a teacher, school administrator, or other school district employee;

(e) the period of time for which a student may be removed from a class, which may not exceed five class periods for a violation of a rule of conduct;

(f) provisions relating to the responsibility for and custody of a student removed from a class;

(g) the procedures for return of a student to the specified class from which the student has been removed;

(h) the procedures for notifying a student and the student's parents or guardian of violations of the rules of conduct and of resulting disciplinary actions;
(i) any procedures determined appropriate for encouraging early involvement of parents or guardians in attempts to improve a student's behavior;

(j) any procedures determined appropriate for encouraging early detection of behavioral problems;

(k) any procedures determined appropriate for referring a student in need of special education services to those services;

(l) the procedures for consideration of whether there is a need for a further assessment or of whether there is a need for a review of the adequacy of a current individualized education program of a student with a disability who is removed from class;

(m) procedures for detecting and addressing chemical abuse problems of a student while on the school premises;

(n) the minimum consequences for violations of the code of conduct;

(o) procedures for immediate and appropriate interventions tied to violations of the code;

(p) a provision that states that a teacher, school employee, school bus driver, or other agent of a district may use reasonable force in compliance with section 121A.582 and other laws;

(q) an agreement regarding procedures to coordinate crisis services to the extent funds are available with the county board responsible for implementing sections 245.487 to 245.4889 for students with a serious emotional disturbance or other students who have an individualized education program whose behavior may be addressed by crisis intervention; and

(r) a provision that states a student must be removed from class immediately if the student engages in assault or violent behavior. For purposes of this paragraph, "assault" has the meaning given it in section 609.02, subdivision 10. The removal shall be for a period of time deemed appropriate by the principal, in consultation with the teacher. The principal must remove the student from class for at least three school days following the day of the incident. A student may only return to the class from which they were removed after the student has been given assistance to prevent the inappropriate behavior from recurring.
Sec. 3. Minnesota Statutes 2020, section 121A.64, is amended to read:

**121A.64 NOTIFICATION; TEACHERS' AND PARAPROFESSIONALS' LEGITIMATE EDUCATIONAL INTEREST.**

(a) A classroom teacher has a legitimate educational interest in knowing which students placed in the teacher's classroom have a history of violent behavior, including any documented physical assault of a district employee by the student, and must be notified before such students are placed in the teacher's classroom.

(b) A paraprofessional assigned to work alone or on a regular basis with a student with a disability has a legitimate educational interest in knowing whether the student has a history of violent behavior, including any documented physical assault of a district employee by the student, and must be notified before being assigned to work with the student.

Representatives of the school board and the exclusive representative of the teachers shall discuss issues related to the model policy on student records adopted under Laws 1999, chapter 241, article 9, section 50, and any modifications adopted under Laws 2003, First Special Session chapter 9, for notifying classroom teachers and other school district employees having a legitimate educational interest in knowing about students with a history of violent behavior, including any documented physical assault of a district employee by students placed in classrooms. The representatives of the school board and the exclusive representative of the teachers also may discuss the need for intervention services or conflict resolution or training for staff related to placing students with a history of violent behavior in teachers' classrooms.

Sec. 4. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision to read:

**Subd. 9. Professional license.** A "professional license" means a Tier 1, Tier 2, Tier 3, or Tier 4 teacher license issued by the Professional Educator Licensing and Standards Board in accordance with sections 122A.18 to 122A.184.

Sec. 5. Minnesota Statutes 2020, section 122A.092, is amended by adding a subdivision to read:

**Subd. 9. Agreements with out-of-state program providers.** The Professional Educator Licensing and Standards Board must encourage Minnesota teacher preparation providers to develop teacher preparation programs in licensure areas where no teacher preparation program exists in Minnesota. The board must encourage these programs to have at least 80
percent of the required coursework available online. If an in-state approved teacher
preparation program is not established for a teacher licensure area, the board must identify
one or more out-of-state programs with national accreditation. The board is encouraged to
identify out-of-state programs that have a majority of required coursework online and post
program information on the board's website of approved licensure programs.

Sec. 6. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

Subdivision 1. Application requirements. The Professional Educator Licensing and
Standards Board must approve a request from a district or charter school to issue a Tier 1
license in a specified content area to a candidate if:

(1) the candidate meets the professional requirement in subdivision 2;
(2) the district or charter school affirms that the candidate has the necessary skills and
knowledge to teach in the specified content area; and
(3) the district or charter school demonstrates that:

(i) a criminal background check under section 122A.18, subdivision 8, has been completed
on the candidate; and

(ii) the district or charter school has posted the teacher position but was unable to hire
an acceptable teacher with a Tier 2, 3, or 4 license for the position.

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

Sec. 7. Minnesota Statutes 2020, 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). The board may submit written comments
to the district or charter school that requested the renewal regarding the candidate.

(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;

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

(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.

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

Sec. 8. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

Subd. 3. Hiring, dismissing. (a) School boards must hire or dismiss teachers at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher shall be made or authorized except upon the unanimous vote of the full board. A teacher related by blood or marriage, within the fourth degree, computed by the civil law, to a board member shall not be employed except by a unanimous vote of the full board. The initial employment of the teacher in the district must be by written contract, signed by the teacher and by the chair and clerk. All subsequent employment of the teacher in the district must be by written contract, signed by the teacher and by the chair and clerk, except where there is a master agreement covering the employment of the teacher. Contracts for teaching or supervision of teaching can be made only with qualified teachers. A teacher shall not be required to reside within the employing district as a condition to teaching employment or continued teaching employment.

(b) A school district must not give preference in the hiring or dismissal of a teacher based on the teacher's seniority.

(c) A school district must report all new teacher hires and terminations, including layoffs, by race and ethnicity annually to the Professional Educator Licensing and Standards Board. The report must not include data that would personally identify individuals.
EFFECTIVE DATE. This section is effective for collective bargaining agreements entered into on or after July 1, 2021.

Sec. 9. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

Subd. 10. Negotiated unrequested leave of absence. (a) The school board and the exclusive bargaining representative of the teachers must negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts.

(b) The plan for unrequested leave of absence must not require the school board to place a teacher on unrequested leave of absence first based on their tier of licensure.

EFFECTIVE DATE. This section is effective for collective bargaining agreements entered into on or after July 1, 2021.

Sec. 10. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

Subd. 14a. Negotiated unrequested leave of absence. (a) The school board and the exclusive bargaining representative of the teachers must negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts.

(b) The plan for unrequested leave of absence must not require the school board to place a teacher on unrequested leave of absence first based on their tier of licensure.

EFFECTIVE DATE. This section is effective for collective bargaining agreements entered into on or after July 1, 2021.

Sec. 11. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision to read:

Subd. 16. Hiring and dismissal. (a) A school district must not give preference in the hiring or dismissal of a teacher based on the teacher's seniority.

(b) A school district must report all new teacher hires and terminations, including layoffs, by race and ethnicity annually to the Professional Educator Licensing and Standards Board. The report must not include data that would personally identify individuals.

EFFECTIVE DATE. This section is effective for collective bargaining agreements entered into on or after July 1, 2021.
Sec. 12. [122A.59] COME TEACH IN MINNESOTA HIRING BONUSES.

Subdivision 1. Purpose. This section establishes a program to support districts and schools recruiting and offering hiring bonuses for licensed teachers who are American Indian or a person of color from another state or country in order to meet staffing needs in shortage areas in economic development regions in Minnesota.

Subd. 2. Eligibility. A district or school must verify that the hiring bonus is given to teachers licensed in another state who:

1. qualify for a Tier 3 or Tier 4 Minnesota license;
2. have moved to the economic development region in Minnesota where they were hired; and
3. belong to a racial or ethnic group that is underrepresented among teachers compared to students in the district or school under section 120B.35, subdivision 3, paragraph (b), clause (2).

Subd. 3. Bonus amount. A district or school may offer a signing and retention bonus of a minimum of $2,500 and a maximum of $5,000 to a teacher who meets the eligibility requirements. A teacher who meets eligibility requirements and meets a licensure shortage area in the economic development region of the state where the school is located may be offered a signing bonus of a minimum of $4,000 and a maximum of $8,000. A teacher must be paid half of the bonus when starting employment and half after completing four years of service in the hiring district or school if they have demonstrated teaching effectiveness and are not on a professional improvement plan under section 122A.40, subdivision 8, paragraph (b), clause (12) or (13), or are being considered for termination under section 122A.40, subdivision 9. A teacher who does not complete their first school year upon receiving a hiring bonus must repay the hiring bonus. The maximum bonus amounts listed in this section are only for purposes of reimbursement under subdivision 4. A district may include a signing and retention bonus in its achievement and integration plan under section 124D.861, subdivision 2.

Subd. 4. Administration. The commissioner must establish a process for districts or schools to seek reimbursement for hiring bonuses given to teachers in shortage areas moving to and working in Minnesota schools experiencing specific shortages. The commissioner must provide guidance for districts to seek repayment of a hiring bonus from a teacher who does not complete their first year of employment. The department may conduct a pilot program with a small number of teachers during the 2022-2023 biennium to establish feasibility. The department must submit a report by December 1, 2022, to the chairs and
ranking minority members of the legislative committees having jurisdiction over K-12
education detailing the effectiveness of the program and recommendations for improvement
in future years.

**EFFECTIVE DATE.** This section applies to teacher contracts entered into on or after
July 1, 2021.

Sec. 13. Minnesota Statutes 2020, section 122A.61, subdivision 1, is amended to read:

Subdivision 1. **Staff development revenue.** (a) A district is required to reserve an amount
equal to at least two percent of the basic revenue under section 126C.10, subdivision 2, for:

1. teacher development and evaluation under section 122A.40, subdivision 8, or 122A.41,
   subdivision 5;
2. principal development and evaluation under section 123B.147, subdivision 3;
3. professional development under section 122A.60; and
4. in-service education for programs under section 120B.22, subdivision 2; and
5. teacher mentorship under section 122A.70, subdivision 1.

(b) To the extent extra funds remain, staff development revenue may be used for staff
development plans, including plans for challenging instructional activities and experiences
under section 122A.60, and for curriculum development and programs, other in-service
education, teachers' mentoring under section 122A.70 and evaluation, teachers' workshops,
teacher conferences, the cost of substitute teachers for staff development purposes, preservice
and in-service education for special education professionals and paraprofessionals, and
other related costs for staff development efforts.

(c) A district may annually waive the requirement to reserve their basic revenue under
this section if a majority vote of the licensed teachers in the district and a majority vote of
the school board agree to a resolution to waive the requirement. A district in statutory
operating debt is exempt from reserving basic revenue according to this section. Districts
may expend an additional amount of unreserved revenue for staff development based on
their needs.

Sec. 14. Minnesota Statutes 2020, section 122A.635, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards
Board must award competitive grants to increase the number of teacher candidates of color
or who are American Indian, and meet the requirements for a Tier 1, 2, or 3 license under
section 122A.181, 122A.182, or 122A.183. Eligibility for a grant under this section is limited to public or private higher education institutions that offer a teacher preparation program approved by the Professional Educator Licensing and Standards Board, programs, including alternative teacher preparation programs, located in Minnesota.

Sec. 15. Minnesota Statutes 2020, section 122A.635, subdivision 2, is amended to read:

Subd. 2. Competitive grants. (a) The Professional Educator Licensing and Standards Board must award competitive grants under this section based on the following criteria:

1. the number or percentage of teacher candidates being supported in the program who are of color or who are American Indian;

2. program outcomes, including graduation or program completion rates, licensure rates, and placement rates and, for each outcome measure, the number of those teacher candidates of color or who are American Indian; and

3. the percent of racially and ethnically diverse teacher candidates enrolled in the institution compared to:

   i. the total percent of students of color and American Indian students enrolled at the institution, regardless of major; and

   ii. the percent of underrepresented racially and ethnically diverse teachers in the economic development region of the state where the institution is located and where a shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

(b) The board must give priority in awarding grants under this section to institutions that received grants under Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating, and inducting teacher candidates of color or who are American Indian. If the board awards a competitive grant based on the criteria in paragraph (a) to a program that has not previously received funding, the board must thereafter give priority to the program equivalent to other programs given priority under this paragraph.

(b) The board must determine award amounts for maintenance and expansion of programs based on the number of candidates supported by an applicant program, sustaining support for those candidates, and funds available.
Sec. 16. Minnesota Statutes 2020, section 122A.70, is amended to read:

### 122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE TEACHERS.

**Subdivision 1. Teacher mentoring, induction, and retention programs.** (a) School districts are encouraged to develop teacher mentoring programs for teachers new to the profession or district, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching.

(b) Teacher mentoring programs must be included in or aligned with districts' teacher evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41, subdivision 5. A district may use staff development revenue under section 122A.61, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three years and is not on an improvement plan. Other initiatives using such funds or funds available under sections 124D.861 and 124D.862 may include:

1. additional stipends as incentives to mentors of color or who are American Indian;
2. financial supports for professional learning community affinity groups across schools within and between districts for teachers from underrepresented racial and ethnic groups to come together throughout the school year. For purposes of this section, "affinity groups" are groups of educators who share a common racial or ethnic identity in society as persons of color or who are American Indian;
3. programs for induction aligned with the district or school mentorship program during the first three years of teaching, especially for teachers from underrepresented racial and ethnic groups; or
4. grants supporting licensed and nonlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

(c) A school or district that receives a grant must negotiate additional retention strategies or protection from unrequested leave of absences in the beginning years of employment for teachers of color and teachers who are American Indian. Retention strategies may include providing financial incentives for teachers of color and teachers who are American Indian to work in the school or district for at least five years and placing American Indian educators...
at sites with other American Indian educators and educators of color at sites with other educators of color to reduce isolation and increase opportunity for collegial support.

Subd. 2. Applications Board grants. The Professional Educator Licensing and Standards Board must make grant application forms available to sites interested in developing or expanding a mentorship program. A school district; a group of school districts; a coalition of districts, teachers, and teacher education institutions; or a coalition of schools, teachers, or nonlicensed educators may apply for a program grant. The Professional Educator Licensing and Standards Board, in consultation with the teacher mentoring task force, must approve or disapprove the applications. To the extent possible, the approved applications must reflect effective mentoring, professional development, and retention components, and be geographically distributed throughout the state. The Professional Educator Licensing and Standards Board must encourage the selected sites to consider the use of its assessment procedures.

Subd. 3. Criteria for selection. At a minimum, applicants for grants under subdivision 2 must express commitment to:

(1) allow staff participation;
(2) assess skills of both beginning and mentor teachers;
(3) provide appropriate in-service to needs identified in the assessment;
(4) provide leadership to the effort;
(5) cooperate with higher education institutions;
(6) provide facilities and other resources;
(7) share findings, materials, and techniques with other school districts; and
(8) retain teachers of color and teachers who are American Indian.

Subd. 4. Additional funding. Grant applicants are required to seek additional funding and assistance from sources such as school districts, postsecondary institutions, foundations, and the private sector.

Subd. 5. Program implementation. New and expanding mentorship sites that are funded receive a board grant under subdivision 2 to design, develop, implement, and evaluate their program must participate in activities that support program development and implementation. The Professional Educator Licensing and Standards Board must provide resources and assistance to support new sites in their program efforts. These activities and services may include, but are not limited to: planning, planning guides, media, training, conferences,
institutes, and regional and statewide networking meetings. Nonfunded schools or districts interested in getting started may participate. Fees may be charged for meals, materials, and the like.

Subd. 6. Report. By June 30 of each year after receiving a grant, recipients must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

Sec. 17. Minnesota Statutes 2020, section 122A.76, is amended to read:

122A.76 STATEWIDE CONCURRENT ENROLLMENT TEACHER TRAINING PROGRAM PARTNERSHIP.

Subdivision 1. Definition. (a) For purposes of this section, the following terms have the meanings given them.

(b) "Northwest Regional Partnership" "Concurrent Enrollment Teacher Partnership" means a voluntary association of the Lakes Country Service Cooperative, the Northwest Service Cooperative, and the Metropolitan Education Cooperative Service Unit, Minnesota State University-Moorhead, and other interested Minnesota state colleges and universities that work together to provide coordinated higher learning opportunities for teachers.

(c) "State Partnership" means a voluntary association of the Northwest Regional Partnership and the Metropolitan Educational Cooperative Service Unit.

(d) "Eligible postsecondary institution" means a public or private postsecondary institution that awards graduate credits.

(e) "Eligible teacher" means a licensed teacher of secondary school courses for postsecondary credit.

Subd. 1a. Fiscal host. Lakes Country Service Cooperative is the fiscal host for the Concurrent Enrollment Teacher Partnership.

Subd. 2. Establishment. (a) Lakes Country Service Cooperative, in consultation with the Northwest Service Cooperative, the Concurrent Enrollment Teacher Partnership may develop a continuing education program to allow eligible teachers to attain the requisite graduate credits necessary to be qualified to teach secondary school courses for postsecondary credit.

(b) If established, the State Partnership The Concurrent Enrollment Teacher Partnership must contract with one or more eligible postsecondary institutions to establish a continuing
education credit program to allow eligible teachers to attain sufficient graduate credits to qualify to teach secondary school courses for postsecondary credit. Members of the State Concurrent Enrollment Teacher Partnership must work to eliminate duplication of service and develop the continuing education credit program efficiently and cost-effectively.

Subd. 3. Curriculum development. The continuing education program must use flexible delivery models, such as an online education curriculum, that allow eligible secondary school teachers to attain graduate credit at a reduced credit rate. Information about the curriculum, including course length and course requirements, must be posted on the website of the eligible institution offering the course at least two weeks before eligible teachers are required to register for courses in the continuing education program.

Subd. 4. Funding for course participation; course development; scholarships; stipends participation incentives. (a) Lakes Country Service Cooperative, in consultation with the other members of the Northwest Regional Concurrent Enrollment Teacher Partnership, shall:

(1) provide funding for course development eligible teachers to participate in the program for up to 18 credits in applicable postsecondary subject areas;

(2) provide scholarships for eligible teachers to enroll in the continuing education program; and

(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize participation in the continuing education program.

