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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 4382

04/12/2018 Authored by Davnie, Mariani, Sandstede, Kunesh-Podein, Lee and others
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; providing for a special education online system addressing
1.3 achievement and opportunity gaps, funding special education cross-subsidy, teacher
1.4 recruitment and retention, school safety, and paraprofessional support; requiring
1.5 a report; appropriating money; amending Minnesota Statutes 2016, sections
1.6 120B.11, subdivision 2; 120B.115; 120B.36, by adding a subdivision; 122A.70,
1.7 as amended; 125A.08; 126C.44; 136A.1791, subdivisions 4, 5; Minnesota Statutes
1.8 2017 Supplement, sections 120A.414, by adding a subdivision; 120B.31,
1.9 subdivision 4; 125A.083; 136A.1791, subdivisions 1, 2; Laws 2016, chapter 189,
1.10 article 25, section 56, by adding a subdivision; Laws 2017, First Special Session
1.11 chapter 5, article 2, section 57, subdivision 23; proposing coding for new law in
1.12 Minnesota Statutes, chapters 120A; 127A; repealing Minnesota Statutes 2016,
1.13 section 136A.1791, subdivision 3.

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

1.15 ARTICLE 1

1.16 SPECIAL EDUCATION ONLINE SYSTEM

1.17 Section 1. Minnesota Statutes 2017 Supplement, section 125A.083, is amended to read:

1.18 125A.083 STUDENT INFORMATION SYSTEMS; TRANSFERRING RECORDS.

1.19 Subdivision 1. District student information systems. To efficiently and effectively
1.20 meet federal and state compliance and accountability requirements using an online case
1.21 management reporting system, beginning July 1, 2018, a school district may contract only
1.22 for a student information system that is Schools Interoperability Framework compliant.

1.23 Subd. 2. Statewide online system required. To ensure a strong focus on outcomes for
1.24 children with disabilities that informs federal and state compliance and accountability
1.25 requirements and to increase opportunities for special educators and related-services providers
1.26 to focus on teaching children with disabilities, the commissioner must customize a

2.1 streamlined, user-friendly, statewide online system, with a single model online form, for
 2.2 effectively and efficiently collecting and reporting required special-education-related data
 2.3 to individuals with a legitimate educational interest and who are authorized by law to access
 2.4 the data.

2.5 Subd. 3. **Commissioner consultation required.** The commissioner must consult with
 2.6 qualified experts, including information technology specialists, licensed special education
 2.7 teachers and directors of special education, related-services providers, third-party vendors,
 2.8 a designee of the commissioner of human services, parents of children with disabilities,
 2.9 representatives of advocacy groups representing children with disabilities, and representatives
 2.10 of school districts and special education cooperatives on integrating, field testing,
 2.11 customizing, and sustaining the simple, easily accessible, efficient, and effective online data
 2.12 system for uniform statewide reporting of required due process compliance data.

2.13 Subd. 4. **Statewide online system goals.** Among other outcomes, the system must:

2.14 (1) reduce special education teachers' paperwork burden and thereby increase the teachers'
 2.15 opportunities to focus on teaching children;

2.16 (2) to the extent authorized by chapter 13 or other applicable state or federal law
 2.17 governing access to and dissemination of educational records, provide for efficiently and
 2.18 effectively transmitting the records of all transferring children with disabilities, including
 2.19 highly mobile and homeless children with disabilities, among others, and avoid fragmented
 2.20 service delivery;

2.21 (3) address language and other barriers and disparities that prevent parents from
 2.22 understanding and communicating information about the needs of their children with
 2.23 disabilities; and

2.24 (4) help continuously improve the interface among the online systems serving children
 2.25 with disabilities in order to maintain and reinforce the children's ability to learn.

2.26 Subd. 5. **Compliance reporting.** (a) The commissioner must use the federal Office of
 2.27 Special Education Programs model forms for the (1) individualized education program, (2)
 2.28 notice of procedural safeguards, and (3) prior written notice that are consistent with Part B
 2.29 of the federal Individuals with Disabilities Education Act (IDEA) to integrate and customize
 2.30 a state-sponsored universal special education online case management system, consistent
 2.31 with the requirements of state law and this section for customizing a statewide online
 2.32 reporting system. The commissioner must use a request for proposal process to contract for
 2.33 the technology and software needed for customizing the online system in order for the
 2.34 system to be fully functional, consistent with the requirements of this section.

3.1 (b) The online system must be made available to school districts without charge beginning
3.2 in the 2019-2020 school year. For the 2019-2020 through 2020-2021 school years, school
3.3 districts may use this online system or may contract with an outside vendor for compliance
3.4 reporting. Beginning in the 2021-2022 school year and later, school districts must use the
3.5 online system for compliance reporting.

