A bill for an act
relating to early childhood through grade 12 education; providing for general
education; education excellence; teachers; special education; facilities and
technology; nutrition; libraries; early childhood and family support; community
education and prevention; self-sufficiency and lifelong learning; state agencies
and forecast adjustments; appropriating money; rulemaking; amending Minnesota
Statutes 2016, sections 120A.41; 120B.021, subdivisions 1, 3; 120B.022,
subdivision 1b; 120B.12; 120B.132; 120B.30, subdivisions 1, 1a;
120B.31, subdivision 4, by adding a subdivision; 120B.35, subdivision 3; 120B.363,
subdivision 1; 121A.22, subdivision 2; 121A.221; 122A.06, subdivisions 2, 3;
122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10, by adding a
subdivision; 122A.17; 122A.18, subdivisions 1, 2, 2b, 3, 3a, 7a, 7c, 8; 122A.19;
122A.20, subdivisions 1, 2; 122A.21, subdivision 2; 122A.22; 122A.23, subdivision
3; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 122A.414, subdivision
2; 122A.415, subdivision 4; 122A.70, subdivision 1; 123A.73, subdivision 2;
123B.41, subdivisions 2, 5a; 123B.52, subdivision 1, by adding a subdivision;
123B.92, subdivision 1; 124D.09, subdivisions 3, 5, 10, 13, by adding a subdivision;
124D.13, subdivision 11; 124D.151, subdivision 2; 124D.165, subdivisions 1, 2,
3; 124D.19, by adding a subdivision; 124D.20, subdivision 8; 124D.454,
subdivision 12; 124D.52, subdivision 7; 124D.549; 124D.55; 124D.68, subdivision
2; 124D.695; 124D.75, subdivisions 1, 6; 124D.98, subdivision 1; 124E.03,
subdivision 2; 124E.05, subdivisions 4, 7, by adding a subdivision; 124E.06,
subdivision 7; 124E.07, subdivisions 3, 4, 7; 124E.10, by adding a subdivision;
124E.11; 124E.17, subdivision 1; 124E.22; 125A.0941; 125A.11, subdivision 1;
125A.21, subdivision 2; 125A.515; 125A.56, subdivision 1; 125A.67, subdivision
2; 125A.74, subdivision 1; 125A.76, subdivision 2c; 126C.05, subdivision 8;
126C.10, subdivisions 2, 3; 126C.17, subdivision 9; 127A.05, subdivision 6;
127A.45, subdivision 10; 134.31, subdivision 2; 136A.1791, subdivision 1; 214.04,
subdivision 1; 214.045; 256B.0625, subdivision 26; 256J.08, subdivisions 38, 39;
Laws 2015, First Special Session chapter 3, article 1, section 27, subdivisions 2,
as amended, 3, 4, as amended, 6, as amended, 7, as amended, 9, as amended; article
2, section 70, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as
amended, 7, as amended, 11, as amended; article 4, section 9, subdivision 2, as
amended; article 5, section 30, subdivisions 2, as amended, 3, as amended, 5, as
amended, 6; article 6, section 13, subdivisions 2, as amended, 3, as amended;
article 7, section 7, subdivisions 2, as amended, 3, as amended, 4, as amended;
article 9, section 8, subdivisions 5, as amended, 6, as amended; article 10, section
3, subdivision 2, as amended; article 11, section 3, subdivision 2, as amended;
Laws 2016, chapter 189, article 25, section 62, subdivisions 7, 17; article 30,
section 25, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 122A; 123B; 124D; repealing Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, 7; 122A.23, subdivisions 1, 2; 122A.245; 122A.25; 123A.73, subdivision 3; 124D.73, subdivision 2; 124E.10, subdivision 5; 125A.75, subdivision 7; 125A.76, subdivision 2b; 129C.10, subdivision 5a; 129C.30; Minnesota Rules, part 3500.3100, subpart 4.

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

ARTICLE 1

GENERAL EDUCATION

Section 1. Minnesota Statutes 2016, 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 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 plans must be developed according to section 120A.414.

Sec. 2. [120A.414] E-LEARNING DAYS.

Subdivision 1. Days. "E-learning day" means a school day where a school offers full access to online instruction provided by students' individual teachers due to inclement weather. A school district or charter school that chooses to have e-learning days may have up to five e-learning days in one school year. An e-learning day is counted as a day of instruction and included in the hours of instruction under section 120A.41. A school district with an e-learning day plan may choose not to have an e-learning day if the district has not reached the number of snow days that would bring the district below the number of instructional hours required under section 120A.41.

Subd. 2. Plan. The school board must consult the exclusive representative of the teachers for that school regarding the district's e-learning day plan. A charter school may adopt an
e-learning day plan after consulting with its teachers and when appropriate, must negotiate with the exclusive representative of the teachers. The plan must include accommodations for students 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 day plan must provide accessible options for students with disabilities, according to chapter 125A. The district or charter school must take into consideration the needs of students eligible for free or reduced-price lunch in developing the plan.

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

Subd. 4. Daily notice. On an e-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 day plan for that day.

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

EFFECTIVE DATE. This section is effective for the 2017-2018 school year and later.

Sec. 3. Minnesota Statutes 2016, section 121A.22, subdivision 2, is amended to read:

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

(1) purchased without a prescription;
(2) used by a pupil who is 18 years old or older;
(3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
(4) used in situations in which, in the judgment of the school personnel who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
(5) used off the school grounds;
(6) used in connection with athletics or extra curricular activities;
(7) used in connection with activities that occur before or after the regular school day;
(8) provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12;

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

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

Sec. 4. Minnesota Statutes 2016, section 121A.221, is amended to read:

121A.221 POSSESSION AND USE OF ASTHMA INHALERS BY ASTHMATIC STUDENTS.

(a) Consistent with section 121A.22, subdivision 2, clause (9), in a school district that employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers.

(b) Consistent with section 121A.22, subdivision 2, clause (9), in a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional that documents an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

Sec. 5. Minnesota Statutes 2016, section 123B.41, subdivision 2, is amended to read:

Subd. 2. Textbook. (a) "Textbook" means any book or book substitute, including electronic books as well as other printed materials delivered electronically, which a pupil uses as a text or text substitute in a particular class or program in the school regularly attended and a copy of which is expected to be available for the individual use of each pupil in this class or program. Textbook includes an online book with an annual subscription cost.
(b) For purposes of calculating the annual nonpublic pupil aid entitlement for textbooks, the term shall be limited to books, workbooks, or manuals, whether bound or in loose-leaf form, as well as electronic books and other printed materials delivered electronically, intended for use as a principal source of study material for a given class or a group of students.

(c) For purposes of sections 123B.40 to 123B.48, the terms "textbook" and "software or other educational technology" include only such secular, neutral, and nonideological materials as are available, used by, or of benefit to Minnesota public school pupils.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2018 and later.

Sec. 6. Minnesota Statutes 2016, section 123B.41, subdivision 5a, is amended to read:

Subd. 5a. **Software or other educational technology.** For purposes of sections 123B.42 and 123B.43, "software or other educational technology" includes software, programs, applications, hardware, and any other electronic educational technology. Software or other educational technology includes course registration fees for advanced placement courses delivered online.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2018 and later.

Sec. 7. Minnesota Statutes 2016, section 123B.52, subdivision 1, is amended to read:

Subdivision 1. **Contracts.** A contract for work or labor, or for the purchase of furniture, fixtures, or other property, except books registered under the copyright laws and information systems software, or for the construction or repair of school houses, the estimated cost or value of which shall exceed that specified in section 471.345, subdivision 3, must not be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. This notice must state the time and place of receiving bids and contain a brief description of the subject matter.

Additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract for which a call for bids has been issued must be awarded to the lowest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law. The person to whom the contract is awarded shall give a sufficient bond to the board for its faithful performance.

Notwithstanding section 574.26 or any other law to the contrary, on a contract limited to

Article 1 Sec. 7. 5
the purchase of a finished tangible product, a board may require, at its discretion, a
performance bond of a contractor in the amount the board considers necessary. A record
must be kept of all bids, with names of bidders and amount of bids, and with the successful
bid indicated thereon. A bid containing an alteration or erasure of any price contained in
the bid which is used in determining the lowest responsible bid must be rejected unless the
alteration or erasure is corrected as provided in this section. An alteration or erasure may
be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and
initialed in ink by the person signing the bid. In the case of identical low bids from two or
more bidders, the board may, at its discretion, utilize negotiated procurement methods with
the tied low bidders for that particular transaction, so long as the price paid does not exceed
the low tied bid price. In the case where only a single bid is received, the board may, at its
discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid
does not exceed the original bid. If no satisfactory bid is received, the board may readvertise.
Standard requirement price contracts established for supplies or services to be purchased
by the district must be established by competitive bids. Such standard requirement price
contracts may contain escalation clauses and may provide for a negotiated price increase
or decrease based upon a demonstrable industrywide or regional increase or decrease in the
vendor's costs. Either party to the contract may request that the other party demonstrate
such increase or decrease. The term of such contracts must not exceed two years with an
option on the part of the district to renew for an additional two years, except as provided in
subdivision 7. Contracts for the purchase of perishable food items, except milk for school
lunches and vocational training programs, in any amount may be made by direct negotiation
by obtaining two or more written quotations for the purchase or sale, when possible, without
advertising for bids or otherwise complying with the requirements of this section or section
471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least
one year after receipt.