(b) If established, the State Partnership must:

(1) provide funding for course development for up to 18 credits in applicable postsecondary subject areas;

(2) provide scholarships for eligible teachers to enroll in the continuing education program; and

(3) develop criteria for awarding educator stipends on a per-credit basis to incentivize participation in the continuing education program.

(b) The Concurrent Enrollment Teacher Partnership may:

(1) provide funding for course development in applicable postsecondary subject areas;

(2) work with school districts to develop incentives for teachers to participate in the program; and
(3) enroll college faculty, as space permits, and provide financial assistance if state aid remains available.

Subd. 5. Private funding. The partnerships may receive private resources to supplement the available public money. All money received in fiscal year 2017 shall be administered by the Lakes Country Service Cooperative. All money received in fiscal year 2018 and later shall be administered by the State Partnership.

Subd. 6. Report required. (a) The Northwest Regional Partnership must submit a report by January 15, 2018, on the progress of its activities to the legislature, commissioner of education, and Board of Trustees of the Minnesota State Colleges and Universities. The report shall contain a financial report for the preceding year.

(b) If established, the State Concurrent Enrollment Teacher Partnership must submit an annual joint report to the legislature and the Office of Higher Education by January 15 of each year on the progress of its activities. The report must include the number of teachers participating in the program, the geographic location of the teachers, the number of credits earned, and the subject areas of the courses in which participants earned credit. The report must include a financial report for the preceding year.

Sec. 18. [122A.85] TEACHER AND CLASSROOM SAFETY CODED ELSEWHERE.

Subdivision 1. Scope. The sections referred to in subdivisions 2 to 5 are codified outside this section. Those sections include many but not all the sections governing teacher and classroom safety.

Subd. 2. Dismissal and disciplinary report to the commissioner. A teacher who was physically assaulted by a student must receive a copy of the report to the commissioner under section 121A.53.

Subd. 3. Discipline and removal of students from class. A student must be removed from class immediately if the student engages in assault or violent behavior under section 121A.61.

Subd. 4. Teachers' and paraprofessionals' legitimate educational interest. (a) A teacher has a legitimate educational interest in knowing which students placed in their classroom have a history of violent behavior and must be notified before such students are placed in their classroom under section 121A.64.

(b) A paraprofessional has a legitimate educational interest in knowing whether a student with a disability that the paraprofessional works with alone or on a regular basis has a history...
of violent behavior and must be notified before being assigned to work with the student under section 121A.64.

Subd. 5. General control of school and classroom. A teacher of record must have the general control and government of a school and classroom and a teacher may remove violent or disruptive students from class as provided under section 122A.42.

Subd. 6. Notice of rights and responsibilities. At least once each school year, in the form and manner determined by the charter school or school district, a teacher and administrator must be informed of their rights and responsibilities under these statutes and related school or district policies.

Sec. 19. PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD. Notwithstanding any law to the contrary, the Professional Educator Licensing and Standards Board must extend by six months any calendar year 2021 deadline for completion of license renewal requirements because of interruptions due to COVID-19 for licenses under their jurisdiction.

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

Sec. 20. SHORT-CALL SUBSTITUTE TEACHER PILOT.

(a) A school district may employ a person who meets the professional requirements of Minnesota Statutes, section 122A.181, subdivision 2, paragraph (b), as a short-call substitute teacher in any content area, not only career and technical education, notwithstanding any licensing requirements in Minnesota Statutes, chapter 122A. A school district must request a background check in accordance with section 123B.03 on a short-call substitute teacher employed under this section. Each assignment to replace a teacher of record must last no longer than 15 consecutive school days.

(b) A district must report to the Professional Educator Licensing and Standards Board all persons it employs under this section and affirm that each person meets the professional requirements for a short-call substitute teacher.

EFFECTIVE DATE. This section is effective for the 2020-2021, 2021-2022, and 2022-2023 school years only.
Sec. 21. APPROPRIATIONS; DEPARTMENT OF EDUCATION.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the commissioner of education for the fiscal years designated.

Subd. 2. Statewide concurrent enrollment teacher training program. (a) For the concurrent enrollment teacher partnership under Minnesota Statutes, section 122A.76:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
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<tbody>
<tr>
<td>2022</td>
<td>$375,000</td>
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<tr>
<td>2023</td>
<td>$375,000</td>
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</table>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 3. Paraprofessional pathway to teacher licensure. (a) For grants to school districts for Grow Your Own new teacher programs:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$4,000,000</td>
<td>....</td>
</tr>
<tr>
<td>2023</td>
<td>$4,000,000</td>
<td>....</td>
</tr>
</tbody>
</table>

(b) The grants are for school districts with more than 30 percent minority students for a Professional Educator Licensing and Standards Board-approved nonconventional teacher residency pilot program or alternative teacher preparation program. The program must provide tuition scholarships or stipends to enable school district employees or community members affiliated with a school district who seek an education license to participate in a nonconventional or an alternative teacher preparation program. School districts that receive funds under this subdivision are strongly encouraged to recruit candidates of color and American Indian candidates to participate in the Grow Your Own new teacher programs. Districts or schools providing financial support may require a commitment as determined by the district to teach in the district or school for a reasonable amount of time that does not exceed five years.

(c) School districts and charter schools may also apply for grants to develop innovative expanded Grow Your Own programs that encourage secondary school students to pursue teaching, including developing and offering dual-credit postsecondary course options in schools for "Introduction to Teaching" or "Introduction to Education" courses consistent with Minnesota Statutes, section 124D.09, subdivision 10.

(d) Programs must annually report to the commissioner by the date determined by the commissioner on their activities under this section, including the number of participants, the percentage of participants who are of color or who are American Indian, and an assessment of program effectiveness, including participant feedback, areas for improvement.
the percentage of participants continuing to pursue teacher licensure, and the number of
participants hired in the school or district as teachers after completing preparation programs.

(e) The department may retain up to $120,000 of the appropriation amount in each fiscal
year to monitor and administer the grant program.

(f) Any balance in the first year does not cancel but is available in the second year.

Subd. 4. Expanded concurrent enrollment grants. (a) For grants to institutions offering
"Introduction to Teaching" or "Introduction to Education" college in the schools courses
under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$375,000</td>
<td>2023</td>
<td>$375,000</td>
</tr>
</tbody>
</table>

(b) The department may retain up to $18,750 of the appropriation amount in each fiscal
year to monitor and administer the grant program.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 5. Alternative teacher compensation aid. (a) For alternative teacher compensation
aid under Minnesota Statutes, section 122A.415, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$88,617,000</td>
<td>2023</td>
<td>$88,518,000</td>
</tr>
</tbody>
</table>

(b) The 2022 appropriation includes $8,877,000 for 2021 and $79,740,000 for 2022.

(c) The 2023 appropriation includes $8,859,000 for 2022 and $79,659,000 for 2023.

Subd. 6. Agricultural educator grants. (a) For agricultural educator grants under Laws
2017, First Special Session chapter 5, article 2, section 51:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$250,000</td>
<td>2023</td>
<td>$250,000</td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 7. American Indian teacher preparation grants. (a) For joint grants to assist
people who are American Indian to become teachers under Minnesota Statutes, section
122A.63:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$460,000</td>
<td>2023</td>
<td>$460,000</td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.
Subd. 8. Language Essentials for Teachers of Reading and Spelling grant. (a) For grants to licensed teachers to complete the Language Essentials for Teachers of Reading and Spelling (LETRS) program:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$3,000,000</td>
<td>2023 $3,000,000</td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.

Subd. 9. Come Teach in Minnesota hiring bonuses. (a) For the Come Teach in Minnesota hiring bonuses pilot program under Minnesota Statutes, section 122A.59:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$350,000</td>
<td>2023 $350,000</td>
</tr>
</tbody>
</table>

(b) The department may use up to $35,000 of the appropriation amount to develop and administer the program under this subdivision.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 10. Black Men Teach Twin Cities grant (a) For transfer to the Office of Higher Education for a grant to Black Men Teach Twin Cities to establish partnerships with eight school district elementary schools or elementary charter schools with a goal of increasing the number of black male teachers to 20 percent of the employees at each school site:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$750,000</td>
<td>2023 $0</td>
</tr>
</tbody>
</table>

(b) Any balance does not cancel but is available until June 30, 2024. The base for fiscal year 2024 and later is $0.

(c) The grant recipient must provide a detailed report to the chairs and ranking minority members of the legislative committees having jurisdiction over higher education and kindergarten through grade 12 education by January 15 of each year until 2025 describing how the grant funds were used. The report must describe the progress made toward the goal of increasing the number of black male teachers at each school site and strategies used.

Sec. 22. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.

Subdivision 1. Professional Educator Licensing and Standards Board. The sums indicated in this section are appropriated from the general fund to the Professional Educator Licensing and Standards Board for the fiscal years designated.
Subd. 2. Mentoring, induction, and retention incentive program grants. (a) For the development and expansion of mentoring, induction, and retention programs designed for teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>2023</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>

(b) Any balance does not cancel but is available in the following fiscal year.

(c) For fiscal year 2024 and later, the base for grants under Minnesota Statutes, section 122A.70 is $2,000,000.

(d) The board may retain up to $60,000 of the appropriation amount in each fiscal year to monitor and administer the grant program.

Subd. 3. Teacher recruitment marketing campaign. (a) For developing two contracts to develop and implement an outreach and marketing campaign under this subdivision:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$500,000</td>
</tr>
<tr>
<td>2023</td>
<td>$500,000</td>
</tr>
</tbody>
</table>

(b) The Professional Educator Licensing and Standards Board must issue a request for proposals to develop and implement an outreach and marketing campaign to elevate the profession and recruit teachers, especially teachers of color and American Indian teachers. Outreach efforts should include and support current and former Teacher of the Year finalists interested in being recruitment fellows to encourage prospective educators throughout the state.

(c) The outreach and marketing campaign must focus on making the following individuals become interested in teaching in Minnesota public schools:

1. high school and college students of color or American Indian students who have not chosen a career path; or
2. adults from racial or ethnic groups underrepresented in the teacher workforce who may be seeking to change careers.

(d) The board must award two $250,000 grants each year to firms or organizations that demonstrate capacity to reach wide and varied audiences of prospective teachers based on a work plan with quarterly deliverables. Preferences should be given to firms or organizations that are led by people of color and that have people of color working on the campaign with a proven record of success. The grant recipients must recognize current pathways or programs to become a teacher and must partner with educators, schools, institutions, and racially
diverse communities. The grant recipients are encouraged to provide in-kind contributions
or seek funds from nonstate sources to supplement the grant award.

(e) The board may use no more than $15,000 of the appropriation amount in each fiscal
year to administer the program under this subdivision, and may have an interagency
agreement with the Department of Education including transfer of funds to help administer
the program.

(f) Any balance in the first year does not cancel but is available in the second year.

Subd. 4. Collaborative urban and greater Minnesota educators of color grants. (a)
For collaborative urban and greater Minnesota educators of color grants under Minnesota
Statutes, section 122A.635:

<table>
<thead>
<tr>
<th>Year</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>2023</td>
<td>$1,000,000</td>
</tr>
</tbody>
</table>

(b) The board may retain up to $30,000 of the appropriation amount in each fiscal year
to monitor and administer the grant program and a portion of these funds may be transferred
to the Office of Higher Education as determined by the executive director of the board and
the commissioner to support the administration of the program.

(c) Any balance in the first year does not cancel but is available in the second year.

Sec. 23. REVISOR INSTRUCTION.
The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article
2, section 51, as Minnesota Statutes, section 122A.77.

ARTICLE 4
SPECIAL EDUCATION

Section 1. Minnesota Statutes 2020, section 121A.21, is amended to read:

121A.21 SCHOOL HEALTH SERVICES.

Subdivision 1. Requirements. (a) Every school board must provide services to promote
the health of its pupils.

(b) The board of a district with 1,000 pupils or more in average daily membership in
early childhood family education, preschool disabled, elementary, and secondary programs
must comply with the requirements of this paragraph. It may use one or a combination of
the following methods:
(1) employ personnel, including at least one full-time equivalent licensed school nurse;

(2) contract with a public or private health organization or another public agency for personnel during the regular school year, determined appropriate by the board, who are currently licensed under chapter 148 and who are certified public health nurses; or

(3) enter into another arrangement approved by the commissioner.

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

(b) "Clinical nursing provider" means an agency or nurse that renders clinical nursing services or their designee.

(c) "Clinical nursing services" means specific health care services, based on a physician's or advanced practice nurse's orders, as provided by a registered nurse or licensed practical nurse with specialized pediatric training who either attends to the pupil directly or supervises the work of their designee.

(d) "Pupil who is medically fragile" means a school-aged child who has a life-threatening medical condition, and as a result of such condition, requires individualized and continuous clinical nursing services.

Subd. 3. Clinical nursing services at school. (a) Maintaining a continuity of care for students who are medically fragile is necessary for those pupils' safety, creates a safer environment at school and during transportation, and fosters learning and inclusion.

(b) A pupil who is medically fragile who requires clinical nursing services must receive services and care needed to meet the child's clinical nursing service needs while attending school or during transportation to and from school. The school and the parent or legal guardian are encouraged to consult and collaborate with the pupil's treating or ordering provider about services and care needed to meet the pupil's clinical nursing service needs in the school. If the school and the parent or legal guardian do not agree about the service and care needed to meet the child's clinical nursing service needs while attending school or during transportation to and from school, the school and the parent or legal guardian must contact the pupil's licensed care provider to attempt to mutually consult and clarify the medical orders outlined in the plan of care. The objective of the consultation is to review and revise, as necessary, the services proposed by the school to ensure the proposed services are sufficient to meet the student's needs.

(c) If a pupil who is medically fragile requires clinical nursing services care at school or during transportation to and from school, the school and the parent or legal guardian must
meet to discuss options for arranging for clinical nursing services during school. Options may include but are not limited to:

(1) the pupil's clinical nursing provider in the home provides clinical nursing services to the pupil at school and during transportation to and from school;

(2) the school contracts with the pupil's existing clinical nursing provider to provide clinical nursing services to the pupil at school and during transportation to and from school; and

(3) the school arranges for clinical nursing services for the pupil at school and during transportation to and from school, either by school staff or a contract with another clinical nursing services provider.

(d) When considering options for arranging for clinical nursing services, the school and the parents or legal guardians shall take into account the following factors:

(1) the ability of a clinical nursing provider to provide the specific clinical nursing services the pupil requires;

(2) the familiarity of the clinical nursing provider with the pupil's specific clinical nursing services needs and any training that may be required; and

(3) the impact of the selection of a clinical nursing provider on the availability of clinical nursing services to the pupil at home.

The meeting and decision between the school and parents or legal guardians may take place during individualized education plan team meetings under the Individuals with Disabilities in Education Act or meetings required by Section 504 of the Rehabilitation Act, if applicable, and, if applicable, the dispute resolution processes available under either act are available to the school and to the parents or legal guardian.

(e) For the purposes of this subdivision, the school district and nurse or clinical nursing service provider must enter into agreements as necessary to establish mutual expectations of the nurse's or provider's conduct in the school environment, including confidentiality agreements, who they are designated to report to in the school environment, supervision, and the nurse's or provider's authority within the school environment.

Sec. 2. SPECIAL EDUCATION RECOVERY SERVICES AND SUPPORTS.

Subdivision 1. Special education recovery. The commissioner of education, school districts, and charter schools must collaborate with families of students with disabilities as
provided in this section to address the impact of disruptions to in-person instruction on
students' access to a free appropriate public education due to COVID-19.

Subd. 2. Special education services and supports. (a) A school district or charter school
that serves one or more students with disabilities must invite the parents of a student with
a disability to a meeting of each individualized education program (IEP) team as soon as
practicable, to determine whether special education services and supports are necessary to
address lack of progress on IEP goals or in the general education curriculum or loss of
learning or skills due to disruptions due to COVID-19. The services and supports may
include but are not limited to extended school year services, additional IEP services,
compensatory services, or other appropriate services. This meeting may occur in an annual
or other regularly scheduled IEP meeting. If the IEP team determines that the services and
supports are necessary, the team shall determine what services and supports are appropriate
for the student and when and how those services should be provided, in accordance with
relevant guidance from the Minnesota Department of Education and the United States
Department of Education. The services and supports must be included in the IEP of the
student. A district or charter school must report to the commissioner, in the form and manner
determined by the commissioner, the services and supports provided to students with
disabilities under this section, including the cost of providing the services.

(b) In determining whether a student is eligible for services and supports described in
paragraph (a), and what services and supports are appropriate for the student, the IEP team
must consider, in conjunction with any other considerations advised by guidance from the
Minnesota Department of Education or the United States Department of Education:

(1) services and supports provided to the student before the disruptions to in-person
instruction due to COVID-19;

(2) the ability of the student to access services and supports;

(3) the student's progress toward IEP goals, including the goals in the IEP in effect before
disruptions to in-person instruction related to COVID-19, and progress in the general
education curriculum;

(4) the student's regression or lost skills resulting from disruptions to instruction;

(5) other significant influences on the student's ability to participate in and benefit from
instruction as a result of COVID-19, including family loss, changed family circumstances,
other trauma, and illness; and
(6) the types of services and supports that would benefit the student and improve the
student's ability to benefit from school, including academic supports, behavioral supports,
mental health supports, related services, and other services and supports.

(c) When considering how and when the services and supports described in paragraph
(a) should be provided, the IEP team must take into account the timing and delivery method
most appropriate for the student, such as time of day, day of the week, or time of year; and
the availability of other services accessible to the student to address learning loss. The IEP
team may determine that providers in addition to school district or charter school staff are
most appropriate to provide the services and supports described in paragraph (a).

(d) A school district or charter school must make available the services and supports
included in an IEP, as described in paragraph (a), until the IEP team determines that services
and supports are no longer necessary to address lack of progress on IEP goals or in the
general education curriculum or loss of learning or skills due to disruptions due to COVID-19.