3.6 (c) A district's information system under this section must facilitate the seamless transfer
3.7 of student records for a student with disabilities who transfers between school districts,
3.8 including records containing the student's evaluation report, service plan, and other due
3.9 process forms and information, regardless of what information system any one district uses.

3.10 **Subd. 6. Data access; audit trail required; notice and consent.** (a) All data on
3.11 individuals maintained in the statewide reporting system are classified as provided in chapter
3.12 13 or other applicable state or federal law. An authorized individual's ability to enter, update,
3.13 or access data must be limited through the use of role-based access codes corresponding to
3.14 that individual's official duties or training level, and the statutory authorization that grants
3.15 access for a particular purpose.

3.16 (b) Any action in which data in the system are entered, updated, accessed, or shared or
3.17 disseminated outside of the system must be recorded in an audit trail. The audit trail must
3.18 identify the specific user responsible for the action, the date and time the action occurred,
3.19 and the purpose for the action. Data contained in the audit trail maintain the same
3.20 classification as the underlying data affected by the action, provided the responsible authority
3.21 makes the data available to a student or the student's parent upon request, and the responsible
3.22 authority may access the data to audit the system's user activity and security safeguards.

3.23 (c) Before entering data on a student, the responsible authority must provide the student
3.24 or the student's parent written notice of the data practices rights and responsibilities required
3.25 by this section and a reasonable opportunity to refuse consent to have the student's data
3.26 included in the system. Upon receiving written refusal to consent from the student or the
3.27 student's parent, the school district must not enter data on that student into the system and
3.28 must delete any existing data on that student currently in the system.

3.29 **Subd. 7. Special education reports Web site.** Consistent with this section, the
3.30 commissioner must establish a Web site to provide information to educators, parents, and
3.31 the public about the form and content of required special education reports, to respond to
3.32 queries from educators, parents, and the public about specific aspects of special education
3.33 reports and reporting, and to use the information garnered from the interface to streamline
3.34 and revise special education reporting on the online system under this section. The Web

4.1 site must have a prominently linked page describing the rights and responsibilities of students
 4.2 and parents whose data are included in the statewide reporting system, and include
 4.3 information on the data practices rights of students and parents provided by this section and
 4.4 a form students or parents may use to refuse consent to have a student's data included in
 4.5 the system. The Web site must not provide access to the educational records of any individual
 4.6 child.

4.7 Subd. 8. **Report.** By February 1 of each year, the commissioner must submit a report
 4.8 to the legislative committees having jurisdiction over early childhood through grade 12
 4.9 education on the status, recent changes, and sustainability of the online system under this
 4.10 section.

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

4.12 **Sec. 2. APPROPRIATION.**

4.13 Subdivision 1. **Department of Education.** The sum indicated in this section is
 4.14 appropriated from the general fund to the Department of Education for the fiscal year
 4.15 designated.

4.16 Subd. 2. **Special education online system.** For the special education online system
 4.17 under Minnesota Statutes, section 125A.083:

4.18 § 2019

4.19 The base for fiscal year 2020 and later is \$.....

4.20 **ARTICLE 2**

4.21 **SPECIAL EDUCATION CROSS-SUBSIDY**

4.22 **Section 1. [127A.066] CROSS-SUBSIDY; APPROPRIATION.**

4.23 There is annually appropriated from the general fund to the department the amount
 4.24 necessary for each district's cross-subsidy as reported to the commissioner of education in
 4.25 the report required by section 127A.065.

4.26 **ARTICLE 3**

4.27 **ACHIEVEMENT AND OPPORTUNITY GAP**

4.28 **Section 1. [120A.39] CLASS SIZE LIMITS.**

4.29 A school district, charter school, intermediate school district, or other cooperative unit
 4.30 is required to maintain classroom ratios of no more than:

5.1 (1) 17 students for each instructor in grades kindergarten through 3;

5.2 (2) 19 students for each instructor in grades 4 through 6;

5.3 (3) 21 students for each instructor in grades 7 through 9; and

5.4 (4) 23 students for each instructor in grades 10 through 12.

5.5 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

5.6 Sec. 2. Minnesota Statutes 2016, section 120B.11, subdivision 2, is amended to read:

5.7 Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, shall adopt
5.8 a comprehensive, long-term strategic plan to support and improve teaching and learning
5.9 that is aligned with creating the world's best workforce and includes:

5.10 (1) clearly defined district and school site goals and benchmarks for instruction and
5.11 student achievement for all student subgroups identified in section 120B.35, subdivision 3,
5.12 paragraph (b), clause (2);

5.13 (2) a process to assess and evaluate each student's progress toward meeting state and
5.14 local academic standards, assess and identify students to participate in gifted and talented
5.15 programs and accelerate their instruction, and adopt early-admission procedures consistent
5.16 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit
5.17 of student and school success and curriculum affecting students' progress and growth toward
5.18 career and college readiness and leading to the world's best workforce;