Every contract made without compliance with the provisions of this section shall be
void. Except in the case of the destruction of buildings or injury thereto, where the public
interest would suffer by delay, contracts for repairs may be made without advertising for
bids.

**EFFECTIVE DATE.** This section is effective for contracts entered into on or after July
1, 2017.
Sec. 8. Minnesota Statutes 2016, section 123B.52, is amended by adding a subdivision to read:

Subd. 7. Food service contracts. A contract between a school board and a food service management company that complies with Code of Federal Regulations, title 7, section 210.16, may be renewed annually after its initial term for not more than four additional years.

EFFECTIVE DATE. This section is effective for contracts entered into on or after July 1, 2017.

Sec. 9. [123B.651] ENERGY USE REDUCTION AND REPORTING FOR PUBLIC SCHOOLS.

Beginning October 1, 2017, each public school or school district reporting on behalf of a public school must enter and maintain monthly utility consumption data into the Minnesota B3 Benchmarking program for all buildings under its custodial control.

Sec. 10. Minnesota Statutes 2016, section 123B.92, subdivision 1, is amended to read:

Subdivision 1. Definitions. For purposes of this section and section 125A.76, the terms defined in this subdivision have the meanings given to them.

(a) "Actual expenditure per pupil transported in the regular and excess transportation categories" means the quotient obtained by dividing:

(1) the sum of:

(i) all expenditures for transportation in the regular category, as defined in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

(ii) an amount equal to one year's depreciation on the district's school bus fleet and mobile units computed on a straight line basis at the rate of 15 percent per year for districts operating a program under section 124D.128 for grades 1 to 12 for all students in the district and 12-1/2 percent per year for other districts of the cost of the fleet, plus

(iii) an amount equal to one year's depreciation on the district's type III vehicles, as defined in section 169.011, subdivision 71, which must be used a majority of the time for pupil transportation purposes, computed on a straight line basis at the rate of 20 percent per year of the cost of the type three school buses by:
8.1 (2) the number of pupils eligible for transportation in the regular category, as defined in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2).

8.2 (b) "Transportation category" means a category of transportation service provided to pupils as follows:

8.3 (1) Regular transportation is:

8.4 (i) transportation to and from school during the regular school year for resident elementary pupils residing one mile or more from the public or nonpublic school they attend, and resident secondary pupils residing two miles or more from the public or nonpublic school they attend, excluding desegregation transportation and noon kindergarten transportation; but with respect to transportation of pupils to and from nonpublic schools, only to the extent permitted by sections 123B.84 to 123B.87;

8.5 (ii) transportation of resident pupils to and from language immersion programs;

8.6 (iii) transportation of a pupil who is a custodial parent and that pupil's child between the pupil's home and the child care provider and between the provider and the school, if the home and provider are within the attendance area of the school;

8.7 (iv) transportation to and from or board and lodging in another district, of resident pupils of a district without a secondary school; and

8.8 (v) transportation to and from school during the regular school year required under subdivision 3 for nonresident elementary pupils when the distance from the attendance area border to the public school is one mile or more, and for nonresident secondary pupils when the distance from the attendance area border to the public school is two miles or more, excluding desegregation transportation and noon kindergarten transportation.

For the purposes of this paragraph, a district may designate a licensed day care facility, school day care facility, respite care facility, the residence of a relative, or the residence of a person or other location chosen by the pupil's parent or guardian, or an after-school program for children operated by a political subdivision of the state, as the home of a pupil for part or all of the day, if requested by the pupil's parent or guardian, and if that facility, residence, or program is within the attendance area of the school the pupil attends.

8.9 (2) Excess transportation is:

8.10 (i) transportation to and from school during the regular school year for resident secondary pupils residing at least one mile but less than two miles from the public or nonpublic school they attend, and transportation to and from school for resident pupils residing less than one mile from the public or nonpublic school they attend, excluding desegregation transportation.
mile from school who are transported because of full-service school zones, extraordinary
traffic, drug, or crime hazards; and

(ii) transportation to and from school during the regular school year required under
subdivision 3 for nonresident secondary pupils when the distance from the attendance area
border to the school is at least one mile but less than two miles from the public school they
attend, and for nonresident pupils when the distance from the attendance area border to the
school is less than one mile from the school and who are transported because of full-service
school zones, extraordinary traffic, drug, or crime hazards.

(3) Desegregation transportation is transportation within and outside of the district during
the regular school year of pupils to and from schools located outside their normal attendance
areas under a plan for desegregation mandated by the commissioner or under court order.

(4) "Transportation services for pupils with disabilities" is:

(i) transportation of pupils with disabilities who cannot be transported on a regular school
bus between home or a respite care facility and school;

(ii) necessary transportation of pupils with disabilities from home or from school to
other buildings, including centers such as developmental achievement centers, hospitals,
and treatment centers where special instruction or services required by sections 125A.03 to
125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district
where services are provided;

(iii) necessary transportation for resident pupils with disabilities required by sections
125A.12, and 125A.26 to 125A.48;

(iv) board and lodging for pupils with disabilities in a district maintaining special classes;

(v) transportation from one educational facility to another within the district for resident
pupils enrolled on a shared-time basis in educational programs, and necessary transportation
required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils with disabilities
who are provided special instruction and services on a shared-time basis or if resident pupils
are not transported, the costs of necessary travel between public and private schools or
neutral instructional sites by essential personnel employed by the district's program for
children with a disability;

(vi) transportation for resident pupils with disabilities to and from board and lodging
facilities when the pupil is boarded and lodged for educational purposes;
(vii) transportation of pupils for a curricular field trip activity on a school bus equipped
with a power lift when the power lift is required by a student's disability or section 504 plan;
and

(viii) services described in clauses (i) to (vii), when provided for pupils with disabilities
in conjunction with a summer instructional program that relates to the pupil's individualized
education program or in conjunction with a learning year program established under section
124D.128.

For purposes of computing special education initial aid under section 125A.76, the cost
of providing transportation for children with disabilities includes (A) the additional cost of
transporting a student in a shelter care facility as defined in section 260C.007, subdivision
30, a homeless student from a temporary nonshelter home in another district to the school
of origin, or a formerly homeless student from a permanent home in another district to the
school of origin but only through the end of the academic year; and (B) depreciation on
district-owned school buses purchased after July 1, 2005, and used primarily for
transportation of pupils with disabilities, calculated according to paragraph (a), clauses (ii)
and (iii). Depreciation costs included in the disabled transportation category must be excluded
in calculating the actual expenditure per pupil transported in the regular and excess
transportation categories according to paragraph (a). For purposes of subitem (A), a school
district may transport a child who does not have a school of origin to the same school
attended by that child's sibling, if the siblings are homeless or in a shelter care facility.

(5) "Nonpublic nonregular transportation" is:

(i) transportation from one educational facility to another within the district for resident
pupils enrolled on a shared-time basis in educational programs, excluding transportation
for nonpublic pupils with disabilities under clause (4);

(ii) transportation within district boundaries between a nonpublic school and a public
school or a neutral site for nonpublic school pupils who are provided pupil support services
pursuant to section 123B.44; and

(iii) late transportation home from school or between schools within a district for
nonpublic school pupils involved in after-school activities.

(c) "Mobile unit" means a vehicle or trailer designed to provide facilities for educational
programs and services, including diagnostic testing, guidance and counseling services, and
health services. A mobile unit located off nonpublic school premises is a neutral site as
declared in section 123B.41, subdivision 13.

Article 1 Sec. 10.
EFFECTIVE DATE. This section is effective retroactively from December 10, 2016.

Sec. 11. Minnesota Statutes 2016, section 124D.151, subdivision 2, is amended to read:

Subd. 2. Program requirements. (a) A voluntary prekindergarten program provider must:

(1) provide instruction through play-based learning to foster children's social and emotional development, cognitive development, physical and motor development, and language and literacy skills, including the native language and literacy skills of English learners, to the extent practicable;

(2) measure each child's cognitive and social skills using a formative measure aligned to the state's early learning standards when the child enters and again before the child leaves the program, and screening and progress monitoring measures, and others must be multi-domain and an age-appropriate version from the state-approved menu of kindergarten entry profile measures;

(3) provide comprehensive program content including the implementation of curriculum, assessment, and instructional strategies aligned with the state early learning standards, and kindergarten through grade 3 academic standards;

(4) provide instructional content and activities that are of sufficient length and intensity to address learning needs including offering a program with at least 350 hours of instruction per school year for a prekindergarten student;

(5) provide voluntary prekindergarten instructional staff salaries comparable to the salaries of local kindergarten through grade 12 instructional staff;

(6) coordinate appropriate kindergarten transition with families, community-based prekindergarten programs, and school district kindergarten programs;

(7) involve parents in program planning and transition planning by implementing parent engagement strategies that include culturally and linguistically responsive activities in prekindergarten through third grade that are aligned with early childhood family education under section 124D.13;

(8) coordinate with relevant community-based services, including physical and mental health and social service agencies, to ensure children have access to comprehensive services;

(9) coordinate with all relevant school district programs and services including early childhood special education, homeless food and nutrition, students experiencing homelessness, and English learners;
(10) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children;

(11) provide high-quality coordinated professional development, training, and coaching for both school district and community-based early learning providers that is informed by a measure of adult-child interactions and enables teachers to be highly knowledgeable in early childhood curriculum content, assessment, native and English language development programs, and instruction; and

(12) implement strategies that support the alignment of professional development, instruction, assessments, and curriculum in prekindergarten through grade 3.