(e) A school district or charter school may use federal funds to comply with this section.

Sec. 3. REPORT ON BEHAVIORAL HEALTH SERVICES REIMBURSEMENT.

The commissioners of education and human services shall consult with stakeholders to
identify strategies to streamline access and reimbursement for behavioral health services
for children with an individualized education program or an individualized family service
plan who are enrolled in medical assistance and, whenever possible, avoid duplication of
services and procedures. The commissioners shall identify strategies to reduce administrative
burden for schools while ensuring continuity of care for student's accessing services when
not in school and shall review models in other states. The commissioners shall provide an
update, including any recommendations for statutory changes, to the chairs and ranking
minority members of the committees with jurisdiction over kindergarten through grade 12
education and human services by November 1, 2021.

Sec. 4. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are
appropriated from the general fund to the Department of Education for the fiscal years
designated.

Subd. 2. Special education; regular. For special education aid under Minnesota Statutes,
section 125A.75:
### Subd. 3. Aid for children with disabilities

For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

- **2022**: $1,818,000
- **2023**: $2,010,000

If the appropriation for either year is insufficient, the appropriation for the other year is available.

### Subd. 4. Travel for home-based services

For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

- **2022**: $465,000
- **2023**: $512,000

The 2022 appropriation includes $23,000 for 2021 and $442,000 for 2022.

The 2023 appropriation includes $49,000 for 2022 and $463,000 for 2023.

### Subd. 5. Court-placed special education revenue

For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

- **2022**: $24,000
- **2023**: $25,000

### Subd. 6. Special education out-of-state tuition

For special education out-of-state tuition under Minnesota Statutes, section 125A.79, subdivision 8:

- **2022**: $250,000
- **2023**: $250,000

### Subd. 7. Clinical nursing services guidance

For the commissioner to develop guidance for school districts on arranging for and accommodating clinical nursing services at school under Minnesota Statutes, section 121A.21:

- **2022**: $100,000
- **2023**: $0
This is a onetime appropriation.

ARTICLE 5

HEALTH AND SAFETY

Section 1. [121A.24] SEIZURE TRAINING AND ACTION PLAN.

Subdivision 1. Seizure action plan. (a) For purposes of this section, "seizure action plan" means a written individualized health plan designed to acknowledge and prepare for the health care needs of a student with a seizure disorder diagnosed by the student's treating licensed health care provider.

(b) The requirements of this subdivision apply to a school district or charter school where an enrolled student's parent or guardian has notified the school district or charter school that the student has a diagnosed seizure disorder and has seizure rescue medication or medication prescribed by the student's licensed health care provider to treat seizure disorder symptoms approved by the United States Food and Drug Administration. The parent or guardian of a student with a diagnosed seizure disorder must collaborate with school personnel to implement the seizure action plan.

(c) A seizure action plan must:

(1) identify at least one employee at each school site who is on duty during the entire school day and can administer or assist with the administration of seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the United States Food and Drug Administration;

(2) require training on seizure medications for an employee identified under clause (1), recognition of signs and symptoms of seizures, and appropriate steps to respond to seizures; and

(3) be filed in the office of the school principal or licensed school nurse or, in the absence of a licensed school nurse, a professional nurse or designated individual.

(d) A school district or charter school employee or volunteer responsible for the supervision or care of a student with a diagnosed seizure disorder must be given notice and a copy of the seizure action plan, the name of the employee identified under paragraph (c), clause (1), and the method by which the trained school employee may be contacted in an emergency.

Subd. 2. Training requirements. A school district or charter school must provide all licensed school nurses or, in the absence of a licensed school nurse, a professional nurse or
designated individual, and other school staff working with students with self-study materials
on seizure disorder signs, symptoms, medications, and appropriate responses.

Subd. 3. **Department of Health.** A school district or charter school may consult with
the commissioner of health regarding training resources to comply with the requirements
of this section.

**EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

Sec. 2. [121A.336] **NOTIFICATION OF ENVIRONMENTAL HAZARDS.**

Upon notification by the Department of Health or Pollution Control Agency to a school
district, charter school, or nonpublic school of environmental hazards that may affect the
health of students or school staff, the school must notify school staff, students, and parents
of the hazards as soon as practicable. The notice must include direction on how to obtain
additional information about the hazard, including any actions that may reduce potential
harm to those affected by the hazard.

Sec. 3. Minnesota Statutes 2020, section 126C.44, is amended to read:

**126C.44 SAFE SCHOOLS LEVY REVENUE.**

Subdivision 1. **Safe schools revenue.** (a) Each district may make a levy on all taxable
property located within the district for the purposes specified in this section. The maximum
amount which may be levied for all costs under this section shall be equal to $36 multiplied
by For fiscal year 2022 and fiscal year 2023, the safe schools revenue for a school district
equals $37 times the district's adjusted pupil units for the school year. For fiscal year 2024
and later, the safe schools revenue for a school district equals $47 times the district's adjusted
pupil units for the school year.

(b) To obtain safe schools revenue for fiscal year 2023 and later, a district may levy an
amount not more than $37 times the district's adjusted pupil units for the school year, times
the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to the
safe schools equalizing factor. The safe schools equalizing factor equals 60 percent of the
state average net tax capacity per adjusted pupil unit for all school districts.

Subd. 3. **Safe schools aid.** (a) Basic safe schools aid equals safe schools revenue minus
the permitted safe schools levy.
(b) Safe schools equalization aid equals the safe schools revenue minus the basic safe schools aid minus the safe schools levy. If a school district does not levy the entire amount permitted, the safe schools equalization aid must be reduced in proportion to the actual amount levied.

(c) For fiscal year 2022, a district's safe schools aid equals basic safe schools aid. For fiscal year 2023 and later, a district's safe schools aid equals basic safe schools aid plus safe schools equalization aid.

Subd. 4. Cooperative safe schools revenue. In addition to the amounts in subdivision 1, the cooperative safe schools revenue for a school district that is a member of a cooperative unit that enrolls students equals the district's adjusted pupil units for the school year, times $16 for fiscal year 2022, $20 for fiscal year 2023, and $26 for fiscal year 2024 and later. Revenue raised under this subdivision must be transferred to the cooperative unit and be reserved and used only for costs associated with safe schools activities authorized under subdivision 10. For purposes of this section, "cooperative unit" has the meaning given under section 123A.24, subdivision 2.

Subd. 5. Cooperative safe schools levy. (a) For fiscal year 2022, the cooperative safe schools levy for a school district that is a member of an intermediate district may not exceed $15 times the adjusted pupil units of the member district. The cooperative safe schools levy authority is in addition to a district's safe schools levy authority under subdivision 2.

(b) For fiscal year 2023 and later, the cooperative safe schools levy for a school district that is a member of a cooperative unit that enrolls students may not exceed $20 times the adjusted pupil units of the member district times the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to the safe schools equalizing factor. The cooperative safe schools levy authority is in addition to a district's safe schools levy authority under subdivision 2.

Subd. 6. Cooperative safe schools aid. (a) Basic cooperative safe schools aid equals cooperative safe schools revenue minus the permitted cooperative safe schools levy.

(b) Cooperative safe schools equalization aid equals cooperative safe schools revenue minus basic cooperative safe schools aid minus the cooperative safe schools levy. If a school district does not levy the entire amount permitted, the cooperative safe schools equalization aid must be reduced in proportion to the actual amount levied.

(c) For fiscal year 2022, the cooperative safe schools aid for a school district that is a member of a cooperative unit that enrolls students equals basic cooperative safe schools aid. For fiscal year 2023 and later, the cooperative safe schools aid for a school district that
is a member of a cooperative unit that enrolls students equals basic cooperative safe schools aid plus cooperative safe schools equalization aid.

Subd. 7. Safe schools aid for charter schools. (a) For fiscal year 2022 and fiscal year 2023, safe schools aid for a charter school equals $37 times the adjusted pupil units for the school year. For fiscal year 2024 and later, safe schools aid for a charter school equals $47 times the adjusted pupil units for the school year.

(b) Safe schools aid must be reserved and used only for costs associated with safe schools activities authorized under subdivision 10.

Subd. 8. Safe schools aid for nonpublic schools. (a) For fiscal year 2022 and fiscal year 2023, safe schools aid for a nonpublic school, excluding a home school, equals $37 times enrollment for the school year. For fiscal year 2024 and later, safe schools aid for a nonpublic school, excluding a home school, equals $47 times enrollment for the school year.

(b) Safe schools aid must be reserved and used only for costs associated with safe schools activities authorized under subdivision 10.

Subd. 9. Safe schools aid for American Indian tribal contract or grant schools. (a) For fiscal year 2022 and fiscal year 2023, safe schools aid for an American Indian tribal contract or grant school equals $37 times enrollment for the school year. For fiscal year 2024 and later, safe schools aid for an American Indian tribal contract or grant school equals $47 times enrollment for the school year.

(b) Safe schools aid must be reserved and used only for costs associated with safe schools activities authorized under subdivision 10.

Subd. 10. Uses of safe schools revenue. The proceeds of the levy (a) For fiscal year 2021 and later, safe schools revenue must be reserved and used for directly funding the following purposes or for reimbursing the cities and counties who contract with the district for the following purposes:

(1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace officers and sheriffs for liaison in services in the district's schools;

(2) to pay the costs for a drug abuse prevention program as defined in section 609.101, subdivision 3, paragraph (e), in the elementary schools;

(3) to pay the costs for a gang resistance education training curriculum in the district's schools;
(4) to pay the costs for security in the district's schools and on school property;
(5) to pay the costs for other crime prevention, drug abuse, student and staff safety, voluntary opt-in suicide prevention tools, and violence prevention measures taken by the school district;
(6) to pay costs for licensed school counselors, licensed school nurses, licensed school social workers, licensed school psychologists, and licensed alcohol and chemical dependency counselors to help provide early responses to problems;
(7) to pay for facility security enhancements including laminated glass, public announcement systems, emergency communications devices, and equipment and facility modifications related to violence prevention and facility security;
(8) to pay for costs associated with improving the school climate; or
(9) to pay costs for colocating and collaborating with mental health professionals who are not district employees or contractors or for school-linked mental health services delivered by telemedicine; or
(10) to pay for the costs of enhancing cybersecurity in the district's information system.

(b) For expenditures under paragraph (a), clause (1), the district must initially attempt to contract for services to be provided by peace officers or sheriffs with the police department of each city or the sheriff's department of the county within the district containing the school receiving the services. If a local police department or a county sheriff's department does not wish to provide the necessary services, the district may contract for these services with any other police or sheriff's department located entirely or partially within the school district's boundaries.

(c) A school district that is a member of an intermediate school district may include in its authority under this section the costs associated with safe schools activities authorized under paragraph (a) for intermediate school district programs. This authority must not exceed $15 times the adjusted pupil units of the member districts. This authority is in addition to any other authority authorized under this section. Revenue raised under this paragraph must be transferred to the intermediate school district. A school district, charter school, or cooperative unit receiving revenue under this section must annually report safe schools expenditures to the commissioner, in the form and manner specified by the commissioner. The report must conform to uniform financial and reporting standards established for this purpose and provide a breakdown by functional area.
Sec. 4. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Safe schools aid. For safe schools aid under Minnesota Statutes, section 126C.44:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$9,489,000</td>
<td>.... 2022</td>
</tr>
<tr>
<td>2023</td>
<td>$6,935,000</td>
<td>.... 2023</td>
</tr>
</tbody>
</table>

The fiscal year 2022 appropriation includes $0 for 2021 and $9,489,000 for 2022. The fiscal year 2023 appropriation includes $1,055,000 for 2022 and $5,880,000 for 2023.

Subd. 3. Suicide prevention training for teachers. (a) For a grant to a nationally recognized provider of evidence-based online training on suicide prevention and engagement of students experiencing mental distress:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$265,000</td>
<td>.... 2022</td>
</tr>
</tbody>
</table>

(b) Training funded by the grant must be accessible to teachers in every school district, charter school, intermediate school district, service cooperative, and tribal school in Minnesota.

(c) The grant recipient must report to the commissioner of education the number of teachers completing the online training, average length of time to complete training, and length of average stay using the online training. The commissioner must survey online training users to determine their perception of the online training. By January 8, 2023, the commissioner must report the grant recipient's information and the survey results to the chairs and ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education.

(d) This is a onetime appropriation and is available until June 30, 2023.
ARTICLE 6

FACILITIES, FUND TRANSFERS, & ACCOUNTING

Section 1. Minnesota Statutes 2020, section 123B.10, is amended by adding a subdivision to read:

Subd. 5. Consulting fees. The board must also publish at the same time and in a conspicuous place on the district's official website a summary of actual expenditures by vendor which exceed $25,000 for the prior fiscal year for consulting fees for professional services, consistent with the Uniform Financial Accounting and Reporting Standards Object Code 305. The summary must include a notice that the district must provide more detailed information upon request.

Sec. 2. Minnesota Statutes 2020, section 123B.595, subdivision 3, is amended to read:

Subd. 3. Intermediate districts and other cooperative units. (a) Upon approval through the adoption of a resolution by each member district school board of an intermediate district or other cooperative unit under section 123A.24, subdivision 2, or a joint powers district under section 471.59, and the approval of the commissioner of education, a school district may include in its authority under this section a proportionate share of the long-term maintenance costs of the intermediate district or, cooperative unit, or joint powers district. The cooperative unit or joint powers district may issue bonds to finance the project costs or levy for the costs, using long-term maintenance revenue transferred from member districts to make debt service payments or pay project costs or, for leased facilities, pay the portion of lease costs attributable to the amortized cost of long-term facilities maintenance projects completed by the landlord. Authority under this subdivision is in addition to the authority for individual district projects under subdivision 1.

(b) The resolution adopted under paragraph (a) may specify which member districts will share the project costs under this subdivision, except that debt service payments for bonds issued by a cooperative unit or joint powers district to finance long-term maintenance project costs must be the responsibility of all member districts.

EFFECTIVE DATE. This section is effective for revenue in fiscal year 2023 and later.

Sec. 3. Minnesota Statutes 2020, section 126C.40, subdivision 1, is amended to read:

Subdivision 1. To lease building or land. (a) When an independent or a special school district or a group of independent or special school districts finds it economically advantageous to rent or lease a building or land for any instructional purposes or for school

Article 6 Sec. 3.
storage or furniture repair, and it determines that the operating capital revenue authorized
under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
commissioner for permission to make an additional capital expenditure levy for this purpose.
An application for permission to levy under this subdivision must contain financial
justification for the proposed levy, the terms and conditions of the proposed lease, and a
description of the space to be leased and its proposed use.

(b) The criteria for approval of applications to levy under this subdivision must include:
the reasonableness of the price, the appropriateness of the space to the proposed activity,
the feasibility of transporting pupils to the leased building or land, conformity of the lease
to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
lease to the space needs and the financial condition of the district. The commissioner must
not authorize a levy under this subdivision in an amount greater than the cost to the district
of renting or leasing a building or land for approved purposes. The proceeds of this levy
must not be used for custodial or other maintenance services. A district may not levy under
this subdivision for the purpose of leasing or renting a district-owned building or site to
itself.

(c) For agreements finalized after July 1, 1997, a district may not levy under this
subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
building addition or additions used primarily for regular kindergarten, elementary, or
secondary instruction that contains more than 20 percent of the square footage of the
previously existing building.

(d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
purpose of leasing or renting a district-owned building or site to itself only if the amount is
needed by the district to make payments required by a lease purchase agreement, installment
purchase agreement, or other deferred payments agreement authorized by law, and the levy
meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
under this paragraph may be in the amount needed by the district to make payments required
by a lease purchase agreement, installment purchase agreement, or other deferred payments
agreement authorized by law, provided that any agreement include a provision giving the
school districts the right to terminate the agreement annually without penalty.

(e) The total levy under this subdivision for a district for any year must not exceed $212
times the adjusted pupil units for the fiscal year to which the levy is attributable.
(f) For agreements for which a review and comment have been submitted to the
Department of Education after April 1, 1998, the term "instructional purpose" as used in
this subdivision excludes expenditures on stadiums.

(g) The commissioner of education may authorize a school district to exceed the limit
in paragraph (e) if the school district petitions the commissioner for approval. The
commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
for not more than five years if the district meets the following criteria:

(1) the school district has been experiencing pupil enrollment growth in the preceding
five years;

(2) the purpose of the increased levy is in the long-term public interest;

(3) the purpose of the increased levy promotes colocation of government services; and

(4) the purpose of the increased levy is in the long-term interest of the district by avoiding
over construction of school facilities.

(h) A school district that is a member of an intermediate school district or other
cooperative unit under section 123A.24, subdivision 2, or a joint powers district under
section 471.59 may include in its authority under this section the costs associated with leases
of administrative and classroom space for intermediate school district programs of the
intermediate school district or other cooperative unit under section 123A.24, subdivision
2, or joint powers district under section 471.59. This authority must not exceed $65 times
the adjusted pupil units of the member districts. This authority is in addition to any other
authority authorized under this section. The intermediate school district, other cooperative
unit, or joint powers district may specify which member districts will levy for lease costs
under this paragraph.

(i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012
to 2023, a district that is a member of the "Technology and Information Education Systems"
data processing joint board, that finds it economically advantageous to enter into a lease
agreement to finance improvements to a building and land for a group of school districts
or special school districts for staff development purposes, may levy for its portion of lease
costs attributed to the district within the total levy limit in paragraph (e). The total levy
authority under this paragraph shall not exceed $632,000.

(j) Notwithstanding paragraph (a), a district may levy under this subdivision for the
purpose of leasing administrative space if the district can demonstrate to the satisfaction of
the commissioner that the lease cost for the administrative space is no greater than the lease
cost for instructional space that the district would otherwise lease. The commissioner must
deny this levy authority unless the district passes a resolution stating its intent to lease
instructional space under this section if the commissioner does not grant authority under
this paragraph. The resolution must also certify that the lease cost for administrative space
under this paragraph is no greater than the lease cost for the district's proposed instructional
lease.