5.19 (3) a system to periodically review and evaluate the effectiveness of all instruction and
5.20 curriculum, taking into account strategies and best practices, student outcomes, school
5.21 principal evaluations under section 123B.147, subdivision 3, students' access to effective
5.22 teachers who are members of populations underrepresented among the licensed teachers in
5.23 the district or school and who reflect the diversity of enrolled students under section 120B.35,
5.24 subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40,
5.25 subdivision 8, or 122A.41, subdivision 5;

5.26 (4) strategies for improving instruction, curriculum, and student achievement, including
5.27 the English and, where practicable, the native language development and the academic
5.28 achievement of English learners;

5.29 (5) a process to examine the equitable distribution of teachers and strategies to ensure
5.30 low-income and minority children are not taught at higher rates than other children by
5.31 inexperienced, ineffective, or out-of-field teachers;

6.1 (6) education effectiveness practices that integrate high-quality instruction, rigorous
6.2 curriculum, technology, and a collaborative professional culture that develops and supports
6.3 teacher quality, performance, and effectiveness; ~~and~~

6.4 (7) an annual budget for continuing to implement the district plan;₂

6.5 (8) strategies for implementing nonexclusionary disciplinary policies and practices as
6.6 alternatives to pupil removal and dismissal. For purposes of this section, "nonexclusionary
6.7 disciplinary policies and practices" means policies and practices that are alternatives to
6.8 removing a pupil from class or dismissing a pupil from school, including positive behavioral
6.9 interventions and supports and alternative education services that require school officials
6.10 to intervene in, redirect, and support a pupil's behavior before removing a pupil from class
6.11 or beginning dismissal proceedings. Nonexclusionary disciplinary policies and practices
6.12 include but are not limited to the policies and practices under sections 121A.031, subdivision
6.13 4, paragraph (a), clause (1); 121A.575, clauses (1) and (2); and 121A.61, subdivision 3,
6.14 paragraph (q);

6.15 (9) a process to provide home visits to children enrolled in preschool. The district must
6.16 create a rubric of assessing the need for home visits to families of children in kindergarten
6.17 through grade 12. The district must implement home visits to those families meeting the
6.18 criteria identified by the district;

6.19 (10) education programs for parents of new students to orient them to the learning values
6.20 and expectations of the school district and to allow the district to learn from the parents
6.21 about their family culture and needs of their students;

6.22 (11) a provision of accommodations for parent involvement. The district must incorporate
6.23 a plan for providing translator services, transportation, and medical services for parents to
6.24 facilitate access to their child's learning environment. Information regarding existing district
6.25 activities and curricular information must be made available to parents in multiple formats
6.26 including online, hard copies, and newsletters and in multiple languages;

6.27 (12) parent programs and services offered at flexible times so parents can attend; and

6.28 (13) coordination with community organizations. Districts must work with relevant
6.29 partners within their communities to stay informed of the concerns of the communities they
6.30 serve and to share information about how districts are meeting the needs of students.

7.1 Sec. 3. Minnesota Statutes 2017 Supplement, section 120B.31, subdivision 4, is amended
7.2 to read:

7.3 Subd. 4. **Statistical adjustments; student performance data.** In developing policies
7.4 and assessment processes to hold schools and districts accountable for high levels of academic
7.5 standards under section 120B.021, the commissioner shall aggregate and disaggregate
7.6 student data over time to report summary student ~~performance~~ and growth levels and, under
7.7 section 120B.11, subdivision 2, clause (2), student learning and outcome data measured at
7.8 the school, school district, and statewide level. The commissioner shall use the student
7.9 categories identified under the federal Elementary and Secondary Education Act, as most
7.10 recently reauthorized, and student categories of:

7.11 (1) homelessness;

7.12 (2) ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2);

7.13 (3) race under section 120B.35, subdivision 3, paragraph (a), clause (2);

7.14 (4) home language;

7.15 (5) English learners under section 124D.59;

7.16 (6) free or reduced-price lunch; and

7.17 (7) other categories designated by federal law to organize and report the data so that
7.18 state and local policy makers can understand the educational implications of changes in
7.19 districts' demographic profiles over time as data are available.

7.20 Any report the commissioner disseminates containing summary data on student ~~performance~~
7.21 growth must integrate student ~~performance~~ growth and the demographic factors that strongly
7.22 correlate with that ~~performance~~ growth.

7.23 Sec. 4. Minnesota Statutes 2016, section 120B.36, is amended by adding a subdivision to
7.24 read:

7.25 Subd. 3. **Educator data teams.** (a) A school district must establish a data team comprised
7.26 of teachers in the district. The data team must be responsible for analyzing the data identified
7.27 in this section. The data team must also be responsible for training all educators on how to
7.28 use the data, and the district must ensure one hour per week to review student data maintained
7.29 pursuant to this section.