(b) A voluntary prekindergarten program must have teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction.

(c) Districts and charter schools must include their strategy for implementing and measuring the impact of their voluntary prekindergarten program under section 120B.11 and provide results in their world's best workforce annual summary to the commissioner of education.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 12. Minnesota Statutes 2016, 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 or are providing e-learning days due to inclement weather. 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. 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.

Sec. 13. Minnesota Statutes 2016, section 126C.10, subdivision 2, is amended to read:

Subd. 2. Basic revenue. The basic revenue for each district equals the formula allowance
times the adjusted pupil units for the school year. The formula allowance for fiscal year
2015 is $5,831. The formula allowance for fiscal year 2016 is $5,948. The formula allowance
for fiscal year 2017 and later is $6,067. The formula allowance for fiscal year 2018 is $6,158.
The formula allowance for fiscal year 2019 and later is $6,249.

EFFECTIVE DATE. This section is effective for revenue in fiscal year 2018 and later.

Sec. 14. Minnesota Statutes 2016, section 126C.10, subdivision 3, is amended to read:

Subd. 3. Compensatory education revenue. (a) For fiscal year 2014, the compensatory
education revenue for each building in the district equals the formula allowance minus $415
times the compensation revenue pupil units computed according to section 126C.05,
subdivision 3. For fiscal year 2015 and later, the compensatory education revenue for each
building in the district equals the formula allowance minus $839 times the compensation
revenue pupil units computed according to section 126C.05, subdivision 3. A district's
compensatory revenue equals the sum of its compensatory revenue for each building in the
district and the amounts designated under Laws 2015, First Special Session chapter 3, article
2, section 70, subdivision 8, for fiscal year 2017. Revenue shall be paid to the district and
must be allocated according to section 126C.15, subdivision 2.

(b) When the district contracting with an alternative program under section 124D.69
changes prior to the start of a school year, the compensatory revenue generated by pupils
attending the program shall be paid to the district contracting with the alternative program
for the current school year, and shall not be paid to the district contracting with the alternative
program for the prior school year.

(c) When the fiscal agent district for an area learning center changes prior to the start of
a school year, the compensatory revenue shall be paid to the fiscal agent district for the
current school year, and shall not be paid to the fiscal agent district for the prior school year.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2018 and later.
Sec. 15. Minnesota Statutes 2016, section 126C.17, subdivision 9, is amended to read:

Subd. 9. Referendum revenue. (a) The revenue authorized by section 126C.10,
subsection 1, may be increased in the amount approved by the voters of the district at a
referendum called for the purpose. The referendum may be called by the board. The
referendum must be conducted one or two calendar years before the increased levy authority,
if approved, first becomes payable. Only one election to approve an increase may be held
in a calendar year. Unless the referendum is conducted by mail under subdivision 11,
paragraph (a), the referendum must be held on the first Tuesday after the first Monday in
November. The ballot must state the maximum amount of the increased revenue per adjusted
pupil unit. The ballot may state a schedule, determined by the board, of increased revenue
per adjusted pupil unit that differs from year to year over the number of years for which the
increased revenue is authorized or may state that the amount shall increase annually by the
rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase
calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum
levy authority is expiring. In this case, the ballot may also compare the proposed levy
authority to the existing expiring levy authority, and express the proposed increase as the
amount, if any, over the expiring referendum levy authority. The ballot must designate the
specific number of years, not to exceed ten, for which the referendum authorization applies.
The ballot, including a ballot on the question to revoke or reduce the increased revenue
amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per
pupil." The notice required under section 275.60 may be modified to read, in cases of
renewing existing levies at the same amount per pupil as in the previous year:

"BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO
EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED
TO EXPIRE."

The ballot may contain a textual portion with the information required in this subdivision
and a question stating substantially the following:

"Shall the increase in the revenue proposed by (petition to) the board of ... School
District No. ..., be approved?"

If approved, an amount equal to the approved revenue per adjusted pupil unit times the
adjusted pupil units for the school year beginning in the year after the levy is certified shall
be authorized for certification for the number of years approved, if applicable, or until
revoked or reduced by the voters of the district at a subsequent referendum.
(b) The board must prepare and deliver by first class mail at least 15 days but no more than 30 days before the day of the referendum to each taxpayer a notice of the referendum and the proposed revenue increase. The board need not mail more than one notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose. The notice must project the anticipated amount of tax increase in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the school district.

The notice for a referendum may state that an existing referendum levy is expiring and project the anticipated amount of increase over the existing referendum levy in the first year, if any, in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the district.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes." However, in cases of renewing existing levies, the notice may include the following statement: "Passage of this referendum extends an existing operating referendum at the same amount per pupil as in the previous year."

(c) A referendum on the question of revoking or reducing the increased revenue amount authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke or reduce the revenue amount must state the amount per adjusted pupil unit by which the authority is to be reduced. Revenue authority approved by the voters of the district pursuant to paragraph (a) must be available to the school district at least once before it is subject to a referendum on its revocation or reduction for subsequent years. Only one revocation or reduction referendum may be held to revoke or reduce referendum revenue for any specific year and for years thereafter.

(d) The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this subdivision.

(e) At least 15 days before the day of the referendum, the district must submit a copy of the notice required under paragraph (b) to the commissioner and to the county auditor of each county in which the district is located. Within 15 days after the results of the referendum have been certified by the board, or in the case of a recount, the certification of the results...
of the recount by the canvassing board, the district must notify the commissioner of the results of the referendum.

**EFFECTIVE DATE.** This section is effective August 1, 2017.

Sec. 16. Minnesota Statutes 2016, section 127A.45, subdivision 10, is amended to read:

Subd. 10. **Payments to school nonoperating funds.** Each fiscal year state general fund payments for a district nonoperating fund must be made at the current year aid payment percentage of the estimated entitlement during the fiscal year of the entitlement. This amount shall be paid in 12 equal monthly installments from July through December. The amount of the actual entitlement, after adjustment for actual data, minus the payments made during the fiscal year of the entitlement must be paid prior to October 31 of the following school year. The commissioner may make advance payments of debt service equalization aid and state-paid tax credits for a district's debt service fund earlier than would occur under the preceding schedule if the district submits evidence showing a serious cash flow problem in the fund. The commissioner may make earlier payments during the year and, if necessary, increase the percent of the entitlement paid to reduce the cash flow problem.

**Sec. 17. NEVIS SCHOOL DISTRICT; LEVY ADJUSTMENT.**

Notwithstanding Minnesota Statutes, section 126C.48, Independent School District No. 308, Nevis, at the discretion of its school board, may spread any levy adjustment remaining from the conversion of its operating referendum revenue over three or fewer years beginning with school property taxes for taxes payable in 2018.

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

**Sec. 18. DIRECTION TO COMMISSIONER; TRANSPORTATION REPORT.**

By February 15, 2018, the commissioner of education must prepare a report for the legislative committees with jurisdiction over kindergarten through grade 12 education finance on pupil transportation costs. The commissioner must consult with pupil transportation professionals throughout the state in developing and preparing the report.

The report must:

1. identify and analyze funding inequities between districts;
2. make recommendations for statutory changes necessary to provide equitable and adequate transportation funding;
(3) consider changes in student demographics, attendance patterns, online learning, open
enrollment, and declining enrollment;

(4) consider district topography, including the presence of lakes and rivers within the
district;

(5) consider differential labor and fuel costs; and

(6) examine whether public transportation options can be used more effectively to provide
transportation services.

Sec. 19. 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:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$6,993,862,000</td>
<td>2019</td>
<td>$7,153,189,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $661,180,000 for 2017 and $6,332,682,000 for 2018.
The 2019 appropriation includes $674,770,000 for 2018 and $6,478,419,000 for 2019.

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>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$29,000</td>
</tr>
<tr>
<td>2019</td>
<td>$31,000</td>
</tr>
</tbody>
</table>

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>2018</td>
<td>$2,374,000</td>
</tr>
<tr>
<td>2019</td>
<td>$2,163,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $262,000 for 2017 and $2,112,000 for 2018.
The 2019 appropriation includes $234,000 for 2018 and $1,929,000 for 2019.