(k) Notwithstanding paragraph (a), a district may levy under this subdivision for the
district's proportionate share of deferred maintenance expenditures for a district-owned
building or site leased to a cooperative unit under section 123A.24, subdivision 2, or a joint
powers district under section 471.59 for any instructional purposes or for school storage.

EFFECTIVE DATE. This section is effective for revenue in fiscal year 2023 and later.

Sec. 4. Laws 2020, chapter 116, article 3, section 8, is amended to read:

Sec. 8. FUND TRANSFERS; FOR FISCAL YEARS 2020 AND 2021 ONLY; REVENUE REDIRECTION FISCAL YEAR 2021 ONLY.

Subdivision 1. Fund and account transfers allowed. Notwithstanding Minnesota
Statutes, section 123B.80, subdivision 3, for fiscal years 2020 and 2021 only, a school
district, charter school, or cooperative unit may transfer any funds not already assigned to
or encumbered by staff salary and benefits, or otherwise encumbered by federal law, from
any accounts or operating fund to the undesignated balance in any other operating fund.

Subd. 1a. Redirected revenue uses. Notwithstanding any law to the contrary, for fiscal
year 2021 only, a school district may redirect any reserved or restricted revenue to another
use upon adoption of a written resolution of the school board. This authority applies to any
funds not already assigned to or encumbered by staff salary and benefits, or otherwise
encumbered by federal law.

Subd. 2. No aid or levy effect. A fund or transfer, account transfer, or redirection of
revenue is allowed under this section if the transfer or revenue redirection does not increase
state aid obligations to the district or school, or result in additional property tax authority
for the district. Redirected revenue, a fund transfer, or an account transfer is limited to the
operating funds and accounts of a school district, charter school, or cooperative unit.

Subd. 3. Board approval required; reporting; audit trail. (a) A fund or account
transfer under this section for fiscal year 2020 is effective June 30, 2020, and a fund or
account transfer under this section for fiscal year 2021 is effective June 30, 2021. The school
board must approve any fund or account transfer before the reporting deadline for the respective fiscal year.

(b) A school board that redirects reserved or restricted revenue or uses revenue for a different purpose than the specific purposes listed in statute for that revenue must adopt a written resolution outlining the purpose for, and specifying the amount of, funds that are redirected.

(c) A school district, charter school, or cooperative unit must maintain accounting records for the purposes of this section that are sufficient to document both the specific funds transferred or redirected and use of those funds. The accounting records are subject to auditor review. Any execution of flexibility must not interfere with or jeopardize funding per federal requirements. Any transfer or redirection of funds must not interfere with the equitable delivery of distance learning or social distancing models.

Subd. 4. Commissioner's guidance. The commissioner must prepare and post to the department's website a document providing guidance on the process for approval of fund and account balance transfers authorized under this section.

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

Sec. 5. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. Debt service equalization aid. For debt service equalization aid under Minnesota Statutes, section 123B.53, subdivision 6:

$25,001,000 .... 2022

$24,286,000 .... 2023

The 2022 appropriation includes $2,588,000 for 2021 and $22,413,000 for 2022.

The 2023 appropriation includes $2,490,000 for 2022 and $21,796,000 for 2023.

Subd. 3. Long-term facilities maintenance equalized aid. For long-term facilities maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

$108,468,000 .... 2022

$110,899,000 .... 2023

The 2022 appropriation includes $10,660,000 for 2021 and $97,808,000 for 2022.
The 2023 appropriation includes $10,867,000 for 2022 and $100,032,000 for 2023.

Subd. 4. Equity in telecommunications access. (a) For equity in telecommunications access:

<table>
<thead>
<tr>
<th>Year</th>
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<tbody>
<tr>
<td>2022</td>
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</tr>
<tr>
<td>2023</td>
<td>$3,750,000</td>
</tr>
</tbody>
</table>

(b) If the appropriation amount is insufficient, the commissioner shall reduce the reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the revenue for fiscal years 2022 and 2023 shall be prorated.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 5. Maximum effort loan aid. For aid payments to schools under Minnesota Statutes, section 477A.09.

<table>
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<th>Year</th>
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</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>2023</td>
<td>$0</td>
</tr>
</tbody>
</table>

The base for fiscal year 2024 is $0.

ARTICLE 7
NUTRITION AND LIBRARIES

Section 1. Minnesota Statutes 2020, section 124D.111, is amended to read:

124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE ACCOUNTING.

Subdivision 1. School lunch aid computation meals policies. (a) Each Minnesota participant in the national school lunch program must adopt and post to its website, or the website of the organization where the meal is served, a school meals policy.

(b) The policy must be in writing and clearly communicate student meal charges when payment cannot be collected at the point of service. The policy must be reasonable and well-defined and maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student.

(c) The policy must address whether the participant uses a collections agency to collect unpaid school meals debt.

(d) The policy must ensure that once a participant has placed a meal on a tray or otherwise served the meal to a student, the meal may not be subsequently withdrawn from the student.
by the cashier or other school official, whether or not the student has an outstanding meals
balance.

(c) The policy must ensure that a student who has been determined eligible for free and
reduced-price lunch must always be served a reimbursable meal even if the student has an
outstanding debt.

(f) If a school contracts with a third party for its meal services, it must provide the vendor
with its school meals policy. Any contract between the school and a third-party provider
entered into or modified after July 1, 2021, must ensure that the third-party provider adheres
to the participant's school meals policy.

Subd. 1a. School lunch aid amounts. Each school year, the state must pay participants
in the national school lunch program the amount of 12.5 cents for each full paid and free
student lunch and 52.5 cents for each reduced-price lunch served to students.

Subd. 2. Application. A school district, charter school, nonpublic school, or other
participant in the national school lunch program shall apply to the department for this
current payment on forms provided by the department.

Subd. 2a. Federal child and adult care food program; criteria and notice. The
commissioner must post on the department's website eligibility criteria and application
information for nonprofit organizations interested in applying to the commissioner for
approval as a multisite sponsoring organization under the federal child and adult care food
program. The posted criteria and information must inform interested nonprofit organizations
about:

1) the criteria the commissioner uses to approve or disapprove an application, including
how an applicant demonstrates financial viability for the Minnesota program, among other
criteria;

2) the commissioner's process and time line for notifying an applicant when its
application is approved or disapproved and, if the application is disapproved, the explanation
the commissioner provides to the applicant; and

3) any appeal or other recourse available to a disapproved applicant.

Subd. 3. School food service fund. (a) The expenses described in this subdivision must
be recorded as provided in this subdivision.

(b) In each district, the expenses for a school food service program for pupils must be
attributed to a school food service fund. Under a food service program, the school food
service may prepare or serve milk, meals, or snacks in connection with school or community
service activities.

(c) Revenues and expenditures for food service activities must be recorded in the food
service fund. The costs of processing applications, accounting for meals, preparing and
serving food, providing kitchen custodial services, and other expenses involving the preparing
of meals or the kitchen section of the lunchroom may be charged to the food service fund
or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial
services, lunchroom utilities, and other administrative costs of the food service program
must be charged to the general fund.

That portion of superintendent and fiscal manager costs that can be documented as
attributable to the food service program may be charged to the food service fund provided
that the school district does not employ or contract with a food service director or other
individual who manages the food service program, or food service management company.
If the cost of the superintendent or fiscal manager is charged to the food service fund, the
charge must be at a wage rate not to exceed the statewide average for food service directors
as determined by the department.

(d) Capital expenditures for the purchase of food service equipment must be made from
the general fund and not the food service fund, unless the restricted balance in the food
service fund at the end of the last fiscal year is greater than the cost of the equipment to be
purchased.

(e) If the condition set out in paragraph (d) applies, the equipment may be purchased
from the food service fund.

(f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
is not eliminated by revenues from food service operations in the next fiscal year, then the
deficit must be eliminated by a permanent fund transfer from the general fund at the end of
that second fiscal year. However, if a district contracts with a food service management
company during the period in which the deficit has accrued, the deficit must be eliminated
by a payment from the food service management company.

(g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund
for up to three years without making the permanent transfer if the district submits to the
commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at
the end of the third fiscal year.

(h) If a surplus in the food service fund exists at the end of a fiscal year for three
successive years, a district may recode for that fiscal year the costs of lunchroom supervision,
lunchroom custodial services, lunchroom utilities, and other administrative costs of the food
service program charged to the general fund according to paragraph (c) and charge those
costs to the food service fund in a total amount not to exceed the amount of surplus in the
food service fund.

Subd. 4. **No fees.** A participant that receives school lunch aid under this section must
make lunch available without charge and must not deny a school lunch to all participating
students who qualify for free or reduced-price meals, whether or not that student has an
outstanding balance in the student's meals account attributable to a la carte purchases or for
any other reason.

Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students
in a respectful manner according to the policy adopted under subdivision 1. The participant
must ensure that any reminders for payment of outstanding student meal balances do not
demean or stigmatize any child participating in the school lunch program, including but
not limited to dumping meals, withdrawing a meal that has been served, announcing or
listing students' names publicly, or affixing stickers, stamps, or pins. The participant must
not impose any other restriction prohibited under section 123B.37 due to unpaid student
meal balances. The participant must not limit a student's participation in any school activities,
graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities
or access to materials, technology, or other items provided to students due to an unpaid
student meal balance.

(b) If the commissioner or the commissioner's designee determines a participant has
violated the requirement to provide meals to participating students in a respectful manner,
the commissioner or the commissioner's designee must send a letter of noncompliance to
the participant. The participant is required to respond and, if applicable, remedy the practice
within 60 days.

Sec. 2. Minnesota Statutes 2020, section 134.355, subdivision 5, is amended to read:

Subd. 5. **Base aid distribution.** Fifteen percent of the available aid funds shall be
paid to each system as base aid for basic system services.

**EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and
later.
Sec. 3. Minnesota Statutes 2020, section 134.355, subdivision 6, is amended to read:

Subd. 6. **Adjusted net tax capacity per capita distribution.** Twenty-five fifteen percent of the available aid funds shall be distributed to regional public library systems based upon the adjusted net tax capacity per capita for each member county or participating portion of a county as calculated for the second third year preceding the fiscal year for which aid is provided. Each system’s entitlement shall be calculated as follows:

(a) (1) multiply the adjusted net tax capacity per capita for each county or participating portion of a county by .0082;

(b) (2) add sufficient aid funds that are available under this subdivision to raise the amount of the county or participating portion of a county with the lowest value calculated according to paragraph (a) clause (1) to the amount of the county or participating portion of a county with the next highest value calculated according to paragraph (a) clause (1).

Multiply the amount of the additional aid funds by the population of the county or participating portion of a county;

(c) (3) continue the process described in paragraph (b) clause (2) by adding sufficient aid funds that are available under this subdivision to the amount of a county or participating portion of a county with the next highest value calculated in paragraph (a) clause (1) to raise it and the amount of counties and participating portions of counties with lower values calculated in paragraph (a) clause (1) up to the amount of the county or participating portion of a county with the next highest value, until reaching an amount where funds available under this subdivision are no longer sufficient to raise the amount of a county or participating portion of a county and the amount of counties and participating portions of counties with lower values up to the amount of the next highest county or participating portion of a county;

and

(d) (4) if the point is reached using the process in paragraphs (b) and (c) clauses (2) and (3) at which the remaining aid funds under this subdivision are not adequate for raising the amount of a county or participating portion of a county and all counties and participating portions of counties with amounts of lower value to the amount of the county or participating portion of a county with the next highest value, those funds are to be divided on a per capita basis for all counties or participating portions of counties that received aid funds under the calculation in paragraphs (b) and (c) clauses (2) and (3).

**EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2022 and later.
Sec. 4. Minnesota Statutes 2020, section 134.355, subdivision 7, is amended to read:

Subd. 7. Population determination. A regional public library system's population shall be determined according to must be calculated using the most recent estimate available under section 477A.011, subdivision 3, at the time the aid amounts are calculated, which must be by April 1 in the year the calculation is made.

EFFECTIVE DATE. This section is effective for state aid for fiscal year 2022 and later.

Sec. 5. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated. Any balance in the first year does not cancel but is available in the second year.

Subd. 2. School lunch. For school lunch aid under Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$16,635,000</td>
<td>2023</td>
<td>$16,917,000</td>
</tr>
</tbody>
</table>

Subd. 3. School breakfast. For traditional school breakfast aid under Minnesota Statutes, section 124D.1158:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$11,745,000</td>
<td>2023</td>
<td>$12,090,000</td>
</tr>
</tbody>
</table>

Subd. 4. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes, section 124D.118:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$656,000</td>
<td>2023</td>
<td>$658,000</td>
</tr>
</tbody>
</table>

Subd. 5. Summer school food service replacement. For summer school food service replacement aid under Minnesota Statutes, section 124D.119:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$150,000</td>
<td>2023</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

Subd. 6. Basic system support. For basic system support aid under Minnesota Statutes, section 134.355:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$15,010,000</td>
<td>2023</td>
<td>$15,170,000</td>
</tr>
</tbody>
</table>
The 2022 appropriation includes $1,357,000 for 2021 and $13,653,000 for 2022.

The 2023 appropriation includes $1,517,000 for 2022 and $13,653,000 for 2023.

Subd. 7. Multicounty, multitype library systems. For aid under Minnesota Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$1,300,000</td>
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<tr>
<td>2023</td>
<td>$1,300,000</td>
<td>2023</td>
</tr>
</tbody>
</table>

The 2022 appropriation includes $130,000 for 2021 and $1,170,000 for 2022.

The 2023 appropriation includes $130,000 for 2022 and $1,170,000 for 2023.

Subd. 8. Electronic library for Minnesota. For statewide licenses to online databases selected in cooperation with the Minnesota Office of Higher Education for school media centers, public libraries, state government agency libraries, and public or private college or university libraries:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
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<tr>
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<tr>
<td>2023</td>
<td>$900,000</td>
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</tr>
</tbody>
</table>

Subd. 9. Regional library telecommunications. For regional library telecommunications aid under Minnesota Statutes, section 134.355:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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</tr>
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<tr>
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</tr>
<tr>
<td>2023</td>
<td>$2,300,000</td>
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</tr>
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</table>

The 2022 appropriation includes $230,000 for 2021 and $2,070,000 for 2022.

The 2023 appropriation includes $230,000 for 2022 and $2,070,000 for 2023.

ARTICLE 8

EARLY CHILDHOOD

Section 1. [124D.166] LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN.

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan or an individualized education program in effect.
Sec. 2. APPROPRIATIONS.

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. School readiness. (a) For revenue for school readiness programs under Minnesota Statutes, sections 124D.15 and 124D.16:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$33,683,000</td>
</tr>
<tr>
<td>2023</td>
<td>$33,683,000</td>
</tr>
</tbody>
</table>

(b) The 2022 appropriation includes $3,368,000 for 2021 and $30,315,000 for 2022.

(c) The 2023 appropriation includes $3,368,000 for 2022 and $30,315,000 for 2023.

Subd. 3. Early learning scholarships. (a) For the early learning scholarship program under Minnesota Statutes, section 124D.165:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$70,709,000</td>
</tr>
<tr>
<td>2023</td>
<td>$70,709,000</td>
</tr>
</tbody>
</table>

(b) This appropriation is subject to the requirements under Minnesota Statutes, section 124D.165, subdivision 6.

Subd. 4. Head Start program. For Head Start programs under Minnesota Statutes, section 119A.52:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$25,100,000</td>
</tr>
<tr>
<td>2023</td>
<td>$25,100,000</td>
</tr>
</tbody>
</table>

Subd. 5. Early childhood family education aid. (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$33,772,000</td>
</tr>
<tr>
<td>2023</td>
<td>$34,055,000</td>
</tr>
</tbody>
</table>

(b) The 2022 appropriation includes $3,341,000 for 2021 and $30,431,000 for 2022.

(c) The 2023 appropriation includes $3,381,000 for 2022 and $30,674,000 for 2023.

Subd. 6. Developmental screening aid. (a) For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$3,582,000</td>
</tr>
<tr>
<td>2023</td>
<td>$3,476,000</td>
</tr>
</tbody>
</table>

(b) The 2022 appropriation includes $360,000 for 2021 and $3,222,000 for 2022.
(c) The 2023 appropriation includes $357,000 for 2022 and $3,119,000 for 2023.

Subd. 7. **ParentChild+ program.** For a grant to the ParentChild+ program:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$900,000</td>
</tr>
<tr>
<td>2023</td>
<td>$900,000</td>
</tr>
</tbody>
</table>

The grant must be used for an evidence-based and research-validated early childhood literacy and school readiness program for children ages 16 months to four years at its existing suburban program location. The program must include urban and rural program locations for fiscal years 2022 and 2023.

Subd. 8. **Kindergarten entrance assessment initiative and intervention program.** For the kindergarten entrance assessment initiative and intervention program under Minnesota Statutes, section 124D.162:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$281,000</td>
</tr>
<tr>
<td>2023</td>
<td>$281,000</td>
</tr>
</tbody>
</table>

Subd. 9. **Quality rating and improvement system.** (a) For transfer to the commissioner of human services for the purposes of expanding the quality rating and improvement system under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports for providers participating in the quality rating and improvement system:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$1,750,000</td>
</tr>
<tr>
<td>2023</td>
<td>$1,750,000</td>
</tr>
</tbody>
</table>

(b) The amounts in paragraph (a) must be in addition to any federal funding under the child care and development block grant authorized under Public Law 101-508 in that year for the system under Minnesota Statutes, section 124D.142.

(c) Any balance in the first year does not cancel but is available in the second year.