7.30 (b) A school district must establish a longitudinal data system to ensure individual student
7.31 data follows an individual student through each year of the student's attendance.

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ARTICLE 4

FULL-SERVICE COMMUNITY SCHOOLS

Section 1. **APPROPRIATION.**

Subdivision 1. Department of Education. The sum indicated in this section is appropriated from the general fund to the Department of Education for the fiscal year designated.

Subd. 2. Full-service community schools. For full-service community schools under Minnesota Statutes, section 124D.231:

§ 2019

The base for fiscal year 2020 and later is \$.....

ARTICLE 5

TEACHER RECRUITMENT AND RETENTION

Section 1. Minnesota Statutes 2016, section 122A.70, as amended by Laws 2017, First Special Session chapter 5, article 12, section 22, 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 who are of color, or American Indian, teachers with special needs, or experienced teachers in need of peer coaching.

(b) Teacher mentoring programs should support 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. Other initiatives using such funds or funds available under sections 124D.861 and 124D.862 may include:

(1) additional stipends as incentives to mentors who are 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; or

9.1 (3) programs for induction and professional development during the first three years of
 9.2 teaching, especially for teachers from underrepresented racial and ethnic groups.

9.3 (c) Schools or districts may provide financial incentives for teachers of color and teachers
 9.4 who are American Indian to work in the school or district for at least five years and may
 9.5 negotiate additional retention strategies or protection from layoffs in the beginning years
 9.6 of employment for teachers of color and teachers who are American Indian.

9.7 Subd. 2. **Applications.** The Professional Educator Licensing and Standards Board must
 9.8 make application forms available to sites interested in developing or expanding a mentorship
 9.9 program. A school district, a group of school districts, or a coalition of districts, teachers
 9.10 and teacher education institutions may apply for a teacher mentorship program grant. The
 9.11 Professional Educator Licensing and Standards Board, in consultation with the teacher
 9.12 mentoring task force, must approve or disapprove the applications. To the extent possible,
 9.13 the approved applications must reflect effective mentoring components, include a variety
 9.14 of coalitions and be geographically distributed throughout the state. The Professional
 9.15 Educator Licensing and Standards Board must encourage the selected sites to consider the
 9.16 use of its assessment procedures.

9.17 Subd. 3. **Criteria for selection.** At a minimum, applicants must express commitment
 9.18 to:

9.19 (1) allow staff participation;

9.20 (2) assess skills of both beginning and mentor teachers;

9.21 (3) provide appropriate in-service to needs identified in the assessment;

9.22 (4) provide leadership to the effort;

9.23 (5) cooperate with higher education institutions;

9.24 (6) provide facilities and other resources;

9.25 (7) share findings, materials, and techniques with other school districts; and

9.26 (8) retain teachers of color and teachers who are American Indian.

9.27 Subd. 4. **Additional funding.** Applicants are required to seek additional funding and
 9.28 assistance from sources such as school districts, postsecondary institutions, foundations,
 9.29 and the private sector.

9.30 Subd. 5. **Program implementation.** New and expanding mentorship sites that are funded
 9.31 to design, develop, implement, and evaluate their program must participate in activities that
 9.32 support program development and implementation. The Professional Educator Licensing

10.1 and Standards Board must provide resources and assistance to support new sites in their
 10.2 program efforts. These activities and services may include, but are not limited to: planning,
 10.3 planning guides, media, training, conferences, institutes, and regional and statewide
 10.4 networking meetings. Nonfunded schools or districts interested in getting started may
 10.5 participate. Fees may be charged for meals, materials, and the like.

10.6 Sec. 2. Minnesota Statutes 2017 Supplement, section 136A.1791, subdivision 1, is amended
 10.7 to read:

10.8 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given
 10.9 them in this subdivision.

10.10 (b) "Qualified educational loan" means a government, commercial, or foundation loan
 10.11 for actual costs paid for tuition and reasonable educational and living expenses related to a
 10.12 teacher's preparation or further education.

10.13 (c) "School district" means an independent school district, special school district,
 10.14 intermediate district, education district, special education cooperative, service cooperative,
 10.15 a cooperative center for vocational education, or a charter school located in Minnesota.

10.16 (d) "Teacher" means an individual holding a teaching license issued by the Professional
 10.17 Educator Licensing and Standards Board who is employed by a school district to provide
 10.18 classroom instruction.

10.19 ~~(e) "Teacher shortage area" means:~~

10.20 ~~(1) the licensure fields and economic development regions reported by the commissioner~~
 10.21 ~~of education as experiencing a teacher shortage; and~~

10.22 ~~(2) economic development regions where there is a shortage of licensed teachers who~~
 10.23 ~~reflect the racial or ethnic diversity of students in the region as reported by the commissioner~~
 10.24 ~~of education.~~

10.25 ~~(f)~~ (e) "Commissioner" means the commissioner of the Office of Higher Education
 10.26 unless indicated otherwise.