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$185,000</td>
</tr>
<tr>
<td>2019</td>
<td>$382,000</td>
</tr>
</tbody>
</table>
The 2018 appropriation includes $0 for 2017 and $185,000 for 2018.

The 2019 appropriation includes $20,000 for 2018 and $362,000 for 2019.

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>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$18,182,000</td>
<td>2018</td>
<td>$18,182,000</td>
</tr>
<tr>
<td>2019</td>
<td>$19,164,000</td>
<td>2019</td>
<td>$19,164,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $1,687,000 for 2017 and $16,495,000 for 2018.

The 2019 appropriation includes $1,832,000 for 2018 and $17,332,000 for 2019.

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>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$18,292,000</td>
<td>2018</td>
<td>$18,292,000</td>
</tr>
<tr>
<td>2019</td>
<td>$18,366,000</td>
<td>2019</td>
<td>$18,366,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $1,835,000 for 2017 and $16,457,000 for 2018.

The 2019 appropriation includes $1,828,000 for 2018 and $16,538,000 for 2019.

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$65,000</td>
<td>2018</td>
<td>$65,000</td>
</tr>
</tbody>
</table>

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>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$4,561,000</td>
<td>2018</td>
<td>$4,561,000</td>
</tr>
<tr>
<td>2019</td>
<td>$4,125,000</td>
<td>2019</td>
<td>$4,125,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $476,000 for 2017 and $4,085,000 for 2018.

The 2019 appropriation includes $453,000 for 2018 and $3,672,000 for 2019.

Sec. 20. **REPEALER.**

Minnesota Statutes 2016, section 124D.73, subdivision 2, is repealed.

ARTICLE 2

EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2016, section 120B.021, subdivision 1, is amended to read:
Subdivision 1. Required academic standards. (a) The following subject areas are required for statewide accountability:

1. language arts;
2. mathematics;
3. science;
4. social studies, including history, geography, economics, and government and citizenship that includes civics consistent with section 120B.02, subdivision 3;
5. physical education;
6. health, for which locally developed academic standards apply; and
7. the arts, for which statewide or locally developed academic standards apply, as determined by the school district. Public elementary and middle schools must offer at least three and require at least two of the following four arts areas: dance; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

(b) For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education program team has determined that the required academic standards are inappropriate. An individualized education program team that makes this determination must establish alternative standards.

(c) Beginning in the 2016-2017 school year, the department must adopt the most recent National Association of Sport and Physical Education SHAPE America (Society of Health and Physical Educators) kindergarten through grade 12 standards and benchmarks for physical education as the required physical education academic standards. The department may modify and adapt the national standards to accommodate state interest. The modification and adaptations must maintain the purpose and integrity of the national standards. The department must make available sample assessments, which school districts may use as an alternative to local assessments, to assess students' mastery of the physical education standards beginning in the 2018-2019 school year that the standards must be implemented by all schools.

(d) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20.
EFFECTIVE DATE. This section is effective the day following final enactment and is retroactive to July 1, 2016.

Sec. 2. Minnesota Statutes 2016, section 120B.021, subdivision 3, is amended to read:

Subd. 3. Rulemaking. The commissioner, consistent with the requirements of this section and section 120B.022, must adopt statewide rules under section 14.389 for implementing statewide rigorous core academic standards in language arts, mathematics, science, social studies, physical education, and the arts. After the rules authorized under this subdivision are initially adopted, the commissioner may not amend or repeal these rules nor adopt new rules on the same topic without specific legislative authorization. The academic standards for language arts, mathematics, and the arts must be implemented for all students beginning in the 2003-2004 school year. The academic standards for science and social studies must be implemented for all students beginning in the 2005-2006 school year.

Sec. 3. Minnesota Statutes 2016, section 120B.022, subdivision 1b, is amended to read:

Subd. 1b. State bilingual and multilingual seals. (a) Consistent with efforts to strive for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph (i), and close the academic achievement and opportunity gap under sections 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established to recognize high school students in any Minnesota public, charter, or nonpublic school who demonstrate an advanced-low level or an intermediate high level of functional proficiency in listening, speaking, reading, and writing on either assessments aligned with American Council on the Teaching of Foreign Languages' (ACTFL) proficiency guidelines or on equivalent valid and reliable assessments in one or more languages in addition to English. American Sign Language is a language other than English for purposes of this subdivision and a world language for purposes of subdivision 1a.

(b) In addition to paragraph (a), to be eligible to receive a seal:

(1) students must satisfactorily complete all required English language arts credits; and

(2) students must demonstrate mastery of Minnesota's English language proficiency standards.

(c) Consistent with this subdivision, a high school student who demonstrates an intermediate high ACTFL level of functional proficiency in one language in addition to English is eligible to receive the state bilingual gold seal. A high school student who demonstrates an intermediate high ACTFL level of functional native proficiency in more
than one language in addition to English is eligible to receive the state multilingual gold seal. A high school student who demonstrates an advanced-low ACTFL level of functional proficiency in one language in addition to English is eligible to receive the state bilingual platinum seal. A high school student who demonstrates an advanced-low ACTFL level of functional proficiency in more than one language in addition to English is eligible to receive the state multilingual platinum seal.

(d) School districts and charter schools may give students periodic opportunities to demonstrate their level of proficiency in listening, speaking, reading, and writing in a language in addition to English. Where valid and reliable assessments are unavailable, a school district or charter school may rely on evaluators trained in assessing under ACTFL proficiency guidelines to assess a student's level of foreign, heritage, or indigenous language proficiency under this section. School districts and charter schools must maintain appropriate records to identify high school students eligible to receive the state bilingual or multilingual gold and platinum seals. The school district or charter school must affix the appropriate seal to the transcript of each high school student who meets the requirements of this subdivision and may affix the seal to the student's diploma. A school district or charter school must not charge the high school student a fee for this seal.

(e) A school district or charter school may award elective course credits in world languages to a student who demonstrates the requisite proficiency in a language other than English under this section.

(f) A school district or charter school may award community service credit to a student who demonstrates an intermediate high or advanced-low ACTFL level of functional proficiency in listening, speaking, reading, and writing in a language other than English and who participates in community service activities that are integrated into the curriculum, involve the participation of teachers, and support biliteracy in the school or local community.

(g) The commissioner must list on the Web page those assessments that are aligned to ACTFL proficiency guidelines.

(h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges and Universities system must establish criteria to translate the seals into college credits based on the world language course equivalencies identified by the Minnesota State Colleges and Universities faculty and staff and, upon request from an enrolled student, the Minnesota State Colleges and Universities may award foreign language credits to a student who receives a Minnesota World Language Proficiency Certificate under subdivision 1a. A student who demonstrated the requisite level of language proficiency in grade 10, 11, or 12 to receive a
seal or certificate and is enrolled in a Minnesota State Colleges and Universities institution
must request college credits for the student's seal or proficiency certificate within three
academic years after graduating from high school. The University of Minnesota is encouraged
to award students foreign language academic credits consistent with this paragraph.

Sec. 4. Minnesota Statutes 2016, section 120B.12, is amended to read:

120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE
3.

Subdivision 1. Literacy goal. The legislature seeks to have every child reading at or
above grade level no later than the end of grade 3, including English learners, students
receiving literacy interventions under section 125A.56, and students in an approved program
under section 125A.50, and that teachers provide comprehensive, scientifically based reading
instruction consistent with section 122A.06, subdivision 4.

Subd. 1a. Definitions. (a) For the purposes of this section, the terms defined in this
subdivision have the meanings given them.

(b) "Core reading instruction" means the curriculum, assessments, materials, and
instructional practices with which all students are actively engaged to achieve and exceed
proficiency standards.

(c) "Diagnostic" means assessments intended to identify students' specific areas of need
related to literacy to inform instructional decisions.

(d) "Evidence-based" means demonstrating a statistically significant effect on improving
student outcomes or other relevant outcomes based on strong evidence from one or more
quality experimental studies, moderate evidence from one or more quasi-experimental
studies, or promising evidence from one or more correlational studies with statistical controls
for selection bias.

(e) "Fidelity" means the extent to which a practice, program, or strategy is implemented
as designed.

(f) "Multisensory instruction" means instruction that incorporates opportunities to practice
that include seeing, hearing, saying, and physically doing.

(g) "Multitiered system of supports" means a framework to improve outcomes for all
students that organizes district-level resources to address each individual student's needs,
such as academic or behavior needs or both, that includes: screening of all students using
valid and reliable measures; tiers of instruction that vary in intensity; collaborative teams
that review data, problem solve, and organize instruction; frequent progress monitoring using valid and reliable measures to determine the impact of evidence-based interventions; and a system to ensure that instruction including interventions are evidence-based and implemented with fidelity. For the purposes of this section, the multitiered system applies to the development of literacy to increase the number of students meeting proficiency standards.

(h) "Progress monitoring" means frequent assessment to examine a student's rate of progress on specific skills in order to guide decisions regarding the effectiveness of intervention programs, as well as assisting in making additional instructional decisions for a student.