Subd. 10. **Early childhood programs at tribal contract schools.** For early childhood family education programs at tribal contract schools under Minnesota Statutes, section 124D.83, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$68,000</td>
</tr>
<tr>
<td>2023</td>
<td>$68,000</td>
</tr>
</tbody>
</table>

Subd. 11. **Educate parents partnership.** For the educate parents partnership under Minnesota Statutes, section 124D.129:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$49,000</td>
</tr>
<tr>
<td>2023</td>
<td>$49,000</td>
</tr>
</tbody>
</table>
Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section 124D.135:

- **2022**
  - $ 462,000.....
  - 2022
- **2023**
  - $ 444,000.....
  - 2023

(b) The 2022 appropriation includes $47,000 for 2021 and $415,000 for 2022.

(c) The 2023 appropriation includes $46,000 for 2022 and $398,000 for 2023.

**ARTICLE 9**

**COMMUNITY EDUCATION AND LIFELONG LEARNING**

Section 1. Minnesota Statutes 2020, section 124D.19, subdivision 2, is amended to read:

Subd. 2. **Advisory council.** (a) Each board must provide for an advisory council to consist of members who represent: various service organizations; churches; public and nonpublic schools; local government including elected officials; public and private nonprofit agencies serving youth and families; parents; youth; park, recreation or forestry services of municipal or local government units located in whole or in part within the boundaries of the school district; and any other groups participating in the community education program in the school district.

(b) The advisory council must create a system to receive and review feedback and input on the use of general community education revenue under section 124D.20, subdivision 3.

The advisory council must make written recommendations to the community education director and to the school board on the use of general community education revenue under section 124D.20, subdivision 3.

Sec. 2. Minnesota Statutes 2020, section 124D.20, subdivision 3, is amended to read:

Subd. 3. **General community education revenue.** The general community education revenue for a district equals $5.23 for fiscal years 2005 and 2006 and $5.42 for fiscal year 2007 through fiscal year 2022 and $5.97 for fiscal year 2023 and later, times the greater of 1,335 or the population of the district. The population of the district is determined according to section 275.14.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2023 and later.

Sec. 3. Minnesota Statutes 2020, section 124D.20, subdivision 7, is amended to read:

Subd. 7. **Community education aid.** (a) A district's community education aid is the difference between its community education revenue and the community education levy.

Article 9 Sec. 3.
If the district does not levy the entire amount permitted, the community education aid must be reduced in proportion to the actual amount levied.

(b) In addition to the community education aid under paragraph (a), a district's supplemental community education aid equals $3.90 for fiscal year 2023 and $16.94 for fiscal year 2024 and later, times the district's average daily membership for the school year.

EFFECTIVE DATE. This section is effective for revenue in fiscal year 2023 and later.

Sec. 4. Minnesota Statutes 2020, section 124D.20, subdivision 8, is amended to read:

Subd. 8. Uses of general revenue. (a) General community education revenue may be used for:

(1) nonvocational, recreational, and leisure time activities and programs;

(2) programs for adults with disabilities, if the programs and budgets are approved by the department;

(3) adult basic education programs, according to section 124D.52;

(4) summer programs for elementary and secondary pupils;

(5) implementation of a youth development plan;

(6) implementation of a youth service program;

(7) early childhood family education programs, according to section 124D.13;

(8) school readiness programs, according to section 124D.15; and

(9) school-age care programs, according to section 124D.19, subdivision 11; and

(10) other programs, including programs offered by other nonschool organizations, consistent with the purpose of community education programs under section 124D.18.

(b) In addition to money from other sources, a district may use up to ten percent of its community education revenue for equipment that is used exclusively in community education programs. This revenue may be used only for the following purposes:

(1) to purchase or lease computers and related materials;

(2) to purchase or lease equipment for instructional programs; and

(3) to purchase textbooks and library books.
General community education revenue must not be used to subsidize the direct activity costs for adult enrichment programs. Direct activity costs include, but are not limited to, the cost of the activity leader or instructor, cost of materials, or transportation costs.

**EFFECTIVE DATE.** This section is effective July 1, 2021.

Sec. 5. Minnesota Statutes 2020, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic education aid for fiscal year 2011 equals $44,419,000, plus any amount that is not paid during the previous fiscal year as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later fiscal years equals:

1. The state total adult basic education aid for the preceding fiscal year plus any amount that is not paid for during the previous fiscal year, as a result of adjustments under subdivision 4, paragraph (a), or section 124D.52, subdivision 3; times
2. The greater of 1.00 or the lesser of:
   - 1.03;
   - The average growth in state total contact hours over the prior ten program years.

Three percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

Sec. 6. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated. Any balances in the first year do not cancel but are available in the second year.

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:

- $180,000 ..... 2022
- $3,043,000 ..... 2023

The 2022 appropriation includes $22,000 for 2021 and $158,000 for 2022.
The 2023 appropriation includes $17,000 for 2022 and $3,026,000 for 2023.

Subd. 3. Adults with disabilities program aid. For adults with disabilities programs under Minnesota Statutes, section 124D.56:

$710,000 ..... 2022
$710,000 ..... 2023

The 2022 appropriation includes $71,000 for 2021 and $639,000 for 2022.

The 2023 appropriation includes $71,000 for 2022 and $639,000 for 2023.

Subd. 4. Hearing-impaired adults. For programs for hearing-impaired adults under Minnesota Statutes, section 124D.57:

$70,000 ..... 2022
$70,000 ..... 2023

Subd. 5. School-age care aid. For school-age care aid under Minnesota Statutes, section 124D.22:

$1,000 ..... 2022
$1,000 ..... 2023

The 2022 appropriation includes $0 for 2021 and $1,000 for 2022.

The 2023 appropriation includes $0 for 2022 and $1,000 for 2023.

Subd. 6. Tier 1 grants. (a) For education partnership program Tier 1 sustaining grants under Minnesota Statutes, section 124D.99:

$2,600,000 ..... 2022
$2,600,000 ..... 2023

(b) Of the amounts in paragraph (a), $1,300,000 each year is for the Northside Achievement Zone and $1,300,000 each year is for the St. Paul Promise Neighborhood.

Subd. 7. Tier 2 implementing grants. For Tier 2 implementing grants under Minnesota Statutes, section 124D.99:

$480,000 ..... 2022
$480,000 ..... 2023

Subd. 8. Adult basic education aid. For adult basic education aid under Minnesota Statutes, section 124D.531:

$53,191,000 ..... 2022
$54,768,000 ..... 2023
108.1 The 2022 appropriation includes $5,177,000 for 2021 and $48,014,000 for 2022.

108.2 The 2023 appropriation includes $5,334,000 for 2022 and $49,434,000 for 2023.

108.3 Subd. 9. High school equivalency tests. For payment of the costs of the commissioner-selected high school equivalency tests under Minnesota Statutes, section 124D.55:

108.6 $125,000 .... 2022

108.7 $125,000 .... 2023

ARTICLE 10
STATE AGENCIES

108.10 Section 1. Minnesota Statutes 2020, section 12.21, subdivision 3, is amended to read:

108.11 Subd. 3. Specific authority. (a) In performing duties under this chapter and to effect its policy and purpose, the governor may:

108.12 (1) make, amend, and rescind the necessary orders and rules to carry out the provisions of this chapter and section 216C.15 within the limits of the authority conferred by this section, with due consideration of the plans of the federal government and without complying with sections 14.001 to 14.69, but no order or rule has the effect of law except as provided by section 12.32;

108.13 (2) ensure that a comprehensive emergency operations plan and emergency management program for this state are developed and maintained, and are integrated into and coordinated with the emergency plans of the federal government and of other states to the fullest possible extent;

108.14 (3) in accordance with the emergency operations plan and the emergency management program of this state, procure supplies, equipment, and facilities; institute training programs and public information programs; and take all other preparatory steps, including the partial or full activation of emergency management organizations in advance of actual disaster to ensure the furnishing of adequately trained and equipped forces of emergency management personnel in time of need;

108.15 (4) make studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for emergency management and to plan for the most efficient emergency use of those industries, resources, and facilities;
(5) on behalf of this state, enter into mutual aid arrangements or cooperative agreements with other states, tribal authorities, and Canadian provinces, and coordinate mutual aid plans between political subdivisions of this state;

(6) delegate administrative authority vested in the governor under this chapter, except the power to make rules, and provide for the subdelegation of that authority;

(7) cooperate with the president and the heads of the armed forces, the Emergency Management Agency of the United States and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the emergency management of the state and nation, including the direction or control of:

- (i) emergency preparedness drills and exercises;
- (ii) warnings and signals for drills or actual emergencies and the mechanical devices to be used in connection with them;
- (iii) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;
- (iv) the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and the movement and cessation of movement of pedestrians, vehicular traffic, and all forms of private and public transportation during, prior, and subsequent to drills or actual emergencies;
- (v) public meetings or gatherings; and
- (vi) the evacuation, reception, and sheltering of persons;

(8) contribute to a political subdivision, within the limits of the appropriation for that purpose, not more than 25 percent of the cost of acquiring organizational equipment that meets standards established by the governor;

(9) formulate and execute, with the approval of the Executive Council, plans and rules for the control of traffic in order to provide for the rapid and safe movement over public highways and streets of troops, vehicles of a military nature, and materials for national defense and war or for use in any war industry, for the conservation of critical materials, or for emergency management purposes; and coordinate the activities of the departments or agencies of the state and its political subdivisions concerned directly or indirectly with public highways and streets, in a manner that will best effectuate those plans;

(10) alter or adjust by executive order, without complying with sections 14.01 to 14.69, the working hours, workdays and work week of, and annual and sick leave provisions and
payroll laws regarding all state employees in the executive branch as the governor deems necessary to minimize the impact of the disaster or emergency, conforming the alterations or adjustments to existing state laws, rules, and collective bargaining agreements to the extent practicable; and

(11) authorize the commissioner of education to alter school schedules, curtail school activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11, 13, and 17, and including charter schools under chapter 124E, and elementary schools enrolling prekindergarten pupils in district programs; and

(12) transfer the direction, personnel, or functions of state agencies to perform or facilitate response and recovery programs.

(b) The governor may not use any authority provided under this chapter to issue any order or to authorize the commissioner of education to alter school schedules, curtail school activities, or order schools closed. "School" as used in this section means a school as defined in section 120A.05, subdivisions 9, 11, 13, and 17, and includes a charter school under chapter 124E, and an elementary school enrolling prekindergarten pupils in district programs. The governor may not use any authority provided under this chapter to prevent the typical presence of students in school buildings. The governor may advise and consult with school leaders regarding any action needed for emergency management purposes.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to peacetime emergencies in effect or declared on or after that date.

Sec. 2. Minnesota Statutes 2020, section 43A.08, subdivision 1, is amended to read:

Subdivision 1. Unclassified positions. Unclassified positions are held by employees who are:

(1) chosen by election or appointed to fill an elective office;

(2) heads of agencies required by law to be appointed by the governor or other elective officers, and the executive or administrative heads of departments, bureaus, divisions, and institutions specifically established by law in the unclassified service;

(3) deputy and assistant agency heads and one confidential secretary in the agencies listed in subdivision 1a and in the Office of Strategic and Long-Range Planning;

(4) the confidential secretary to each of the elective officers of this state and, for the secretary of state and state auditor, an additional deputy, clerk, or employee;
(5) intermittent help employed by the commissioner of public safety to assist in the issuance of vehicle licenses;

(6) employees in the offices of the governor and of the lieutenant governor and one confidential employee for the governor in the Office of the Adjutant General;

(7) employees of the Washington, D.C., office of the state of Minnesota;

(8) employees of the legislature and of legislative committees or commissions; provided that employees of the Legislative Audit Commission, except for the legislative auditor, the deputy legislative auditors, and their confidential secretaries, shall be employees in the classified service;

(9) presidents, vice-presidents, deans, other managers and professionals in academic and academic support programs, administrative or service faculty, teachers, research assistants, and student employees eligible under terms of the federal Economic Opportunity Act work study program in the Perpich Center for Arts Education and the Minnesota State Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any professional or managerial employee performing duties in connection with the business administration of these institutions;

(10) officers and enlisted persons in the National Guard;

(11) attorneys, legal assistants, and three confidential employees appointed by the attorney general or employed with the attorney general's authorization;

(12) judges and all employees of the judicial branch, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the Department of Labor and Industry;

(13) members of the State Patrol; provided that selection and appointment of State Patrol troopers must be made in accordance with applicable laws governing the classified service;

(14) examination monitors and intermittent training instructors employed by the Departments of Management and Budget and Commerce and by professional examining boards and intermittent staff employed by the technical colleges for the administration of practical skills tests and for the staging of instructional demonstrations;

(15) student workers;

(16) executive directors or executive secretaries appointed by and reporting to any policy-making board or commission established by statute;

(17) employees unclassified pursuant to other statutory authority;
(18) intermittent help employed by the commissioner of agriculture to perform duties relating to pesticides, fertilizer, and seed regulation;

(19) the administrators and the deputy administrators at the State Academies for the Deaf and the Blind; and

(20) chief executive officers in the Department of Human Services.

EFFECTIVE DATE. This section is effective June 30, 2022.

Sec. 3. Minnesota Statutes 2020, section 43A.08, subdivision 1a, is amended to read:

Subd. 1a. Additional unclassified positions. Appointing authorities for the following agencies may designate additional unclassified positions according to this subdivision: the Departments of Administration; Agriculture; Commerce; Corrections; Education; Employment and Economic Development; Explore Minnesota Tourism; Management and Budget; Health; Human Rights; Labor and Industry; Natural Resources; Public Safety; Human Services; Revenue; Transportation; and Veterans Affairs; the Housing Finance and Pollution Control Agencies; the State Lottery; the State Board of Investment; the Office of Administrative Hearings; the Office of MN.IT Services; the Offices of the Attorney General, Secretary of State, and State Auditor; the Minnesota State Colleges and Universities; the Minnesota Office of Higher Education; the Perpich Center for Arts Education; and the Minnesota Zoological Board.

A position designated by an appointing authority according to this subdivision must meet the following standards and criteria:

1. the designation of the position would not be contrary to other law relating specifically to that agency;

2. the person occupying the position would report directly to the agency head or deputy agency head and would be designated as part of the agency head's management team;

3. the duties of the position would involve significant discretion and substantial involvement in the development, interpretation, and implementation of agency policy;

4. the duties of the position would not require primarily personnel, accounting, or other technical expertise where continuity in the position would be important;

5. there would be a need for the person occupying the position to be accountable to, loyal to, and compatible with, the governor and the agency head, the employing statutory board or commission, or the employing constitutional officer;
(6) the position would be at the level of division or bureau director or assistant to the agency head; and

(7) the commissioner has approved the designation as being consistent with the standards and criteria in this subdivision.

**EFFECTIVE DATE.** This section is effective June 30, 2022.

Sec. 4. Minnesota Statutes 2020, section 122A.416, is amended to read:

122A.416 ALTERNATIVE TEACHER COMPENSATION REVENUE FOR PERPICH CENTER FOR ARTS EDUCATION AND MULTIDISTRICT INTEGRATION COLLABORATIVES. Notwithstanding sections 122A.414, 122A.415, and 126C.10, multidistrict integration collaboratives and the Perpich Center for Arts Education are eligible to receive alternative teacher compensation revenue as if they were intermediate school districts. To qualify for alternative teacher compensation revenue, a multidistrict integration collaborative or the Perpich Center for Arts Education must meet all of the requirements of sections 122A.414 and 122A.415 that apply to intermediate school districts, must report its enrollment as of October 1 of each year to the department, and must annually report its expenditures for the alternative teacher professional pay system consistent with the uniform financial accounting and reporting standards to the department by November 30 of each year.

**EFFECTIVE DATE.** This section is effective June 30, 2022.

Sec. 5. Minnesota Statutes 2020, section 123A.30, subdivision 6, is amended to read:

Subd. 6. Severance pay. A district must pay severance pay to a teacher who is placed on unrequested leave of absence by the district as a result of the agreement. A teacher is eligible under this subdivision if the teacher:

(1) is a teacher, but not a superintendent;

(2) has a continuing contract with the district according to section 122A.40, subdivision 7.

The amount of severance pay must be equal to the teacher's salary for the school year during which the teacher was placed on unrequested leave of absence minus the gross amount the teacher was paid during the 12 months following the teacher's termination of salary, by an entity whose teachers by statute or rule must possess a valid Minnesota teaching license, and minus the amount a teacher receives as severance or other similar pay according...
to a contract with the district or district policy. These entities requiring a valid Minnesota
teaching license include, but are not limited to, the district that placed the teacher on
unrequested leave of absence, another district in Minnesota, an education district, an
intermediate school district, a service cooperative, a board formed under section 471.59, a
state residential academy, the Perpich Center for Arts Education, a vocational center, or a
special education cooperative. These entities do not include a district in another state, a
Minnesota public postsecondary institution, or a state agency. Only amounts earned by the
teacher as a substitute teacher or in a position requiring a valid Minnesota teaching license
shall be subtracted. A teacher may decline any offer of employment as a teacher without
loss of rights to severance pay.

To determine the amount of severance pay that is due for the first six months following
termination of the teacher's salary, the district may require the teacher to provide documented
evidence of the teacher's employers and gross earnings during that period. The district must
pay the teacher the amount of severance pay it determines to be due from the proceeds of
the levy for this purpose. To determine the amount of severance pay that is due for the
second six months of the 12 months following the termination of the teacher's salary, the
district may require the teacher to provide documented evidence of the teacher's employers
and gross earnings during that period. The district must pay the teacher the amount of
severance pay it determines to be due from the proceeds of the levy for this purpose.

A teacher who receives severance pay under this subdivision waives all further
reinstatement rights under section 122A.40, subdivision 10 or 11. If the teacher receives
severance pay, the teacher shall not receive credit for any years of service in the district
paying severance pay prior to the year in which the teacher becomes eligible to receive
severance pay.

The severance pay is subject to section 465.72. The district may levy annually according
to section 126C.43, for the severance pay.

**EFFECTIVE DATE.** This section is effective June 30, 2022.

Sec. 6. Minnesota Statutes 2020, section 124D.05, subdivision 3, is amended to read:

Subd. 3. **Severance pay.** A district must pay severance pay to a teacher who is placed
on unrequested leave of absence by the district as a result of an agreement under this section.