10.27 Sec. 3. Minnesota Statutes 2017 Supplement, section 136A.1791, subdivision 2, is amended
 10.28 to read:

10.29 Subd. 2. **Program established; administration.** The commissioner shall establish and
 10.30 administer a teacher shortage loan forgiveness program. A teacher is eligible for the program

11.1 if the teacher is teaching in ~~an identified teacher shortage area under subdivision 3 and~~
 11.2 ~~complies with the requirements of this section~~ a public school district.

11.3 Sec. 4. Minnesota Statutes 2016, section 136A.1791, subdivision 4, is amended to read:

11.4 Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness, according
 11.5 to rules adopted by the commissioner, shall:

11.6 (1) apply for teacher ~~shortage~~ loan forgiveness and promptly submit any additional
 11.7 information required by the commissioner; and

11.8 (2) submit to the commissioner a completed affidavit, prescribed by the commissioner,
 11.9 affirming the teacher is teaching in: ~~(i) a licensure field identified by the commissioner as~~
 11.10 ~~experiencing a teacher shortage; or (ii) an economic development region identified by the~~
 11.11 ~~commissioner as experiencing a teacher shortage~~ a public school district.

11.12 Sec. 5. Minnesota Statutes 2016, section 136A.1791, subdivision 5, is amended to read:

11.13 Subd. 5. **Amount of loan forgiveness.** (a) To the extent funding is available, the annual
 11.14 amount of teacher ~~shortage~~ loan forgiveness for an approved applicant shall not exceed
 11.15 ~~\$1,000~~ \$10,000 or the cumulative balance of the applicant's qualified educational loans,
 11.16 including principal and interest, whichever amount is less.

11.17 (b) Recipients must secure their own qualified educational loans. Teachers who graduate
 11.18 from an approved teacher preparation program or teachers who add a licensure field,
 11.19 consistent with the ~~teacher shortage~~ requirements of this section, are eligible to apply for
 11.20 the loan forgiveness program.

11.21 (c) No teacher shall receive more than five annual awards.

11.22 Sec. 6. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 23,
 11.23 is amended to read:

11.24 Subd. 23. **Paraprofessional pathway Grow Your Own pathways to teacher licensure.**

11.25 (a) For grants to school districts for Grow Your Own new teacher programs:

11.26	\$	1,500,000	2018
11.27		1,500,000		
11.28	\$	<u>2,500,000</u>	2019

11.29 (b) Of this amount in 2019, \$1,500,000 of the grants are for school districts with more
 11.30 than 30 percent minority students of color for a Board of Teaching-approved established
 11.31 and effective Professional Educator Licensing and Standards Board-approved

12.1 nonconventional teacher residency ~~pilot program~~ programs. The ~~program~~ programs must
 12.2 provide tuition scholarships or stipends to enable school district employees or community
 12.3 members affiliated with a school district who seek an education license to participate in a
 12.4 nonconventional teacher preparation program. School districts that receive funds under this
 12.5 subdivision ~~are strongly encouraged to~~ must have a program to recruit and retain candidates
 12.6 of color and American Indian candidates to participate in the Grow Your Own new teacher
 12.7 programs. Districts or schools providing financial support may require a commitment as
 12.8 determined by the district to teach in the district or school for a reasonable amount of time
 12.9 that does not exceed five years.

12.10 (c) Of this amount in 2019, \$1,000,000 is for grants for schools or districts where more
 12.11 than 25 percent of students are students of color or are American Indian to provide financial
 12.12 assistance, mentoring, and experiences to enable persons who are of color or who are
 12.13 American Indian and working or living in the local community to become teachers. Districts
 12.14 or schools providing financial support may require a commitment as determined by the
 12.15 district to teach in the district or school for a reasonable period of time that does not exceed
 12.16 five years. Grants may be used for:

12.17 (1) tuition scholarships or stipends to eligible teaching assistants, cultural liaisons, or
 12.18 other nonlicensed employees who are of color or who are American Indian enrolled in any
 12.19 teacher preparation program approved by the Professional Educator Licensing and Standards
 12.20 Board; and

12.21 (2) supporting the development of innovative residency programs and any school, district,
 12.22 or cooperative, as defined under Minnesota Statutes, section 123A.24, subdivision 2, for
 12.23 persons of color and American Indians seeking an education license through a school-based,
 12.24 board-approved program.