(i) "Screening" means systematically assessing all students on literacy indicators for the purpose of identifying students who may require additional support and who are at risk of poor learning outcomes. Screening assessments are typically brief, conducted with all students at a grade level, and followed by additional testing or short-term progress monitoring to corroborate students' risk status.

(j) "Supplemental and intensive instruction" means instruction that increases the intensity and practice of an activity, which is accomplished primarily by increasing the instructional time, reducing the size of the group, and focusing the instruction.

(k) "Systematic and explicit instruction" means instruction that logically builds from the smallest to more complex concepts such that there is no confusion or doubt and includes specific design and delivery procedures.

Subd. 2. Identification; report. (a) Each school district shall identify before the end of kindergarten, grade 1, and grade 2 students who are not reading at grade level before the end of the current school year. The district must use locally adopted, developmentally appropriate, and culturally responsive screening and diagnostic assessments in English, and in the predominant languages of district students, where practicable, to identify and evaluate students' areas of academic need related to literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must annually report each of the following to the commissioner by July 1:

(1) a summary of assessment results to the commissioner by July 1; and
The district also must annually report a summary of the district's efforts to screen and identify students with dyslexia consistent with section 125A.01 or convergence insufficiency disorder to the commissioner by July 1.

(b) A student identified under this subdivision, including English learners, students with identified reading disorders, and students with disabilities, must be provided with alternate instruction under section 125A.56, subdivision 1, additional evidence-based literacy practices such as through a system of multitiered supports or specially designed instructional services as identified in an individualized education program.

Subd. 2a. Parent notification and involvement. Schools, at least annually, must give the parent of each student who is not reading at or above grade level timely information about:

(1) the student's reading proficiency as measured by a locally adopted assessment;
(2) reading-related services currently being provided to the student and the student's progress; and
(3) strategies for parents to use at home in helping their student succeed in becoming grade-level proficient in reading in English and in their native language.

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

Subd. 3. Intervention. (a) For each student identified under subdivision 2, the district shall provide reading intervention, such as through a multitiered system of supports, to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year consistent with sections 125A.50 and 125A.56, subdivision 2. Reading instruction and interventions must be appropriate to the specific needs of English learners.

(b) District intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs.

(c) Intervention methods delivery options may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, specially designed instruction for students who qualify for special education services, extended-day programs, or programs that strengthen students' cultural connections.

(d) Intervention methods matched to the needs, stage of development, and culture of the students engaging with the instruction must include, but are not limited to:
(1) evidence-based practices delivered with fidelity;

(2) systematic, explicit, multisensory instruction with sufficient practice;

(3) provision of timely error correction and positive feedback to students;

(4) use of progress monitoring data for decision making; and

(5) supplemental and intensive instruction.

(e) A student, other than a student under an individualized education program (IEP), who is unable to demonstrate grade-level proficiency as measured by the statewide reading assessment in grade 3 shall receive a personal learning plan in a format determined by the school or school district in consultation with classroom teachers, and developed and updated as needed in consultation, to the extent practicable, with the student and the student's parents by the classroom teachers and other qualified school professionals involved with the student's elementary school progress. A personal learning plan shall address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, periodic assessments and timelines, and may include grade retention, if necessary, to meet the student's best interests. Intervention must continue after grade 3 until the student is reading at grade level.

Subd. 4. Staff development. Each district shall use the data under subdivision 2 to identify the staff development needs so that:

(1) elementary teachers are able to implement comprehensive, scientifically based reading and oral language instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension as defined in section 122A.06, subdivision 4, and other literacy-related areas including writing until the student achieves grade-level reading proficiency;

(2) elementary teachers have sufficient training to provide comprehensive, scientifically based reading and oral language instruction that meets students' developmental, linguistic, and literacy needs using the intervention methods or programs selected by the district for the identified students;

(3) licensed teachers employed by the district have regular opportunities to improve reading and writing instruction;

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

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

Subd. 4a. Local literacy plan. (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners. The plan must be consistent with section 122A.06, subdivision 4, and include the following:

(1) a process to assess students' level of reading proficiency and data to support the effectiveness of an assessment used to screen and identify a student's level of reading proficiency;

(2) a process to notify and involve parents;

(3) a description of how schools in the district will determine the proper reading intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

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

(5) identification of staff development needs, including a program to meet those needs.

(b) The district must post its literacy plan on the official school district Web site.

Subd. 5. Commissioner. The commissioner shall recommend to districts multiple assessment tools to assist districts and teachers with identifying students under subdivision 2. The commissioner shall also make available examples of nationally recognized and research-based instructional methods or programs to districts to provide comprehensive, scientifically based reading instruction and intervention under this section.

EFFECTIVE DATE. This section is effective for fiscal year 2018 and later.

Sec. 5. [120B.122] DYSLEXIA SPECIALIST.

Subdivision 1. Purpose. The department must employ a dyslexia specialist to provide technical assistance for dyslexia and related disorders and to serve as the primary source of information and support for schools in addressing the needs of students with dyslexia and related disorders. The dyslexia specialist shall also act to increase professional awareness and instructional competencies to meet the educational needs of students with dyslexia or
identified with risk characteristics associated with dyslexia and shall develop implementation
guidance and make recommendations to the commissioner consistent with section 122A.06,
subdivision 4, to be used to assist general education teachers and special education teachers
to recognize educational needs and to improve literacy outcomes for students with dyslexia
or identified with risk characteristics associated with dyslexia, including recommendations
related to increasing the availability of online and asynchronous professional development
programs and materials.

Subd. 2. **Definition.** For purposes of this section, a "dyslexia specialist" means a dyslexia
therapist, licensed psychologist, licensed speech-language pathologist, or certified dyslexia
training specialist who has a minimum of three years of field experience in screening,
identifying, and treating dyslexia and related disorders.

Subd. 3. **Requirements.** A dyslexia specialist shall be highly trained in dyslexia and
related disorders and in using interventions and treatments that are evidence-based,
multisensory, direct, explicit, structured, and sequential in the areas of phonics, phonemic
awareness, vocabulary, fluency, and comprehension.

Sec. 6. Minnesota Statutes 2016, section 120B.125, is amended to read:

120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO
POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING
PLANS.

(a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.30,
subdivision 1, paragraph (c), 125A.08, and other related sections, school districts, beginning
in the 2013-2014 school year, must assist all students by no later than grade 9 to explore
their educational, college, and career interests, aptitudes, and aspirations and develop a plan
for a smooth and successful transition to postsecondary education or employment. All
students' plans must:

1. provide a comprehensive plan to prepare for and complete a career and college ready
curriculum by meeting state and local academic standards and developing career and
employment-related skills such as team work, collaboration, creativity, communication,
critical thinking, and good work habits;

2. emphasize academic rigor and high expectations and inform the student and the
student's parent or guardian, if the student is a minor, of the student's achievement level
score on the Minnesota Comprehensive Assessments that are administered during high
school;
(3) help students identify interests, aptitudes, aspirations, and personal learning styles that may affect their career and college ready goals and postsecondary education and employment choices;

(4) set appropriate career and college ready goals with timelines that identify effective means for achieving those goals;

(5) help students access education and career options;

(6) integrate strong academic content into career-focused courses and applied and experiential learning opportunities and integrate relevant career-focused courses and applied and experiential learning opportunities into strong academic content;

(7) help identify and access appropriate counseling and other supports and assistance that enable students to complete required coursework, prepare for postsecondary education and careers, and obtain information about postsecondary education costs and eligibility for financial aid and scholarship;

(8) help identify collaborative partnerships among prekindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and local and regional employers that support students’ transition to postsecondary education and employment and provide students with applied and experiential learning opportunities; and

(9) be reviewed and revised at least annually by the student, the student's parent or guardian, and the school or district to ensure that the student's course-taking schedule keeps the student making adequate progress to meet state and local academic standards and high school graduation requirements and with a reasonable chance to succeed with employment or postsecondary education without the need to first complete remedial course work.

(b) A school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obliges an elementary or secondary student to involuntarily select or pursue a career, career interest, employment goals, or related job training.

(c) Educators must possess the knowledge and skills to effectively teach all English learners in their classrooms. School districts must provide appropriate curriculum, targeted materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college ready.

(d) When assisting students in developing a plan for a smooth and successful transition to postsecondary education and employment, districts must recognize the unique possibilities
of each student and ensure that the contents of each student's plan reflect the student's unique
talents, skills, and abilities as the student grows, develops, and learns.

(e) If a student with a disability has an individualized education program (IEP) or
standardized written plan that meets the plan components of this section, the IEP satisfies
the requirement and no additional transition plan is needed.

(f) Students who do not meet or exceed Minnesota academic standards, as measured by
the Minnesota Comprehensive Assessments that are administered during high school, shall
be informed that admission to a public school is free and available to any resident under 21
years of age or who meets the requirements of section 120A.20, subdivision 1, paragraph
(c). A student's plan under this section shall continue while the student is enrolled.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 7. Minnesota Statutes 2016, section 120B.132, is amended to read:

120B.132 RAISED ACADEMIC ACHIEVEMENT; ADVANCED PLACEMENT
AND INTERNATIONAL BACCALAUREATE PROGRAMS.