A teacher is eligible under this subdivision if the teacher:

(1) is a teacher, as defined in section 122A.40, subdivision 1, but not a superintendent;
(2) has a continuing contract with the district according to section 122A.40, subdivision 7.

The amount of severance pay must be equal to the teacher's salary for the school year during which the teacher was placed on unrequested leave of absence minus the gross amount the teacher was paid during the 12 months following the teacher's termination of salary, by an entity whose teachers by statute or rule must possess a valid Minnesota teaching license, and minus the amount a teacher receives as severance or other similar pay according to a contract with the district or district policy. These entities include, but are not limited to, the district that placed the teacher on unrequested leave of absence, another district in Minnesota, an education district, an intermediate school district, a service cooperative, a board formed under section 471.59, a state residential academy, the Perpich Center for Arts Education, a vocational center, or a special education cooperative. These entities do not include a district in another state, a Minnesota public postsecondary institution, or a state agency. Only amounts earned by the teacher as a substitute teacher or in a position requiring a valid Minnesota teaching license shall be subtracted. A teacher may decline any offer of employment as a teacher without loss of rights to severance pay.

To determine the amount of severance pay that is due for the first six months following termination of the teacher's salary, the district may require the teacher to provide documented evidence of the teacher's employers and gross earnings during that period. The district must pay the teacher the amount of severance pay it determines to be due from the proceeds of the levy for this purpose. To determine the amount of severance pay that is due for the second six months of the 12 months following the termination of the teacher's salary, the district may require the teacher to provide documented evidence of the teacher's employers and gross earnings during that period. The district must pay the teacher the amount of severance pay it determines to be due from the proceeds of the levy for this purpose.

A teacher who receives severance pay under this subdivision waives all further reinstatement rights under section 122A.40, subdivision 10 or 11. If the teacher receives severance pay, the teacher must not receive credit for any years of service in the district paying severance pay prior to the year in which the teacher becomes eligible to receive severance pay.

The severance pay is subject to section 465.72. The district may levy annually according to section 126C.43 for the severance pay.

**EFFECTIVE DATE.** This section is effective June 30, 2022.
Sec. 7. [127A.155] LOLA AND RUDY PERPICH ARTS EDUCATION SPECIALIST.

Subdivision 1. Establishment of arts education specialist position. The department must provide arts support services to school districts throughout Minnesota through the establishment of the Lola and Rudy Perpich arts education specialist position in the unclassified service.

Subd. 2. Specialist duties. (a) The arts education specialist must offer resources and outreach services statewide to enhance arts education opportunities for pupils in elementary and secondary school. The arts education specialist must work with school districts across Minnesota to:

(1) gather and conduct research in arts education;
(2) develop exemplary curriculum, instructional practices, and assessment;
(3) disseminate information regarding arts education opportunities; and
(4) provide materials, training, and assistance to the arts education committees in school districts.

(b) The arts education specialist must collaborate with the commissioner of education to develop arts standards and strengthen state policies related to arts education.

(c) The arts education specialist must serve as liaison for the Department of Education to national organizations for arts education.

(d) The arts education specialist must collaborate with the MacPhail Center for Music to provide online learning instruction to students.

EFFECTIVE DATE. This section is effective June 30, 2022.

Sec. 8. Minnesota Statutes 2020, section 128C.01, subdivision 4, is amended to read:

Subd. 4. Board. (a) The league must have at least a 20-member governing board.

(1) The governor must appoint four members according to section 15.0597. Each of the four appointees must be a parent. At least one of them must be an American Indian, an Asian, a Black, or a Hispanic.

(2) The Minnesota Association of Secondary School Principals must appoint two of its members.

(3) The remaining 14 members must be selected according to league bylaws the league's constitution.
(b) The terms, compensation, removal of members, and the filling of membership vacancies are governed by section 15.0575, except that the four-year terms begin on August 1 and end on July 31. As provided by section 15.0575, members who are full-time state employees or full-time employees of school districts or other political subdivisions of the state may not receive any per diem payment for service on the board.

Sec. 9. Minnesota Statutes 2020, section 297A.70, subdivision 2, is amended to read:

Subd. 2. Sales to government. (a) All sales, except those listed in paragraph (b), to the following governments and political subdivisions, or to the listed agencies or instrumentalities of governments and political subdivisions, are exempt:

(1) the United States and its agencies and instrumentalities;
(2) school districts, local governments, the University of Minnesota, state universities, community colleges, technical colleges, state academies, the Perpich Minnesota Center for Arts Education, and an instrumentality of a political subdivision that is accredited as an optional/special function school by the North Central Association of Colleges and Schools;
(3) hospitals and nursing homes owned and operated by political subdivisions of the state of tangible personal property and taxable services used at or by hospitals and nursing homes;
(4) notwithstanding paragraph (d), the sales and purchases by the Metropolitan Council of vehicles and repair parts to equip operations provided for in section 473.4051 are exempt through December 31, 2016;
(5) other states or political subdivisions of other states, if the sale would be exempt from taxation if it occurred in that state; and
(6) public libraries, public library systems, multicounty, multitype library systems as defined in section 134.001, county law libraries under chapter 134A, state agency libraries, the state library under section 480.09, and the Legislative Reference Library.

(b) This exemption does not apply to the sales of the following products and services:

(1) building, construction, or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility;
(2) construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities;

(3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except for leases entered into by the United States or its agencies or instrumentalities;

(4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2), and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67, subdivision 2, except for lodging, prepared food, candy, soft drinks, and alcoholic beverages purchased directly by the United States or its agencies or instrumentalities; or

(5) goods or services purchased by a local government as inputs to a liquor store, gas or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf course, marina, campground, cafe, or laundromat.

c) As used in this subdivision, "school districts" means public school entities and districts of every kind and nature organized under the laws of the state of Minnesota, and any instrumentality of a school district, as defined in section 471.59.

d) For purposes of the exemption granted under this subdivision, "local governments" has the following meaning:

(1) for the period prior to January 1, 2017, local governments means statutory or home rule charter cities, counties, and townships; and

(2) beginning January 1, 2017, local governments means statutory or home rule charter cities, counties, and townships; special districts as defined under section 6.465; any instrumentality of a statutory or home rule charter city, county, or township as defined in section 471.59; and any joint powers board or organization created under section 471.59.

**EFFECTIVE DATE.** This section is effective June 30, 2022.

Sec. 10. Minnesota Statutes 2020, section 352.01, subdivision 2a, is amended to read:

Subd. 2a. Included employees. (a) "State employee" includes:

(1) employees of the Minnesota Historical Society;

(2) employees of the State Horticultural Society;

(3) employees of the Minnesota Crop Improvement Association;

(4) employees of the adjutant general whose salaries are paid from federal funds and who are not covered by any federal civilian employees retirement system;
(5) employees of the Minnesota State Colleges and Universities who are employed under
the university or college activities program;

(6) currently contributing employees covered by the system who are temporarily
employed by the legislature during a legislative session or any currently contributing
employee employed for any special service as defined in subdivision 2b, clause (6);

(7) employees of the legislature who are appointed without a limit on the duration of
their employment;

(8) trainees who are employed on a full-time established training program performing
the duties of the classified position for which they will be eligible to receive immediate
appointment at the completion of the training period;

(9) employees of the Minnesota Safety Council;

(10) any employees who are on authorized leave of absence from the Transit Operating
Division of the former Metropolitan Transit Commission and who are employed by the
labor organization which is the exclusive bargaining agent representing employees of the
Transit Operating Division;

(11) employees of the Metropolitan Council, Metropolitan Parks and Open Space
Commission, Metropolitan Sports Facilities Commission, or Metropolitan Mosquito Control
Commission unless excluded under subdivision 2b or are covered by another public pension
fund or plan under section 473.415, subdivision 3;

(12) judges of the Tax Court;

(13) personnel who were employed on June 30, 1992, by the University of Minnesota
in the management, operation, or maintenance of its heating plant facilities, whose
employment transfers to an employer assuming operation of the heating plant facilities, so
long as the person is employed at the University of Minnesota heating plant by that employer
or by its successor organization;

(14) personnel who are employed as seasonal employees in the classified or unclassified
service;

(15) persons who are employed by the Department of Commerce as a peace officer in
the Commerce Fraud Bureau under section 45.0135 who have attained the mandatory
retirement age specified in section 43A.34, subdivision 4;

(16) employees of the University of Minnesota unless excluded under subdivision 2b,
clause (3);
(17) employees of the Middle Management Association whose employment began after July 1, 2007, and to whom section 352.029 does not apply;

(18) employees of the Minnesota Government Engineers Council to whom section 352.029 does not apply;

(19) employees of the Minnesota Sports Facilities Authority;

(20) employees of the Minnesota Association of Professional Employees;

(21) employees of the Minnesota State Retirement System;

(22) employees of the State Agricultural Society;

(23) employees of the Gillette Children's Hospital Board who were employed in the state unclassified service at the former Gillette Children's Hospital on March 28, 1974; and

(24) if approved for coverage by the Board of Directors of Conservation Corps Minnesota, employees of Conservation Corps Minnesota so employed on June 30, 2003; and

(25) employees of the Perpich Center for Arts Education who are covered by the general state employees' retirement plan of the Minnesota State Retirement System as of July 1, 2016.

(b) Employees specified in paragraph (a), clause (13), are included employees under paragraph (a) if employer and employee contributions are made in a timely manner in the amounts required by section 352.04. Employee contributions must be deducted from salary. Employer contributions are the sole obligation of the employer assuming operation of the University of Minnesota heating plant facilities or any successor organizations to that employer.

EFFECTIVE DATE. This section is effective June 30, 2022.

Sec. 11. Minnesota Statutes 2020, section 354.05, subdivision 2, is amended to read:

Subd. 2. Teacher. (a) "Teacher" means:

(1) a person who renders service as a teacher, supervisor, principal, superintendent, librarian, nurse, counselor, social worker, therapist, or psychologist in:

(i) a public school of the state other than in Independent School District No. 625; or

(ii) a charter school; or

(iii) the Perpich Center for Arts Education, except that any employee of the Perpich Center for Arts Education who was covered by the Minnesota State Retirement System...
general state employees retirement plan as of July 1, 2018, shall continue to be covered by
that plan and not by the Teachers Retirement Association;

(2) a person who is engaged in educational administration in connection with the state
public school system, whether the position be a public office or as employment;

(3) a person who renders service as a charter school director or chief administrative
officer; provided, however, that if the charter school director or chief administrative officer
is covered by the Public Employees Retirement Association general employees retirement
plan on July 1, 2018, the charter school director or chief administrative officer shall continue
to be covered by that plan and not by the Teachers Retirement Association;

(4) an employee of the Teachers Retirement Association;

(5) a person who renders teaching service on a part-time basis and who also renders
other services for a single employing unit where the teaching service comprises at least 50
percent of the combined employment salary is a member of the association for all services
with the single employing unit or, if less than 50 percent of the combined employment
salary, the executive director determines all of the combined service is covered by the
association; or

(6) a person who is not covered by the plans established under chapter 352D, 354A, or
354B and who is employed by the Board of Trustees of the Minnesota State Colleges and
Universities system in an unclassified position as:

(i) a president, vice-president, or dean;

(ii) a manager or a professional in an academic or an academic support program other
than specified in item (i);

(iii) an administrative or a service support faculty position; or

(iv) a teacher or a research assistant.

(b) "Teacher" does not mean:

(1) a person who works for a school or institution as an independent contractor as defined
by the Internal Revenue Service;

(2) annuitants of the teachers retirement plan who are employed after retirement by an
employing unit that participates in the teachers retirement plan during the course of that
reemployment;

(3) a person who is employed by the University of Minnesota;
(4) a member or an officer of any general governing or managing board or body of an employing unit that participates in the teachers retirement plan; or

(5) a person employed by Independent School District No. 625 as a teacher as defined in section 354A.011, subdivision 27.

**EFFECTIVE DATE.** This section is effective June 30, 2022.

Sec. 12. Minnesota Statutes 2020, section 609A.03, subdivision 7a, is amended to read:

Subd. 7a. Limitations of order effective January 1, 2015, and later. (a) Upon issuance of an expungement order related to a charge supported by probable cause, the DNA samples and DNA records held by the Bureau of Criminal Apprehension and collected under authority other than section 299C.105 shall not be sealed, returned to the subject of the record, or destroyed.

(b) Notwithstanding the issuance of an expungement order:

(1) except as provided in clause (2), an expunged record may be opened, used, or exchanged between criminal justice agencies without a court order for the purposes of initiating, furthering, or completing a criminal investigation or prosecution or for sentencing purposes or providing probation or other correctional services;

(2) when a criminal justice agency seeks access to a record that was sealed under section 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing for lack of probable cause, for purposes of a criminal investigation, prosecution, or sentencing, the requesting agency must obtain an ex parte court order after stating a good-faith basis to believe that opening the record may lead to relevant information;

(3) an expunged record of a conviction may be opened for purposes of evaluating a prospective employee in a criminal justice agency without a court order;

(4) an expunged record of a conviction may be opened for purposes of a background study under section 245C.08 unless the commissioner had been properly served with notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner of human services;

(5) an expunged record of a conviction may be opened for purposes of a background check required under section 122A.18, subdivision 8, unless the court order for expungement is directed specifically to the Professional Educator Licensing and Standards Board or the licensing division of the Department of Education, and
(6) the court may order an expunged record opened upon request by the victim of the underlying offense if the court determines that the record is substantially related to a matter for which the victim is before the court.

(c) An agency or jurisdiction subject to an expungement order shall maintain the record in a manner that provides access to the record by a criminal justice agency under paragraph (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau of Criminal Apprehension shall notify the commissioner of human services, or the Professional Educator Licensing and Standards Board, or the licensing division of the Department of Education of the existence of a sealed record and of the right to obtain access under paragraph (b), clause (4) or (5). Upon request, the agency or jurisdiction subject to the expungement order shall provide access to the record to the commissioner of human services, or the Professional Educator Licensing and Standards Board, or the licensing division of the Department of Education under paragraph (b), clause (4) or (5).

(d) An expunged record that is opened or exchanged under this subdivision remains subject to the expungement order in the hands of the person receiving the record.

(e) A criminal justice agency that receives an expunged record under paragraph (b), clause (1) or (2), must maintain and store the record in a manner that restricts the use of the record to the investigation, prosecution, or sentencing for which it was obtained.

(f) For purposes of this section, a "criminal justice agency" means a court or government agency that performs the administration of criminal justice under statutory authority.

(g) This subdivision applies to expungement orders subject to its limitations and effective on or after January 1, 2015.

Sec. 13. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2, as amended by Laws 2020, chapter 116, article 5, section 4, is amended to read:

Subd. 2. Department. (a) For the Department of Education:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$29,196,000</td>
<td>.....</td>
</tr>
<tr>
<td>2021</td>
<td>$24,911,000</td>
<td>.....</td>
</tr>
<tr>
<td></td>
<td>$23,659,000</td>
<td>.....</td>
</tr>
</tbody>
</table>

Of these amounts:

(1) $319,000 each year is for the Board of School Administrators;

(2) $1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;
$250,000 each year is for the School Finance Division to enhance financial data analysis;

$720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

$123,000 each year is for a dyslexia specialist;

$4,700,000 in fiscal year 2020 only is for legal fees and costs associated with litigation; and

$400,000 in fiscal year 2020 and $480,000 in fiscal year 2021 and later are for the Department of Education's mainframe update.

None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C. office.

The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and shall be spent as indicated.

This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanism specified in that agreement.

to account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is $24,591,000. The base for fiscal year 2023 is $24,611,000. The base for fiscal year 2024 is $24,629,000.

$2,000,000 from the fiscal year 2020 appropriation for legal fees and costs associated with litigation is canceled to the general fund.

$1,252,000 from the fiscal year 2021 appropriation for agency operations is canceled to the general fund.

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

Sec. 14. PERPICH CENTER FOR ARTS EDUCATION CLOSURE.

Subdivision 1. Perpich Center for Arts Education abolished. (a) The Perpich Center for Arts Education (Perpich Center) is abolished effective June 30, 2022. Abolishment under...
this section does not reduce or otherwise limit the powers and authority of the Perpich Center
during the concluding duration of its existence.

(b) Notwithstanding any other law, any unexpended and unencumbered appropriations
to the Perpich Center lapse to the fund or account from which they were appropriated on
June 30, 2022. All money in a dedicated fund or account of the Perpich Center on June 30,
2022, must be transferred to the general fund.

Subd. 2. Library. All property in the Perpich Arts Library is transferred to the State
Library Services Division of the Department of Education, in accordance with Minnesota
Statutes, section 15.039, subdivisions 5 and 8, effective June 1, 2022.

Subd. 3. Student enrollment. Students enrolled in the Perpich Arts High School during
the 2020-2021 school year may continue to enroll in the school for the 2021-2022 school
year. No student may enroll in the Perpich Arts High School after the 2021-2022 school
year.

Subd. 4. Perpich Center property conveyance. The Perpich Center must submit to the
legislature by January 15, 2022, a proposal to convey or sell, for no less than fair market
value, the real and personal property of the Perpich Arts High School to a school district or
nonprofit institution organized under Minnesota Statutes, chapter 317A. If the Perpich
Center does not submit a proposal to the legislature, all property of the Perpich Arts High
School shall be transferred to the Department of Administration in accordance with Minnesota
Statutes, section 15.039, subdivisions 5 and 8, effective June 30, 2022.

Subd. 5. Education records. The Perpich Center must transfer the education records
of each student of the Perpich Arts High School according to Minnesota Statutes, section
120A.22, subdivision 7.

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

Sec. 15. WAIVER REQUEST.

The commissioner of education shall request the waivers from maintenance of effort
requirements permitted under Section 317(b) of the Consolidated Appropriations Act, 2021,
as provided by Public Law 116-260, and Section 2004(a)(2) of the American Rescue Plan
Act, as provided by Public Law 117-2.