12.25 ~~(e)~~ (d) School districts and charter schools may also apply for grants to develop innovative
 12.26 expanded Grow Your Own programs that encourage secondary school students to pursue
 12.27 teaching, including developing and offering dual-credit postsecondary course options in
 12.28 schools for "Introduction to Teaching" or "Introduction to Education" courses consistent
 12.29 with Minnesota Statutes, section 124D.09, subdivision 10, and supporting future teacher
 12.30 clubs involving middle and high school students who are of color or who are American
 12.31 Indian to have experiential learning, support the success of younger students, and pursue a
 12.32 teaching career.

13.1 (e) A school district must apply for a grant in the form and manner specified by the
 13.2 commissioner. The commissioner must review all grant applications by September 15 and
 13.3 notify grant recipients of the amount of the grant by September 30 of each year.

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

13.10 ~~(e)~~ (g) The department may retain up to three percent of the appropriation amount to
 13.11 monitor and administer the grant program.

13.12 (h) A grant recipient must spend any amounts received under this section within 18
 13.13 months of the grant award.

13.14 ~~(f)~~ (i) Any balance in the first year does not cancel but is available in the second year.
 13.15 Any balance in fiscal year 2019 is available until June 30, 2020.

13.16 **EFFECTIVE DATE.** This section is effective July 1, 2018.

13.17 Sec. 7. **REPEALER.**

13.18 Minnesota Statutes 2016, section 136A.1791, subdivision 3, is repealed.

13.19 **ARTICLE 6**

13.20 **SCHOOL SAFETY**

13.21 Section 1. Minnesota Statutes 2016, section 120B.115, is amended to read:

13.22 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

13.23 (a) Regional centers of excellence are established to assist and support school boards,
 13.24 school districts, school sites, and charter schools in implementing research-based
 13.25 interventions and practices to increase the students' achievement within a region. The centers
 13.26 must develop partnerships with local and regional service cooperatives, postsecondary
 13.27 institutions, integrated school districts, the department, children's mental health providers,
 13.28 or other local or regional entities interested in providing a cohesive and consistent regional
 13.29 delivery system that serves all schools equitably. Centers must assist school districts, school
 13.30 sites, and charter schools in developing similar partnerships. Center support may include

14.1 assisting school districts, school sites, and charter schools with common principles of
 14.2 effective practice, including:

14.3 (1) defining measurable education goals under sections 120B.022, subdivisions 1a and
 14.4 1b, and 120B.11, subdivision 2;

14.5 (2) implementing evidence-based practices, including applied and experiential learning,
 14.6 contextualized learning, competency-based curricula and assessments, and other
 14.7 nontraditional learning opportunities, among other practices;

14.8 (3) engaging in data-driven decision-making;

14.9 (4) providing multilayered levels of support;

14.10 (5) supporting culturally responsive teaching and learning aligning the development of
 14.11 academic English proficiency, state and local academic standards, and career and college
 14.12 readiness benchmarks;

14.13 (6) engaging parents, families, youth, and local community members in programs and
 14.14 activities at the school district, school site, or charter school that foster collaboration and
 14.15 shared accountability for the achievement of all students; ~~and~~

14.16 (7) translating district forms and other information such as a multilingual glossary of
 14.17 commonly used education terms and phrases; and

14.18 (8) supporting training in and implementation of nonexclusionary disciplinary policies
 14.19 and practices as alternatives to pupil removal and dismissal.

14.20 Centers must work with school site leadership teams to build the expertise and experience
 14.21 to implement programs that close the achievement gap, provide effective and differentiated
 14.22 programs and instruction for different types of English learners, including English learners
 14.23 with limited or interrupted formal schooling and long-term English learners under section
 14.24 124D.59, subdivisions 2 and 2a, increase students' progress and growth toward career and
 14.25 college readiness, and increase student graduation rates.

14.26 (b) The department must assist the regional centers of excellence to meet staff, facilities,
 14.27 and technical needs, provide the centers with programmatic support, and work with the
 14.28 centers to establish a coherent statewide system of regional support, including consulting,
 14.29 training, and technical support, to help school boards, school districts, school sites, and
 14.30 charter schools effectively and efficiently implement the world's best workforce goals under
 14.31 section 120B.11 and other state and federal education initiatives, including secondary and
 14.32 postsecondary career pathways and technical education.

15.1 Sec. 2. Minnesota Statutes 2016, section 126C.44, is amended to read:

15.2 **126C.44 SAFE SCHOOLS LEVY.**

15.3 (a) Each district may make a levy on all taxable property located within the district for
15.4 the purposes specified in this section. The maximum amount which may be levied for all
15.5 costs under this section shall be equal to \$36 multiplied by the district's adjusted pupil units
15.6 for the school year. The proceeds of the levy must be reserved and used for directly funding
15.7 the following purposes or for reimbursing the cities and counties who contract with the
15.8 district for the following purposes:

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

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

15.13 (3) to pay the costs for a gang resistance education training curriculum in the district's
15.14 schools;

15.15 (4) to pay the costs for security in the district's schools and on school property;

15.16 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
15.17 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
15.18 school district;

15.19 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
15.20 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
15.21 counselors to help provide early responses to problems;

15.22 (7) to pay for facility security enhancements including laminated glass, public
15.23 announcement systems, emergency communications devices, and equipment and facility
15.24 modifications related to violence prevention and facility security;

15.25 (8) to pay for costs associated with improving the school climate; or

15.26 (9) to pay costs for collocating and collaborating with mental health professionals who
15.27 are not district employees or contractors.