Subdivision 1. Establishment; eligibility. 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:

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

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

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

(v) 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.

Subd. 2. Application and review process; funding priority. (a) Charter schools and
school districts in which eligible schools under subdivision 1 are located may apply to the
commissioner, in the form and manner the commissioner determines, for competitive funding
to further raise students' academic achievement. The application must detail the specific
efforts the applicant intends to undertake in further raising students' academic achievement,
consistent with subdivision 1, and a proposed budget detailing the district or charter school's
current and proposed expenditures for advanced placement, preadvanced placement, and
international baccalaureate courses and programs. The proposed budget must demonstrate
that the applicant's efforts will support implementation of advanced placement, preadvanced
placement, and international baccalaureate courses and programs. Expenditures for
administration must not exceed five percent of the proposed budget. The commissioner may
require an applicant to provide additional information.

(b) When reviewing applications, the commissioner must determine whether the applicant
satisfied all the requirements in this subdivision and subdivision 1. The commissioner may
give funding priority to an otherwise qualified applicant that demonstrates:

(1) a focus on developing or expanding preadvanced placement, advanced placement,
or international baccalaureate courses or programs or increasing students' participation in,
access to, or success with the courses or programs, including the participation, access, or
success of low-income and other disadvantaged students;

(2) a compelling need for access to preadvanced placement, advanced placement, or
international baccalaureate courses or programs;

(3) an effective ability to actively involve local business and community organizations
in student activities that are integral to preadvanced placement, advanced placement, or
international baccalaureate courses or programs;
(4) access to additional public or nonpublic funds or in-kind contributions that are
available for preadvanced placement, advanced placement, or international baccalaureate
courses or programs; or
(5) an intent to implement activities that target low-income and other disadvantaged
students; or
(6) an intent to increase the advanced placement and international baccalaureate course
offerings in science, technology, engineering, and math to low-income and other
disadvantaged students.

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; or

(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

(3) $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 activity directly related to expanding low-income or disadvantaged students' access to, participation in, and success with preadvanced placement, advanced placement, or international baccalaureate courses or programs, including Other activities may include but are not limited to preparing and disseminating promotional materials to low-income and other disadvantaged students and their families.

Subd. 4. Grants; annual reports. (a) Each school district and charter school that receives a grant under this section annually must collect demographic and other student data to demonstrate and measure the extent to which the district or charter school raised students' academic achievement under this program and must report the data to the commissioner in the form and manner the commissioner determines. The commissioner annually by February 15 must make summary data about this program available to the education policy and finance committees of the legislature.

(b) Each school district and charter school that receives a grant under this section annually must report to the commissioner, consistent with the Uniform Financial Accounting and Reporting Standards, its actual expenditures for advanced placement, preadvanced placement, and international baccalaureate courses and programs. The report must demonstrate that the school district or charter school has maintained its effort from other sources for advanced placement, preadvanced placement, and international baccalaureate courses and programs compared with the previous fiscal year, and the district or charter school has expended all grant funds, consistent with its approved budget.

(c) Notwithstanding any law to the contrary, a grant under this section is available for three years from the date of the grant if the district or charter school meets the annual benchmarks in its plan under subdivision 1.
Sec. 8. Minnesota Statutes 2016, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, consistent with subdivision 1a, shall include in the comprehensive assessment system, for each grade level to be tested, state-constructed tests developed as computer-adaptive reading and mathematics assessments for students that are aligned with the state's required academic standards under section 120B.021, include multiple choice questions, and are administered annually to all students in grades 3 through 8. State-developed high school tests aligned with the state's required academic standards under section 120B.021 and administered to all high school students in a subject other than writing must include multiple choice questions. The commissioner shall establish one or more months during which schools shall administer the tests to students each school year.

(1) Students enrolled in grade 8 through the 2009-2010 school year are eligible to be assessed under (i) the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraphs (c), clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii) the Compass college placement test, (iv) the ACT assessment for college admission, (v) a nationally recognized armed services vocational aptitude test.

(2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are eligible to be assessed under (i) the graduation-required assessment for diploma in reading, mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the Compass college placement test, (iv) the ACT assessment for college admission, (v) a nationally recognized armed services vocational aptitude test.

(3) For students under clause (1) or (2), a school district may substitute a score from an alternative, equivalent assessment to satisfy the requirements of this paragraph.

(b) The state assessment system must be aligned to the most recent revision of academic standards as described in section 120B.023 in the following manner:

(1) mathematics;

(ii) high school level beginning in the 2013-2014 school year;

(2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012 school year; and
(3) language arts and reading; grades 3 through 8 and high school level beginning in the 2012-2013 school year.

(c) For students enrolled in grade 8 in the 2012-2013 school year and later, students' state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

1. an opportunity to participate on a nationally normed college entrance exam, in grade 11 or grade 12;

2. achievement and career and college readiness in mathematics, reading, and writing, consistent with paragraph (k) and to the extent available, to monitor students' continuous development of and growth in requisite knowledge and skills; analyze students' progress and performance levels, identifying students' academic strengths and diagnosing areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and, based on analysis of students' progress and performance data, determine students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student; and

3. consistent with this paragraph and section 120B.125, age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.

Based on appropriate state guidelines, students with an individualized education program may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.

(d) Expectations of schools, districts, and the state for career or college readiness under this subdivision must be comparable in rigor, clarity of purpose, and rates of student completion.

A student under paragraph (c), clause (2)(1), must receive targeted, relevant, academically rigorous, and resourced instruction, which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49, and related sections, an enrolling school or district must actively encourage a student in grade 11 or 12 who is identified as academically ready for a career or college to participate.
in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment under this subdivision to graduate from high school.

(e) Though not a high school graduation requirement, students are encouraged to participate in a nationally recognized college entrance exam. To the extent state funding for college entrance exam fees is available, a district must pay the cost reimburse a student in grade 11 or 12 who is eligible for a free or reduced-price meal, one time, for an interested student in grade 11 or 12 to take for the registration fees associated with a nationally recognized college entrance exam before graduating. A student must be able to take the exam under this paragraph at the student's high school during the school day and at any one of the multiple exam administrations available to students in the district. In order to comply with this subdivision, a district may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph at the student's high school or arrange for the student to take the exam at another location. If the district administers only one of these two tests and a student opts not to take that test and chooses instead to take the other of the two tests, the A free or reduced-price meal eligible student may take the other test exam at a different time or location and remains eligible for the examination fee reimbursement.

(f) The commissioner and the chancellor of the Minnesota State Colleges and Universities must collaborate in aligning instruction and assessments for adult basic education students and English learners to provide the students with diagnostic information about any targeted interventions, accommodations, modifications, and supports they need so that assessments and other performance measures are accessible to them and they may seek postsecondary education or employment without need for postsecondary remediation. When administering formative or summative assessments used to measure the academic progress, including the oral academic development, of English learners and inform their instruction, schools must ensure that the assessments are accessible to the students and students have the modifications and supports they need to sufficiently understand the assessments.

(g) Districts and schools, on an annual basis, must use career exploration elements to help students, beginning no later than grade 9, and their families explore and plan for postsecondary education or careers based on the students' interests, aptitudes, and aspirations. Districts and schools must use timely regional labor market information and partnerships, among other resources, to help students and their families successfully develop, pursue, review, and revise an individualized plan for postsecondary education or a career. This process must help increase students' engagement in and connection to school, improve students' knowledge and skills, and deepen students' understanding of career pathways as
a sequence of academic and career courses that lead to an industry-recognized credential, an associate's degree, or a bachelor's degree and are available to all students, whatever their interests and career goals.

(h) A student who demonstrates attainment of required state academic standards, which include career and college readiness benchmarks, on high school assessments under subdivision 1a is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school students. Such courses and programs may include sequential courses of study within broad career areas and technical skill assessments that extend beyond course grades.

(i) As appropriate, students through grade 12 must continue to participate in targeted instruction, intervention, or remediation and be encouraged to participate in courses awarding college credit to high school students.

(j) In developing, supporting, and improving students' academic readiness for a career or college, schools, districts, and the state must have a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without need for postsecondary remediation. The commissioner, in consultation with local school officials and educators, and Minnesota's public postsecondary institutions must ensure that the foundational knowledge and skills for students' successful performance in postsecondary employment or education and an articulated series of possible targeted interventions are clearly identified and satisfy Minnesota's postsecondary admissions requirements.

(k) For students in grade 8 in the 2012-2013 school year and later, a school, district, or charter school must record on the high school transcript a student's progress toward career and college readiness, and for other students as soon as practicable.

(l) The school board granting students their diplomas may formally decide to include a notation of high achievement on the high school diplomas of those graduating seniors who, according to established school board criteria, demonstrate exemplary academic achievement during high school.