Sec. 16. APPROPRIATIONS; DEPARTMENT OF EDUCATION.

Subdivision 1. Department of Education. (a) Unless otherwise indicated, the sums
indicated in this section are appropriated from the general fund to the Department of
Education for the fiscal years designated. Any balance in the first year does not cancel but is available in the second year.

**Subd. 2. Department.** (a) For the Department of Education:

2022: $25,427,000 .... 2022

2023: $23,603,000 .... 2023

Of these amounts:

1. $319,000 each year is for the Board of School Administrators;

2. $1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;

3. $250,000 each year is for the School Finance Division to enhance financial data analysis;

4. $720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

5. $123,000 each year is for a dyslexia specialist;

6. $480,000 each year is for the Department of Education's mainframe update;

7. $2,000,000 in fiscal year 2022 only is for legal fees and costs associated with litigation; and

8. $169,000 in fiscal year 2023 and later is for an arts education specialist under Minnesota Statutes, section 127A.155.

(b) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C., office.

(c) This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanisms specified in that agreement.

(d) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 is $23,665,000 and the base for fiscal year 2025 is $23,711,000.
Sec. 17. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.

(a) The sums indicated in this section are appropriated from the general fund to the Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>2022</td>
<td>$13,794,000</td>
<td>2023</td>
<td>$13,801,000</td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.

(c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2024 and later is $13,807,000.

Sec. 18. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.

(a) The sums in this section are appropriated from the general fund to the Perpich Center for Arts Education for the fiscal years designated:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$7,344,000</td>
<td>2023</td>
<td>$3,436,000</td>
</tr>
</tbody>
</table>

(b) Any balance in the first year does not cancel but is available in the second year.

(c) $56,000 in fiscal year 2022 and $1,082,000 in fiscal year 2023 are for transfer to the Department of Administration for costs associated with the closure and sale of Perpich Center facilities.

(d) $86,000 in fiscal year 2023 is for transfer to the Department of Education for rehousing the Perpich Center library.

(e) $2,268,000 in fiscal year 2023 is for severance payments and other costs related to the closure of the Perpich Center.

(f) The base for fiscal year 2024 is $989,000 for a transfer to the Department of Administration for costs associated with the closure and sale of Perpich Center facilities. The base for fiscal year 2025 and later is $0.

Sec. 19. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.

Subdivision 1. Professional Educator Licensing and Standards Board. (a) The sums indicated in this section are appropriated from the general fund to the Professional Educator Licensing and Standards Board for the fiscal years designated:
(b) Any balance in the first year does not cancel but is available in the second year.

c) This appropriation includes funds for information technology project services and support subject to Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into an interagency agreement and will be paid to the Office of MN.IT Services by the Professional Educator Licensing and Standards Board under the mechanism specified in that agreement.

Subd. 2. Licensure by portfolio. For licensure by portfolio:

This appropriation is from the education licensure portfolio account in the special revenue fund.

Sec. 20. REPEALER.

(a) Minnesota Statutes 2020, sections 124D.8957, subdivision 30; 129C.10, subdivisions 1, 2, 3, 3a, 3b, 4, 4a, 6, 7, and 8; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; and 129C.27, are repealed.

(b) Minnesota Rules, parts 3600.0010, subparts 1, 2, 2a, 2b, 3, and 6; 3600.0020; 3600.0030, subparts 1, 2, 4, and 6; 3600.0045, subparts 1 and 2; 3600.0055; 3600.0065; 3600.0075; and 3600.0085, are repealed.

EFFECTIVE DATE. This section is effective June 30, 2022.

ARTICLE 11

FORECAST

A. GENERAL EDUCATION

Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 1, is amended to read:

Subd. 2. General education aid. For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
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<tbody>
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<td>2020</td>
<td>$ 7,347,424,000</td>
<td>2021</td>
<td>$ 7,408,986,000</td>
</tr>
<tr>
<td>2021</td>
<td>$ 7,509,620,000</td>
<td></td>
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</tr>
</tbody>
</table>
The 2020 appropriation includes $700,383,000 for 2019 and $6,647,041,000 for 2020.

The 2021 appropriation includes $711,885,000 for 2020 and $6,797,754,000

$6,697,100,000 for 2021.

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

Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 2, is amended to read:

Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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</thead>
<tbody>
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<td>2020</td>
<td>19,000</td>
</tr>
<tr>
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<td>20,000</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>11,000</td>
</tr>
<tr>
<td>2021</td>
<td>11,000</td>
</tr>
</tbody>
</table>

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

Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4, as amended by Laws 2020, chapter 116, article 6, section 3, is amended to read:

Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>1,770,000</td>
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<tr>
<td>2021</td>
<td>2,827,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>2,595,000</td>
</tr>
<tr>
<td>2021</td>
<td>2,595,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $274,000 for 2019 and $1,496,000 for 2020.

The 2021 appropriation includes $166,000 for 2020 and $2,661,000 $2,429,000 for 2021.

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

Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6, as amended by Laws 2020, chapter 116, article 6, section 4, is amended to read:

Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>17,925,000</td>
</tr>
<tr>
<td>2021</td>
<td>18,918,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>48,917,000</td>
</tr>
<tr>
<td>2021</td>
<td>48,917,000</td>
</tr>
</tbody>
</table>

**Article 11 Sec. 4.**
The 2020 appropriation includes $1,806,000 for 2019 and $16,119,000 for 2020.

The 2021 appropriation includes $1,790,000 for 2020 and $17,127,000 for 2021.

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

Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7, as amended by Laws 2020, chapter 116, article 6, section 5, is amended to read:

Subd. 7. Nonpublic pupil transportation. For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$19,168,000</td>
</tr>
<tr>
<td>2021</td>
<td>$19,106,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $1,961,000 for 2019 and $17,207,000 for 2020.

The 2021 appropriation includes $1,911,000 for 2020 and $17,195,000 for 2021.

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

Sec. 6. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9, as amended by Laws 2020, chapter 116, article 6, section 6, is amended to read:

Subd. 9. Career and technical aid. For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$3,857,000</td>
</tr>
<tr>
<td>2021</td>
<td>$3,288,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $422,000 for 2019 and $3,435,000 for 2020.

The 2021 appropriation includes $378,000 for 2020 and $2,910,000 for 2021.

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

Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2, as amended by Laws 2020, chapter 116, article 3, section 2, is amended to read:

Subd. 2. **Achievement and integration aid.** For achievement and integration aid under Minnesota Statutes, section 124D.862:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$77,247,000</td>
</tr>
<tr>
<td>2021</td>
<td>$81,233,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $7,058,000 for 2019 and $70,189,000 for 2020.
The 2021 appropriation includes $7,763,000 for 2020 and $73,470,000 for 2021.

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

Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 7, is amended to read:

Subd. 3. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$14,231,000</td>
</tr>
<tr>
<td>2021</td>
<td>$14,962,000</td>
</tr>
</tbody>
</table>

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

Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5, as amended by Laws 2020, chapter 116, article 6, section 9, is amended to read:

Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota Statutes, section 124D.83:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$2,766,000</td>
</tr>
<tr>
<td>2021</td>
<td>$2,435,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $299,000 for 2019 and $2,467,000 for 2020.
The 2021 appropriation includes $274,000 for 2020 and $2,161,000 for 2021.

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

Sec. 10. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6, as amended by Laws 2020, chapter 116, article 6, section 10, is amended to read:

Subd. 6. American Indian education aid. For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

\[
\begin{array}{ll}
2020 & \$10,113,000 \text{ ... 2020} \\
2021 & \$10,696,000 \\
\end{array}
\]

The 2020 appropriation includes $960,000 for 2019 and $9,153,000 for 2020.

The 2021 appropriation includes $1,016,000 for 2020 and $9,680,000 for 2021.

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

Sec. 11. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 16, as amended by Laws 2020, chapter 116, article 6, section 11, is amended to read:

Subd. 16. Charter school building lease aid. For building lease aid under Minnesota Statutes, section 124E.22:

\[
\begin{array}{ll}
2020 & \$83,214,000 \text{ ... 2020} \\
2021 & \$88,454,000 \\
\end{array}
\]

The 2020 appropriation includes $8,021,000 for 2019 and $75,193,000 for 2020.

The 2021 appropriation includes $8,354,000 for 2020 and $80,100,000 for 2021.

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

Sec. 12. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 12, is amended to read:

Subd. 3. Alternative teacher compensation aid. (a) For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

\[
\begin{array}{ll}
2020 & \$89,166,000 \text{ ... 2020} \\
2021 & \$88,851,000 \\
\end{array}
\]

(b) The 2020 appropriation includes $8,974,000 for 2019 and $80,192,000 for 2020.
(c) The 2021 appropriation includes $8,887,000 for 2020 and $79,964,000 for 2021.

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

### C. SPECIAL EDUCATION

Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 13, is amended to read:

Subd. 2. Special education; regular. For special education aid under Minnesota Statutes, section 125A.75:

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$</td>
<td>1,600,889,000</td>
<td>.....</td>
</tr>
<tr>
<td></td>
<td>1,747,701,000</td>
<td></td>
</tr>
<tr>
<td>$</td>
<td>1,727,596,000</td>
<td>.....</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $184,363,000 for 2019 and $1,416,526,000 for 2020. The 2021 appropriation includes $199,406,000 for 2020 and $1,548,295,000.

$1,528,190,000 for 2021.

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

Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 14, is amended to read:

Subd. 3. Aid for children with disabilities. For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$</td>
<td>1,109,000</td>
<td>.....</td>
</tr>
<tr>
<td></td>
<td>1,267,000</td>
<td></td>
</tr>
<tr>
<td>$</td>
<td>1,644,000</td>
<td>.....</td>
</tr>
</tbody>
</table>

If the appropriation for either year is insufficient, the appropriation for the other year is available.

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

Sec. 15. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4, as amended by Laws 2020, chapter 116, article 6, section 15, is amended to read:

Subd. 4. Travel for home-based services. For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:
The 2020 appropriation includes $40,000 for 2019 and $405,000 for 2020.

The 2021 appropriation includes $44,000 for 2020 and $423,000, $210,000 for 2021.

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

Sec. 16. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5, as amended by Laws 2020, chapter 116, article 6, section 16, is amended to read:

Subd. 5. Court-placed special education revenue. For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>-0-</td>
</tr>
<tr>
<td>2021</td>
<td>23,000</td>
</tr>
</tbody>
</table>

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

**D. FACILITIES AND TECHNOLOGY**

Sec. 17. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 17, and Laws 2020, Fifth Special Session chapter 3, article 5, section 36, is amended to read:

Subd. 2. Debt service equalization aid. For debt service equalization aid under Minnesota Statutes, section 123B.53, subdivision 6:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>20,684,000</td>
</tr>
<tr>
<td>2021</td>
<td>25,335,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $2,292,000 for 2019 and $18,392,000 for 2020.

The 2021 appropriation includes $2,043,000 for 2020 and $23,337,000, $23,292,000 for 2021.

**EFFECTIVE DATE.** This section is effective the day following final enactment.
Sec. 18. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 18, is amended to read:

Subd. 3. Long-term facilities maintenance equalized aid. For long-term facilities maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$104,690,000</td>
</tr>
<tr>
<td>2021</td>
<td>$106,356,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $10,464,000 for 2019 and $94,226,000 for 2020. The 2021 appropriation includes $10,412,000 for 2020 and $97,408,000 for 2021.

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

E. NUTRITION

Sec. 19. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 20, is amended to read:

Subd. 2. School lunch. For school lunch aid under Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$16,245,000</td>
</tr>
<tr>
<td>2021</td>
<td>$4,796,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $16,514,000 for 2019 and $95,944,000 for 2021.

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

Sec. 20. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3, as amended by Laws 2020, chapter 116, article 6, section 21, is amended to read:

Subd. 3. School breakfast. For traditional school breakfast aid under Minnesota Statutes, section 124D.1158:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$11,428,000</td>
</tr>
<tr>
<td>2021</td>
<td>$3,242,000</td>
</tr>
</tbody>
</table>

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 21. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4, as amended by Laws 2020, chapter 116, article 6, section 22, is amended to read:

Subd. 4. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes, section 124D.118:

- $658,000 ..... 2020
- $494,000 ..... 2021

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

F. EARLY CHILDHOOD AND FAMILY SUPPORT

Sec. 22. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5, as amended by Laws 2020, chapter 116, article 6, section 23, is amended to read:

Subd. 5. Early childhood family education aid. (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

- $32,151,000 ..... 2020
- $33,204,000 ..... 2021

(b) The 2020 appropriation includes $3,098,000 for 2019 and $29,053,000 for 2020.

(c) The 2021 appropriation includes $3,133,000 for 2020 and $30,407,000 for 2021.

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

Sec. 23. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 14, as amended by Laws 2020, chapter 116, article 6, section 24, is amended to read:

Subd. 14. Home visiting aid. (a) For home visiting aid under Minnesota Statutes, section 124D.135:

- $521,000 ..... 2020
- $481,000 ..... 2021

(b) The 2020 appropriation includes $54,000 for 2019 and $467,000 for 2020.

(c) The 2021 appropriation includes $51,000 for 2020 and $477,000 for 2021.

**EFFECTIVE DATE.** This section is effective the day following final enactment.
G. COMMUNITY EDUCATION AND LIFELONG LEARNING

Sec. 24. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2, as amended by Laws 2020, chapter 116, article 6, section 25, is amended to read:

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$327,000</td>
</tr>
<tr>
<td>2021</td>
<td>$249,000</td>
</tr>
</tbody>
</table>

The 2020 appropriation includes $40,000 for 2019 and $287,000 for 2020.

The 2021 appropriation includes $31,000 for 2020 and $218,000 for 2021.

**EFFECTIVE DATE.** This section is effective the day following final enactment.
124D.8957 PREKINDERGARTEN THROUGH GRADE 12 PARENTAL RIGHTS CODED ELSEWHERE.

Subd. 30. Appeal adverse school board decision. The parental right to appeal a school board decision adversely affecting an academic program of an enrolled student is governed by section 129C.10, subdivision 3b.

129C.10 PERPICH CENTER FOR ARTS EDUCATION.

Subdivision 1. Governance. (a) The board of the Perpich Center for Arts Education shall consist of 16 persons, including the commissioner of education or a person designated by the commissioner of education who must serve as an ex officio member. The remaining 15 members of the board shall be appointed by the governor with the advice and consent of the senate. At least one member must be appointed from each congressional district.

(b) All board members must complete board training requirements consistent with section 127A.19.

Subd. 2. Terms, compensation, and other. The membership terms, compensation, removal of members, and filling of vacancies shall be as provided for in section 15.0575. A member may serve not more than two consecutive terms.

Subd. 3. Powers and duties of board. (a) The board has the powers necessary for the care, management, and control of the Perpich Center for Arts Education and any other school authorized in this chapter, and all their real and personal property. The powers shall include, but are not limited to, those listed in this subdivision.

(b) The board may employ and discharge necessary employees, and contract for other services to ensure the efficient operation of the Center for Arts Education and any other school authorized in this chapter.

(c) The board may receive and award grants. The board may establish a charitable foundation and accept, in trust or otherwise, any gift, grant, bequest, or devise for educational purposes and hold, manage, invest, and dispose of them and the proceeds and income of them according to the terms and conditions of the gift, grant, bequest, or devise and its acceptance. The board must adopt internal procedures to administer and monitor aids and grants.

(d) The board may establish or coordinate evening, continuing education, extension, and summer programs for teachers and pupils.

(e) The board may identify pupils who have artistic talent, either demonstrated or potential, in dance, literary arts, media arts, music, theater, and visual arts, or in more than one art form.

(f) The board must educate pupils with artistic talent by providing:

(1) an interdisciplinary academic and arts program for pupils in the 11th and 12th grades. The total number of pupils accepted under this clause and clause (2) shall not exceed 310;

(2) additional instruction to pupils for a 13th grade. Pupils eligible for this instruction are those enrolled in 12th grade who need extra instruction and who apply to the board, or pupils enrolled in the 12th grade who do not meet learner outcomes established by the board;

(3) intensive arts seminars for one or two weeks for pupils in grades 9 to 12;

(4) summer arts institutes for pupils in grades 9 to 12;

(5) artist mentor and extension programs in regional sites; and

(6) teacher education programs for indirect curriculum delivery.

(g) The board may determine the location for the Perpich Center for Arts Education and any additional facilities related to the center, including the authority to lease a temporary facility.

(h) The board must plan for the enrollment of pupils on an equal basis from each congressional district.

(i) The board may establish task forces as needed to advise the board on policies and issues. The task forces expire as provided in section 15.059, subdivision 6.

(j) The board may request the commissioner of education for assistance and services.
(k) The board may enter into contracts with other public and private agencies and institutions for residential and building maintenance services if it determines that these services could be provided more efficiently and less expensively by a contractor than by the board itself. The board may also enter into contracts with public or private agencies and institutions, school districts or combinations of school districts, or service cooperatives to provide supplemental educational instruction and services.

(l) The board may provide or contract for services and programs by and for the Center for Arts Education, including a store, operating in connection with the center; theatrical events; and other programs and services that, in the determination of the board, serve the purposes of the center.

(m) The board may provide for transportation of pupils to and from the Center for Arts Education for all or part of the school year, as the board considers advisable and subject to its rules. Notwithstanding any other law to the contrary, the board may charge a reasonable fee for transportation of pupils. Every driver providing transportation of pupils under this paragraph must possess all qualifications required by the commissioner of education. The board may contract for furnishing authorized transportation under rules established by the commissioner of education and may purchase and furnish gasoline to a contract carrier for use in the performance of a contract with the board for transportation of pupils to and from the Center for Arts Education. When transportation is provided, scheduling of routes, establishment of the location of bus stops, the manner and method of transportation, the control and discipline of pupils, and any other related matter is within the sole discretion, control, and management of the board.