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

16.1 any other police or sheriff's department located entirely or partially within the school district's
16.2 boundaries.

16.3 (c) A school district that is a member of an intermediate school district may include in
16.4 its authority under this section the costs associated with safe schools activities authorized
16.5 under paragraph (a) for intermediate school district programs. This authority must not exceed
16.6 \$15 times the adjusted pupil units of the member districts. This authority is in addition to
16.7 any other authority authorized under this section. Revenue raised under this paragraph must
16.8 be transferred to the intermediate school district.

16.9 (d) There is annually appropriated from the general fund to the department the amount
16.10 necessary for the amount levied by each district pursuant to paragraph (a) for the purposes
16.11 identified therein.

16.12 Sec. 3. Laws 2016, chapter 189, article 25, section 56, is amended by adding a subdivision
16.13 to read:

16.14 Subd. 6. **Ratios.** A school district, charter school, intermediate school district, or other
16.15 cooperative unit is obligated to ensure that it employs one counselor, psychologist, or social
16.16 worker for each 290 students enrolled.

16.17 Sec. 4. **APPROPRIATION.**

16.18 Subdivision 1. **Department of Education.** The sum indicated in this section is
16.19 appropriated from the general fund to the Department of Education for the fiscal year
16.20 designated.

16.21 Subd. 2. **Support our students grant program.** (a) For grants to eligible schools under
16.22 the support our students grant program:

16.23 \$ 26,000,000 2019

16.24 (b) To the extent practicable, the commissioner should allot amounts in each year of the
16.25 six-year grant period to ensure that adequate funds are available for the entirety of the grant.
16.26 Up to \$100,000 in each fiscal year may be retained by the commissioner for administration
16.27 of the grant program. The base in fiscal year 2020 and later is \$13,000,000.

16.28 (c) Notwithstanding Minnesota Statutes, section 16A.28, the fiscal year 2018
16.29 appropriation is available until June 30, 2023, and the fiscal year 2019 appropriation is
16.30 available until June 30, 2024. Any remaining balances shall cancel to the general fund.

17.1 Sec. 5. **REVISOR'S INSTRUCTION.**

17.2 The revisor of statutes shall codify Laws 2016, chapter 189, article 25, section 56, as
 17.3 amended, in the next publication of Minnesota Statutes as section 121A.395.

17.4 **EFFECTIVE DATE.** This section is effective July 1, 2018.

17.5 **ARTICLE 7**

17.6 **PARAPROFESSIONAL SUPPORT**

17.7 Section 1. Minnesota Statutes 2017 Supplement, section 120A.414, is amended by adding
 17.8 a subdivision to read:

17.9 Subd. 6. **Noncertified staff.** Noncertified staff shall not lose compensation in the event
 17.10 that the district declares an e-learning day.

17.11 Sec. 2. Minnesota Statutes 2016, section 125A.08, is amended to read:

17.12 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

17.13 (a) At the beginning of each school year, each school district shall have in effect, for
 17.14 each child with a disability, an individualized education program.

17.15 (b) As defined in this section, every district must ensure the following:

17.16 (1) all students with disabilities are provided the special instruction and services which
 17.17 are appropriate to their needs. Where the individualized education program team has
 17.18 determined appropriate goals and objectives based on the student's needs, including the
 17.19 extent to which the student can be included in the least restrictive environment, and where
 17.20 there are essentially equivalent and effective instruction, related services, or assistive
 17.21 technology devices available to meet the student's needs, cost to the district may be among
 17.22 the factors considered by the team in choosing how to provide the appropriate services,
 17.23 instruction, or devices that are to be made part of the student's individualized education
 17.24 program. The individualized education program team shall consider and may authorize
 17.25 services covered by medical assistance according to section 256B.0625, subdivision 26.
 17.26 Before a school district evaluation team makes a determination of other health disability
 17.27 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation
 17.28 team must seek written documentation of the student's medically diagnosed chronic or acute
 17.29 health condition signed by a licensed physician or a licensed health care provider acting
 17.30 within the scope of the provider's practice. The student's needs and the special education
 17.31 instruction and services to be provided must be agreed upon through the development of
 17.32 an individualized education program. The program must address the student's need to develop