(m) The 3rd through 8th grade computer-adaptive assessment results and high school test results shall be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must establish empirically derived benchmarks on adaptive assessments in grades 3 through 8. The commissioner, in consultation with the chancellor of the Minnesota
State Colleges and Universities, must establish empirically derived benchmarks on the high school tests that reveal a trajectory toward career and college readiness consistent with section 136F.302, subdivision 1a. The commissioner must disseminate to the public the computer-adaptive assessments and high school test results upon receiving those results.

(n) The grades 3 through 8 computer-adaptive assessments and high school tests must be aligned with state academic standards. The commissioner shall determine the testing process and the order of administration. The statewide results shall be aggregated at the site and district level, consistent with subdivision 1a.

(o) The commissioner shall include the following components in the statewide public reporting system:

(1) uniform statewide computer-adaptive assessments of all students in grades 3 through 8 and testing at the high school levels that provides appropriate, technically sound accommodations or alternate assessments;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including average daily attendance, high school graduation rates, and high school drop-out rates by age and grade level;

(3) state results on the American College Test; and

(4) state results from participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement.

(p) For purposes of statewide accountability, "career and college ready" means a high school graduate has the knowledge, skills, and competencies to successfully pursue a career pathway, including postsecondary credit leading to a degree, diploma, certificate, or industry-recognized credential and employment. Students who are career and college ready are able to successfully complete credit-bearing coursework at a two- or four-year college or university or other credit-bearing postsecondary program without need for remediation.

(q) For purposes of statewide accountability, "cultural competence," "cultural competency," or "culturally competent" means the ability and will to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.
Sec. 9. Minnesota Statutes 2016, section 120B.30, subdivision 1a, is amended to read:

Subd. 1a. Statewide and local assessments; results. (a) For purposes of this section, the following definitions have the meanings given them.

(1) "Computer-adaptive assessments" means fully adaptive assessments.

(2) "Fully adaptive assessments" include "Adaptive assessments" means test items that are on-grade level and items that may be above or below a student's grade level.

(3) "On-grade level" test items contain subject area content that is aligned to state academic standards for the grade level of the student taking the assessment.

(4) "Above-grade level" test items contain subject area content that is above the grade level of the student taking the assessment and is considered aligned with state academic standards to the extent it is aligned with content represented in state academic standards above the grade level of the student taking the assessment. Notwithstanding the student's grade level, administering above-grade level test items to a student does not violate the requirement that state assessments must be aligned with state standards.

(5) "Below-grade level" test items contain subject area content that is below the grade level of the student taking the test and is considered aligned with state academic standards to the extent it is aligned with content represented in state academic standards below the student's current grade level. Notwithstanding the student's grade level, administering below-grade level test items to a student does not violate the requirement that state assessments must be aligned with state standards.

(b) The commissioner must use fully adaptive mathematics and reading assessments for grades 3 through 8.

(c) For purposes of conforming with existing federal educational accountability requirements, the commissioner must develop and implement computer-adaptive reading and mathematics assessments for grades 3 through 8, state-developed high school reading and mathematics tests aligned with state academic standards, a high school writing test aligned with state standards when it becomes available, and science assessments under clause (2) that districts and sites must use to monitor student growth toward achieving those standards. The commissioner must not develop statewide assessments for academic standards in social studies, health and physical education, and the arts. The commissioner must require:

(1) annual computer-adaptive reading and mathematics assessments in grades 3 through 8, and high school reading, writing, and mathematics tests; and
(2) annual science assessments in one grade in the grades 3 through 5 span, the grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the commissioner must not require students to achieve a passing score on high school science assessments as a condition of receiving a high school diploma.

(d) The commissioner must ensure that for annual computer-adaptive assessments:

(1) individual student performance data and achievement reports are available within three school days of when students take an assessment except in a year when an assessment reflects new performance standards;

(2) growth information is available for each student from the student's first assessment to each proximate assessment using a constant measurement scale;

(3) parents, teachers, and school administrators are able to use elementary and middle school student performance data to project students' secondary and postsecondary achievement; and

(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.

(e) The commissioner must ensure that all state tests administered to elementary and secondary students measure students' academic knowledge and skills and not students' values, attitudes, and beliefs.

(f) Reporting of state assessment results must:

(1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;

(2) include a growth indicator of student achievement; and

(3) determine whether students have met the state's academic standards.

(g) Consistent with applicable federal law, the commissioner must include appropriate, technically sound accommodations or alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for English learners.

(h) A school, school district, and charter school must administer statewide assessments under this section, as the assessments become available, to evaluate student progress toward career and college readiness in the context of the state's academic standards. A school,
school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.

Sec. 10. Minnesota Statutes 2016, section 120B.31, is amended by adding a subdivision to read:

Subd. 3a. Rollout sites; report. The commissioner of education shall designate up to six school districts or charter schools as rollout sites.

(a) The rollout sites should represent urban school districts, suburban school districts, nonurban school districts, and charter schools. The commissioner shall designate rollout sites and notify the schools by August 1, 2017, and the designated school districts or charter schools shall have the right to opt-out or opt-in as rollout sites by September 1, 2017.

(b) The commissioner must consult stakeholders and review the American Community Survey to develop recommendations for best practices for disaggregated data. Stakeholders consulted under this paragraph include at least:

(1) the rollout sites;

(2) parent groups; and

(3) community representatives.

(c) The commissioner shall report to the legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by February 1, 2018. The commissioner may research best practices from other states that have disaggregated data beyond the requirements of the most recent reauthorization of the Elementary and Secondary Education Act. The commissioner must consult with the stakeholders on how to measure a student's background as an immigrant or a refugee and provide a recommendation in the report on how to include the data in the statewide rollout. The recommendations may address:

(1) the most meaningful use of disaggregated data, including but not limited to which reports should include further disaggregated data;

(2) collection of additional student characteristics, including but not limited to ensuring enhanced enrollment forms:

(i) provide context and the objective of additional data;
(ii) are designed to convey respect and acknowledgment of the sensitive nature of the
additional data; and

(iii) are designed to collect data consistent with user feedback;

(3) efficient data-reporting approaches when reporting additional information to the
department;

(4) the frequency by which districts and schools must update enrollment forms to meet
the needs of the state's changing racial and ethnic demographics; and

(5) the criteria for determining additional data. This recommendation should include a
recommendation for frequency of reviews and updates of the additional data and should
also identify the approach of updating any additional census data and data on new enrollees.
This recommendation must consider additional student groups that may face education
disparities and must take into account maintaining student privacy and providing
nonidentifiable student level data.

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

Sec. 11. Minnesota Statutes 2016, section 120B.31, subdivision 4, is amended to read:

Subd. 4. Student performance data. In developing policies and assessment processes
to hold schools and districts accountable for high levels of academic standards under section
120B.021, the commissioner shall aggregate and disaggregate student data over time to
report summary student performance and growth levels and, under section 120B.11,
subdivision 2, clause (2), student learning and outcome data measured at the school, school
district, and statewide level. The commissioner shall use the student categories identified
under the federal Elementary and Secondary Education Act, as most recently reauthorized,
and student categories of homelessness, ethnicity under section 120B.35, subdivision 3,
paragraph (a), clause (2), race under section 120B.35, subdivision 3, paragraph (a), clause
(2), home language, immigrant, refugee status, English learners under section 124D.59, free
or reduced-price lunch, and other categories designated by federal law to organize and report
the data so that state and local policy makers can understand the educational implications
of changes in districts' demographic profiles over time as data are available. Any report the
commissioner disseminates containing summary data on student performance must integrate
student performance and the demographic factors that strongly correlate with that
performance.

EFFECTIVE DATE. This section is effective for the 2019-2020 school year and later.
Sec. 12. Minnesota Statutes 2016, section 120B.35, subdivision 3, is amended to read:

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

(2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and report separate categories of information using the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and, in addition to "other" for each race and ethnicity and the Karen community, other student categories as determined by the total Minnesota population at or above the 1,000-person threshold based on the most recent decennial census, including ethnicity, race, refugee status, seven of the most populous Asian and Pacific Islander groups, three of the most populous Native groups, seven of the most populous Hispanic/Latino groups, and five of the most populous Black and African Heritage groups as determined by the total Minnesota population based on the most recent state demographer's report; English learners under section 124D.59; home language; free or reduced-price lunch; immigrant; and all students enrolled in a Minnesota public school who are currently or were previously in foster care, except that such disaggregation and cross tabulation is not required if the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

(b) The commissioner, in consultation with a stakeholder group that includes assessment and evaluation directors, district staff, experts in culturally responsive teaching, and researchers, must implement a model that uses a value-added growth indicator and includes criteria for identifying schools and school districts that demonstrate medium and high growth under section 120B.299, subdivisions 8 and 9, and may recommend other value-added measures under section 120B.299, subdivision 3. The model may be used to advance educators' professional development and replicate programs that succeed in meeting students' diverse learning needs. Data on individual teachers generated under the model are personnel data under section 13.43. The model must allow users to:

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

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

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

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

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

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

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

(d) When reporting student performance under section 120B.36, subdivision 1, the commissioner annually, beginning July 1, 2014, must report summary data on school safety and students' engagement and connection at school, consistent with the student categories identified under paragraph (a), clause (2). The summary data under this paragraph are separate from and must not be used for any purpose related to measuring or evaluating the performance of classroom teachers. The commissioner, in consultation with qualified experts on student engagement and connection and classroom teachers, must identify highly reliable...
variables that generate summary data under this paragraph. The summary data may be used at school, district, and state levels only. Any data on individuals received, collected, or created that are used to generate the summary data under this paragraph are nonpublic data under section 13.02, subdivision 9.