(n) The board may provide room and board for its pupils. If the board provides room and board, it shall charge a reasonable fee for the room and board. The fee is not subject to chapter 14 and is not a prohibited fee according to sections 123B.34 to 123B.39.

(o) The board may establish and set fees for services and programs. If the board sets fees not authorized or prohibited by the Minnesota public school fee law, it may do so without complying with the requirements of section 123B.38.

(p) The board may apply for all competitive grants administered by agencies of the state and other government or nongovernment sources.

Subd. 3a. Center account. A center for arts education account is established in the special revenue fund in the state treasury. All money collected by the board, including rental income, must be deposited in the account. Money in the account, including interest earned, is appropriated to the board for the operation of its services and programs.

Subd. 3b. Appeal. A parent who disagrees with a board action that adversely affects the academic program of an enrolled pupil may appeal the board's action to the commissioner of education within 30 days of the board's action. The decision of the commissioner shall be binding on the board. The board must inform each pupil and parent at the time of enrolling of a parent's right to appeal a board action affecting the pupil's academic program.

Subd. 4. Employees. (a)(1) The board must appoint a director of the Center for Arts Education who shall serve in the unclassified service. The director must hold a Minnesota superintendent license.

(2) The board must employ, upon recommendation of the director, a coordinator of resource programs who shall serve in the unclassified service.

(3) The board must employ, upon recommendation of the director, up to six department chairs who shall serve in the unclassified service. The chairs shall be licensed teachers unless no licensure exists for the subject area or discipline for which the chair is hired.

(4) The board may employ other necessary employees, upon recommendation of the director.

(5) The board must employ, upon recommendation of the director, an executive secretary for the director, who shall serve in the unclassified service.

(6) All persons employed as teachers must hold Minnesota teaching licenses in their respective fields or be approved by the Professional Educator Licensing and Standards Board.

(b) The employees hired under this subdivision and other necessary employees hired by the board shall be state employees in the executive branch.

Subd. 4a. Admission and curriculum requirements. (a) The board may adopt rules for admission to and discharge from the full-time programs for talented pupils, rules regarding discharge
from the dormitory, and rules regarding the operation of the center, including transportation of its pupils. Rules covering admission are governed by chapter 14. Rules covering discharge from the full-time program for talented pupils must be consistent with sections 121A.40 to 121A.56, the Pupil Fair Dismissal Act. Rules covering discharge from the dormitory are not governed by the Pupil Fair Dismissal Act as set forth in sections 121A.40 to 121A.56. Rules regarding discharge and the operation of the center are not governed by chapter 14.

(b) Proceedings concerning the full-time program for talented pupils, including admission, discharge, a pupil's program, and a pupil's progress, are governed by the rules adopted by the board and are not contested cases governed by chapter 14.

Subd. 6. Public postsecondary institutions; providing space. Public postsecondary institutions must provide space for programs offered by the Perpich Center for Arts Education at no cost or reasonable cost to the center to the extent that space is available at the public postsecondary institutions.

Subd. 7. Purchasing instructional items. Technical educational equipment may be procured for programs of the Perpich Center for Arts Education by the board either by brand designation or in accordance with standards and specifications the board may adopt, notwithstanding chapters 16B and 16C.

Subd. 8. Exemption to September 1 school start restriction. Notwithstanding section 120A.40, the Perpich Center for Arts Education may begin the school year any day prior to September 1.

129C.105 BOARD MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS.

(a) Notwithstanding section 13D.01 and if complying with section 13D.02 is impractical, the Board of the Perpich Center for Arts Education may conduct a meeting of its members by telephone or other electronic means when:

(1) all members of the board participating in the meeting, wherever the members' physical locations, can hear one another and all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can hear all discussion and testimony and all votes of members of the board;

(3) at least one member of the board is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The board may require the person making such a connection to pay for documented marginal costs that the board incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by section 13D.04.

(e) The board must publish minutes of all meetings on the center's website.

129C.15 RESOURCE, MAGNET, AND OUTREACH PROGRAMS.

Subdivision 1. Resource and outreach. The center must offer resource and outreach programs and services statewide aimed at the enhancement of arts education opportunities for pupils in elementary and secondary school. The programs and services must include:

(1) developing and demonstrating exemplary curriculum, instructional practices, and assessment;

(2) disseminating information; and

(3) providing programs for pupils and teachers that develop technical and creative skills in art forms that are underrepresented and in geographic regions that are underserved.
Subd. 2. **Magnet programs.** The center must identify at least one school district in each congressional district with interest and the potential to offer magnet arts programs using the curriculum developed by the Perpich Center for Arts Education.

Subd. 3. **Center responsibilities.** The center must:

1. provide information and technical services to arts teachers, professional arts organizations, school districts, and the Department of Education;
2. gather and conduct research in arts education;
3. design and promote arts education opportunities for all Minnesota pupils in elementary and secondary schools; and
4. serve as liaison for the Department of Education to national organizations for arts education.

129C.20 MATERIALS, TRAINING, AND ASSISTANCE.

The Perpich Center for Arts Education, in cooperation with the Minnesota Alliance for Arts in Education and the Minnesota State Arts Board must provide materials, training, and assistance to the arts education committees in the school districts. The center may contract with the Minnesota Alliance for Arts in Education for its involvement in providing services, including staff assistance, to the program.

129C.25 COMPREHENSIVE ARTS PLANNING PROGRAM.

The Perpich Center for Arts Education shall prescribe the form and manner of application by one or more districts to be designated as a site to participate in the comprehensive arts planning program. Up to 30 sites may be selected. The center shall designate sites in consultation with the Minnesota Alliance for Arts in Education and the Minnesota State Arts Board.

129C.26 COMPREHENSIVE ARTS PLANNING PROGRAM SITES.

Subdivision 1. **Funding.** Each site shall receive $1,250 each year for two years. If fewer than 30 sites are selected, each site shall receive an additional proportionate share of money appropriated and not used. Before receiving money for the second year, a long-range plan for arts education must be submitted to the Perpich Center for Arts Education.

Subd. 2. **Criteria.** The center, in consultation with the Comprehensive Arts Planning Program State Steering Committee, must establish criteria for site selection. Criteria shall include at least the following:

1. a willingness by the district or group of districts to designate a program chair for comprehensive arts planning with sufficient authority to implement the program;
2. a willingness by the district or group of districts to create a committee comprised of school district and community people whose function is to promote comprehensive arts education in the district;
3. commitment on the part of committee members to participate in training offered by the Department of Education;
4. a commitment of the committee to conduct a needs assessment of arts education;
5. commitment by the committee to evaluate its involvement in the program;
6. a willingness by the district to adopt a long-range plan for arts education in the district; and
7. location of the district or group of districts to assure representation of urban, suburban, and rural districts and distribution of sites throughout the state.

Subd. 3. **Program accounts.** A district receiving funds must maintain a separate account for the receipt and disbursement of all funds relating to the program. The funds must be spent only for the purpose of arts education programs, including teacher release time.

Subd. 4. **Additional funding.** A district receiving funds may receive funds for the program from private sources and from other governmental agencies, including any state or federal funds available for arts education.

129C.27 ANNUAL DIRECTOR REPORT.

The director must report the following to the education committees of the legislature by January 15 of each year in accordance with section 3.195:
(1) outreach activities, including the number of districts, teachers, and administrators that have participated in outreach programs;

(2) the impact of the center's outreach activities;

(3) enrollment trends, including the number of students from each congressional district admitted to the Perpich Arts High School and efforts to increase enrollment by 20 percent by 2019; and

(4) students' academic achievement, including performance on standard assessments, graduation rates, and the number of students enrolled in postsecondary education.
3500.1000 EXPERIMENTAL AND FLEXIBLE SCHOOL YEAR PROGRAMS.

Subpart 1. Request. A district may request approval from the commissioner of education for an experimental program of study, a four-day school week, or a flexible school year program. They shall be designed to accomplish at least one of the following:

A. improve instructional quality;
B. increase cost-effectiveness;
C. make better use of community resources or available technology; or
D. establish an alternative eligibility criteria intended to identify pupils in need of special education services.

Subp. 2. Exemption from state rules. If the proposed program is approved, the commissioner of education shall provide an exemption to state rules that otherwise would apply.

Subp. 3. Contents of proposal. The proposal shall include: specific state rules from which the district requests exemption, the goals and objectives of the program, the activities to be used to accomplish the objectives, a definite time limit which may not exceed three years, and the evaluation procedures to be used.

Subp. 4. Participation and approval. The district shall provide evidence that the district staff, pupils, and parents who would be affected, participated in the development and will participate in the annual review of the proposal, and that the proposal has the approval of the district school board.

Parents whose children will be involved shall be fully informed at the IEP meeting and shall have the opportunity to approve or disapprove placement in the experimental program.

Subp. 5. Criteria for continuation. If the commissioner of education finds that the program has met the proposed goals and objectives, the commissioner shall authorize continuation of the program and specify the state rules from which the program is exempt and the period of time the program will be continued.

3600.0010 DEFINITIONS.

Subpart 1. Scope. The terms used in parts 3600.0010 to 3600.0085 have the meanings given them in this part.

Subp. 2. Board. "Board" means the board of the Perpich Center for Arts Education established in Minnesota Statutes, section 129C.10, subdivision 1.

Subp. 2a. Center. "Center" means the full-time high school program offered at the Perpich Center for Arts Education established in Minnesota Statutes, section 129C.10, subdivision 3, paragraph (f), clause (1).

Subp. 2b. Eligible applicant. "Eligible applicant" means a student who resides in Minnesota at the time of the arts review process and at the time of enrollment, as determined by the executive director or the executive director's designee, and meets the following criteria:

A. is living with one or more parents who maintain a domicile and resides in Minnesota at the time of the arts review process and enrollment; or
B. is living with a legal guardian who maintains a domicile and resides in Minnesota at the time of the student's arts review process and enrollment, and the student is living with the guardian primarily for the purpose of care and support and not for the primary purpose of receiving an education in Minnesota.

Subp. 3. Executive director. "Executive director" means the individual appointed by the board under Minnesota Statutes, section 129C.10, subdivision 4, paragraph (a), clause (1), to administer the Perpich Center for Arts Education.
Subp. 6. **School record.** "School record" means the information requested of the applicant by the center to help determine the appropriateness of the applicant's admission. The information requested must relate to the areas of review as described in part 3600.0030, subpart 6, and includes for example, a transcript of courses taken at the secondary level and their accompanying grades; secondary level attendance records; information about the high school content standards under chapter 3501 attempted or completed by the applicant; and a certified record from the applicant's previous secondary schools regarding grades and standards completed and recommendation. This recommendation must be completed by the applicant's school counselor or teacher of English, math, science, social studies, or world languages.

3600.0020 **HOW THIS CHAPTER APPLIES.**

Parts 3600.0010 to 3600.0085 prescribe the application, arts review, and evaluation processes for students wanting admission to the center. Participants in other programs under Minnesota Statutes, section 129C.10, are not included in the application, arts review, and evaluation process in parts 3600.0010 to 3600.0085.

3600.0030 **APPLICATION PROCESS.**

Subpart 1. **Eligible applicants.**

A. An eligible applicant for enrollment in the full-time high school program as an 11th grader must have:

1. successfully completed the requirements of the sending school for grade 9 and be enrolled in grade 10 at the time of application and successfully completed the requirements of the sending school for grade 10 by the end of the grade 10 academic year; and

2. completed the number of high school content standards as determined annually by the executive director or the executive director's designee. In order to make this determination, by September 1 of each academic year, the executive director or the executive director's designee must determine, for the following academic year, which standards and how many standards the eligible applicant must have completed. This determination will be based on:

   (a) which content areas will not be offered by the center during the applicant's enrollment; and

   (b) whether, given those standards being offered at the center, the student can complete the number of standards required so as to be able to graduate at the end of two years of enrollment.

B. An eligible applicant for enrollment in the center as a 12th grader must have:

1. successfully completed the requirements of the sending school for grades 9 and 10 and be enrolled in grade 11 at the time of application and successfully completed the requirements of the sending school for grade 11 by the end of the grade 11 academic year;

2. completed the number of high school content standards as determined annually by the executive director or the executive director's designee. In order to make this determination, by September 1 of each academic year, the executive director or the executive director's designee must determine, for the following academic year, which standards and how many standards the eligible applicant must have completed. This determination will be based on:

   (a) which content areas will not be offered by the center during the applicant's enrollment; and
(b) whether, given those standards being offered at the center, the student can complete the number of standards required so as to be able to graduate at the end of one year of enrollment; and

(3) a "C" average in high school coursework.

Subp. 2. **Application process.** An eligible applicant must apply for admission to the center by completing application forms and supplying a school record. Students whose applications or school records are not complete by the deadline established annually by the executive director or the executive director's designee shall not be considered further for enrollment. The deadline established annually is stated on the yearly application form.

Subp. 4. **Number of applications.** Subject to the limitations in parts 3600.0045 to 3600.0085, an individual may apply no more than two times for admission into the center if the individual is an eligible applicant under part 3600.0030, subpart 1, at the time of the arts review process.

Subp. 6. **Areas of review.** An applicant shall be evaluated for admission into the center based on a review of the applicant in three areas:

A. the arts review process in part 3600.0045;
B. the academic interview process in part 3600.0055; and
C. the final evaluation process in part 3600.0065.

The processes under this subpart shall occur at the location and times determined by the executive director or the executive director's designee.

**3600.0045 ARTS REVIEW PROCESS.**

Subpart 1. **Arts activities.** An applicant may choose to be reviewed in up to two areas of specialty designated on the application, within the following categories: dance, literary arts, media arts, music, theater, and visual arts. Within each specialty area, the executive director or the executive director's designee shall evaluate the applicant's following arts activities:

A. The demonstration of an example or examples of the applicant's previous arts activities, products, and abilities. The executive director or the executive director's designee must evaluate an applicant's artistic abilities or potential with the following criteria:

(1) skills/proficiency, including the degree the applicant possesses potential for rapid acquisition of skills needed to effectively communicate the applicant's arts specialty area or areas;

(2) creativity/imagination, including the level at which the applicant demonstrates the ability to develop inventive, personal, concise, creative expressions within the applicant's arts specialty area or areas; and

(3) attitude, including the extent the applicant demonstrates commitment, energy, and motivation for activities within the applicant's arts specialty area or areas.

B. The spontaneous individual and group activities that highlight individual creativity and group interaction. These activities must be related to the applicant's specialty area or areas. The executive director or the executive director's designee must evaluate an applicant's artistic abilities or potential with the following criteria:

(1) skills/proficiency, including the degree the applicant possesses potential for rapid acquisition of skills needed to effectively communicate the applicant's arts specialty area or areas;

(2) creativity/imagination, including the level at which the applicant's responses demonstrate inventive, personal, concise, imaginative creative expressions; and
(3) attitude, including the extent the applicant demonstrates a willingness to participate with commitment, energy, and motivation.

C. The solution to an arts assignment. Two weeks before the arts review begins, the center shall send applicants an arts assignment specific to the applicants' specialty area or areas. An applicant must bring the solution to the assignment to the arts review and present it to the executive director or the executive director's designee who must evaluate the solution with the following criteria:

(1) the extent that the solution demonstrates skill and proficiency effectiveness including the ability to effectively communicate the arts specialty area or areas;

(2) the extent that the solution represents an imaginative, creative solution including the ability to develop inventive, personal, concise expression within the arts specialty area or areas; and

(3) attitude, including the extent the applicant demonstrates a willingness to participate with commitment, energy, and motivation.

D. Participation in an interview. The executive director or the executive director's designee shall interview an applicant using a list of questions prepared by the executive director or executive director's designee to assess the applicant's attitude, including motivation and commitment to the applicant's arts specialty area or areas.

Subp. 2. Rating of arts review. Applicants shall be given a rating of "strongly recommended," "recommended," or "not recommended" in each arts review within each specialty area or areas under subpart 1.

3600.0055 ACADEMIC INTERVIEW PROCESS.

After the arts review, academic applicants shall be interviewed at a location designated by the executive director or the executive director's designee. The purpose of the interview is to comprehensively assess the applicant, including for example the applicant's maturity, the applicant's ability to handle the transition to the center, the applicant's attitude toward obtaining a comprehensive education in addition to an arts education, an explanation of past academic issues, including, for example, absences or low academic standing, and what the applicant will contribute to the community of students and faculty at the center.

3600.0065 FINAL EVALUATION PROCESS.

A. After completing the arts review process under part 3600.0045 and the academic interview process under part 3600.0055, an administrative team designated by the executive director or the executive director's designee shall review the student's school record and the results of the arts review and the academic interview to determine whether to admit the applicant into the center. An applicant shall be assessed on the applicant's arts review, the strength of the applicant's overall school records, and the academic interview or interviews. An applicant shall be admitted if a majority of the team recommends admission.

B. An applicant shall be disqualified from further consideration prior to final evaluation if:

(1) the school record as requested by the center is not complete; and

(2) the academic interview process is not complete.

3600.0075 SECOND ROUND APPLICATIONS.

If openings at the center remain unfilled after the final evaluations are completed, the executive director or the executive director's designee may reopen the entire application process under parts 3600.0030 to 3600.0065. Students who were not recommended in the process in the immediately preceding application round are not eligible to reapply for enrollment in the upcoming academic year.
3600.0085 BASIS FOR DISQUALIFICATION FROM ENROLLMENT.

A. An approved applicant for enrollment in grade 11 shall not be enrolled unless the following information has been provided by a date annually determined by the executive director or the executive director's designee:

(1) a certified record from each high school attended that demonstrates the applicant has successfully completed the requirements of grades 9 and 10; and

(2) a certified record from each high school attended that demonstrates the number and type of completed high school content standards.

B. An approved applicant for enrollment in grade 12 shall not be enrolled unless the following information has been provided by a date annually determined by the executive director or the executive director's designee:

(1) a certified record from each high school attended that demonstrates the applicant successfully completed the requirements of grades 9, 10, and 11; and

(2) a certified record from each high school attended that demonstrates the number and type of completed high school content standards.