18.1 skills to live and work as independently as possible within the community. The individualized
18.2 education program team must consider positive behavioral interventions, strategies, and
18.3 supports that address behavior needs for children. During grade 9, the program must address
18.4 the student's needs for transition from secondary services to postsecondary education and
18.5 training, employment, community participation, recreation, and leisure and home living. In
18.6 developing the program, districts must inform parents of the full range of transitional goals
18.7 and related services that should be considered. The program must include a statement of
18.8 the needed transition services, including a statement of the interagency responsibilities or
18.9 linkages or both before secondary services are concluded. If the individualized education
18.10 program meets the plan components in section 120B.125, the individualized education
18.11 program satisfies the requirement and no additional transition plan is needed;

18.12 (2) children with a disability under age five and their families are provided special
18.13 instruction and services appropriate to the child's level of functioning and needs;

18.14 (3) children with a disability and their parents or guardians are guaranteed procedural
18.15 safeguards and the right to participate in decisions involving identification, assessment
18.16 including assistive technology assessment, and educational placement of children with a
18.17 disability;

18.18 (4) eligibility and needs of children with a disability are determined by an initial
18.19 evaluation or reevaluation, which may be completed using existing data under United States
18.20 Code, title 20, section 33, et seq.;

18.21 (5) to the maximum extent appropriate, children with a disability, including those in
18.22 public or private institutions or other care facilities, are educated with children who are not
18.23 disabled, and that special classes, separate schooling, or other removal of children with a
18.24 disability from the regular educational environment occurs only when and to the extent that
18.25 the nature or severity of the disability is such that education in regular classes with the use
18.26 of supplementary services cannot be achieved satisfactorily;

18.27 (6) in accordance with recognized professional standards, testing and evaluation materials,
18.28 and procedures used for the purposes of classification and placement of children with a
18.29 disability are selected and administered so as not to be racially or culturally discriminatory;
18.30 and

18.31 (7) the rights of the child are protected when the parents or guardians are not known or
18.32 not available, or the child is a ward of the state.

19.1 (c) For all paraprofessionals employed to work in programs whose role in part is to
19.2 provide direct support to students with disabilities, the school board in each district shall
19.3 ensure that:

19.4 (1) before or beginning at the time of employment, each paraprofessional must develop
19.5 sufficient knowledge and skills in emergency procedures, building orientation, roles and
19.6 responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin
19.7 meeting the needs, especially disability-specific and behavioral needs, of the students with
19.8 whom the paraprofessional works;

19.9 (2) annual training opportunities are required to enable the paraprofessional to continue
19.10 to further develop the knowledge and skills that are specific to the students with whom the
19.11 paraprofessional works, including understanding disabilities, the unique and individual
19.12 needs of each student according to the student's disability and how the disability affects the
19.13 student's education and behavior, following lesson plans, and implementing follow-up
19.14 instructional procedures and activities;

19.15 (3) a minimum of 16 hours of paid orientation or professional development is provided
19.16 annually to all paraprofessionals, Title I aides, and other instructional support staff before
19.17 the first instructional day of the school year. The orientation or professional development
19.18 must be relevant to the employee's occupation and may include collaboration time with
19.19 classroom teachers and planning for the school year. For paraprofessionals who provide
19.20 direct support to students, at least 50 percent of the professional development or orientation
19.21 must be dedicated to meeting the requirements of this section. Professional development
19.22 for paraprofessionals may also address the requirements of section 120B.363, subdivision
19.23 3. A school administrator must provide an annual certification of compliance with this
19.24 requirement to the commissioner; and

19.25 ~~(3)~~ (4) a districtwide process obligates each paraprofessional to work under the ongoing
19.26 direction of a licensed teacher and, where appropriate and possible, the supervision of a
19.27 school nurse.

APPENDIX
Article locations in HF4382-0

ARTICLE 1	SPECIAL EDUCATION ONLINE SYSTEM.....	Page.Ln 1.15
ARTICLE 2	SPECIAL EDUCATION CROSS-SUBSIDY.....	Page.Ln 4.20
ARTICLE 3	ACHIEVEMENT AND OPPORTUNITY GAP.....	Page.Ln 4.26
ARTICLE 4	FULL-SERVICE COMMUNITY SCHOOLS.....	Page.Ln 8.1
ARTICLE 5	TEACHER RECRUITMENT AND RETENTION.....	Page.Ln 8.11
ARTICLE 6	SCHOOL SAFETY.....	Page.Ln 13.19
ARTICLE 7	PARAPROFESSIONAL SUPPORT.....	Page.Ln 17.5

136A.1791 TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM.

Subd. 3. **Use of report on teacher shortage areas.** The commissioner of education shall use the teacher supply and demand report to the legislature to identify the licensure fields and economic development regions in Minnesota experiencing a teacher shortage.