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

1. the four- and six-year graduation rates of students under this paragraph;
2. the percent of students under this paragraph whose progress and performance levels are meeting career and college readiness benchmarks under section 120B.30, subdivision 1; and
3. the success that learning year program providers experience in:
   i. identifying at-risk and off-track student populations by grade;
   ii. providing successful prevention and intervention strategies for at-risk students;
   iii. providing successful recuperative and recovery or reenrollment strategies for off-track students; and
   iv. improving the graduation outcomes of at-risk and off-track students.

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

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

(g) When reporting four- and six-year graduation rates, the commissioner or school district must disaggregate the data by student categories according to paragraph (a), clause (2).
(h) A school district must inform parents and guardians that volunteering information on student categories not required by the most recent reauthorization of the Elementary and Secondary Education Act is optional and will not violate the privacy of students or their families, parents, or guardians. The notice must state the purpose for collecting the student data.

EFFECTIVE DATE. This section is effective for the 2018-2019 school year and later for rollout sites under Minnesota Statutes, section 120B.31, subdivision 3a. This section is effective for the 2019-2020 school year and later for all other schools.

Sec. 13. Minnesota Statutes 2016, section 122A.414, subdivision 2, is amended to read:

Subd. 2. Alternative teacher professional pay system. (a) To participate in this program, a school district, an intermediate school district consistent with paragraph (d), a school site, or a charter school must have a world's best workforce plan under section 120B.11 and an alternative teacher professional pay system agreement under paragraph (b). A charter school participant also must comply with subdivision 2a.

(b) The alternative teacher professional pay system agreement must:

(1) describe how teachers can achieve career advancement and additional compensation;

(2) describe how the school district, intermediate school district, school site, or charter school will provide teachers with career advancement options that allow teachers to retain primary roles in student instruction and facilitate site-focused professional development that helps other teachers improve their skills;

(3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation paid before implementing the pay system from being reduced as a result of participating in this system, base at least 60 percent of any compensation increase on teacher performance using:

(i) schoolwide student achievement gains under section 120B.35 or locally selected standardized assessment outcomes, or both;

(ii) measures of student growth and literacy that may include value-added models or student learning goals, consistent with section 122A.40, subdivision 8, paragraph (b), clause (9), or 122A.41, subdivision 5, paragraph (b), clause (9), and other measures that include the academic literacy, oral academic language, and achievement of English learners under section 122A.40, subdivision 8, paragraph (b), clause (10), or 122A.41, subdivision 5, paragraph (b), clause (10); and
(iii) an objective evaluation program under section 122A.40, subdivision 8, paragraph (b), clause (2), or 122A.41, subdivision 5, paragraph (b), clause (2);

(4) provide for participation in job-embedded learning opportunities such as professional learning communities to improve instructional skills and learning that are aligned with student needs under section 120B.11, consistent with the staff development plan under section 122A.60 and led during the school day by trained teacher leaders such as master or mentor teachers;

(5) allow any teacher in a participating school district, intermediate school district, school site, or charter school that implements an alternative pay system to participate in that system without any quota or other limit; and

(6) encourage collaboration rather than competition among teachers.

c) The alternative teacher professional pay system may:

(1) include a hiring bonus or other added compensation for to provide students with equitable access to teachers who, consistent with section 120B.11, subdivision 2, clause (3):

(i) are identified as effective or highly effective under the local teacher professional review cycle and or, when being considered for hire as first-year teachers, have demonstrated skills during student teaching for being highly effective at closing achievement gaps;

(ii) work in a high-need or hard-to-fill position; or

(iii) are hired to work in a hard-to-staff school such as a school with a majority of students whose families meet federal poverty guidelines, a geographically isolated school, or a school identified by the state as eligible for targeted programs or services for its students; and

(2) include incentives for teachers to obtain a master's degree or other advanced certification with at least 18 credits in their content field of licensure required for teaching concurrent enrollment or college in the schools courses, or to pursue the training or education necessary to obtain an additional licensure in shortage areas identified by the district or charter school; or

(3) help fund a "grow your own" Grow Your Own new teacher initiative involving nonlicensed educational professionals, including paraprofessionals and cultural liaisons, who are of color or who are American Indian.
An intermediate school district under this subdivision must demonstrate in a form and manner determined by the commissioner that it uses the aid it receives under this section for activities identified in the alternative teacher professional pay system agreement.

Sec. 14. Minnesota Statutes 2016, section 122A.415, subdivision 4, is amended to read:

Subd. 4. Basic alternative teacher compensation aid. (a) The basic alternative teacher compensation aid for a school with a plan approved under section 122A.414, subdivision 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1. The basic alternative teacher compensation aid for a charter school with a plan approved under section 122A.414, subdivisions 2a and 2b, equals $260 times the number of pupils enrolled in the school on October 1 of the previous year, or on October 1 of the current year for a charter school in the first year of operation, times the ratio of the sum of the alternative teacher compensation aid and alternative teacher compensation levy for all participating school districts to the maximum alternative teacher compensation revenue for those districts under subdivision 1.

(b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative teacher compensation aid entitlement must not exceed $75,840,000 for fiscal year 2016 and $88,118,000 for fiscal year 2017 and later. The commissioner must limit the amount of alternative teacher compensation aid approved under this section so as not to exceed these limits by not approving new participants or by prorating the aid among participating districts, intermediate school districts, school sites, and charter schools. The commissioner may also reallocate a portion of the allowable aid for the biennium from the second year to the first year to meet the needs of approved participants.

(c) Basic alternative teacher compensation aid for an intermediate district or other cooperative unit equals $3,000 times the number of licensed teachers employed by the intermediate district or cooperative unit on October 1 of the previous school year.

Sec. 15. [122A.417] ALTERNATIVE TEACHER COMPENSATION REVENUE FOR ST. CROIX RIVER EDUCATION DISTRICT.

Notwithstanding section 122A.415, subdivision 4, paragraph (c), the St. Croix River Education District, No. 6009-61, is eligible to receive alternative teacher compensation revenue based on its staffing as of October 1 of the previous fiscal year. To qualify for alternative teacher compensation revenue, the St. Croix River Education District must meet all the requirements of sections 122A.414 and 122A.415 that apply to cooperative units, must report its staffing as of October 1 of each year to the department in a manner determined...
by the commissioner, and must annually report to the department by November 30 its
expenditures for the alternative teacher professional pay system consistent with the uniform
financial accounting and reporting standards.

Sec. 16. [122A.627] POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.

"Positive behavioral interventions and supports" or "PBIS" means an evidence-based
framework for preventing problem behavior, providing instruction and support for positive
and prosocial behaviors, and supporting social, emotional, and behavioral needs for all
students. Schoolwide implementation of PBIS requires training, coaching, and evaluation
for school staff to consistently implement the key components that make PBIS effective for
all students, including:

1. establishing, defining, teaching, and practicing three to five positively stated
   schoolwide behavioral expectations that are representative of the local community and
   cultures;

2. developing and implementing a consistent system used by all staff to provide positive
   feedback and acknowledgment for students who display schoolwide behavioral expectations;

3. developing and implementing a consistent and specialized support system for students
   who do not display behaviors representative of schoolwide positive expectations;

4. developing a system to support decisions based on data related to student progress,
   effective implementation of behavioral practices, and screening for students requiring
   additional behavior supports;

5. using a continuum of evidence-based interventions that is integrated and aligned to
   support academic and behavioral success for all students; and

6. using a team-based approach to support effective implementation, monitor progress,
   and evaluate outcomes.

Sec. 17. Minnesota Statutes 2016, section 122A.70, subdivision 1, is amended to read:

Subdivision 1. Teacher mentoring, induction, and retention programs. (a) School
districts are encouraged to develop teacher mentoring, induction, and retention programs
for teachers new to the profession or district, including teaching residents, teachers in
high-need fields, teachers of color, teachers who are American Indian, teachers with special
needs, or experienced teachers in need of peer coaching.
(b) Teacher mentoring programs must 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 sections 122A.60 and 122A.61, special grant programs established by the legislature, or another funding source to pay a stipend of up to $500 to a mentor.

Sec. 18. Minnesota Statutes 2016, section 124D.09, subdivision 3, is amended to read:

Subd. 3. Definitions. For purposes of this section, the following terms have the meanings given to them.

(a) "Eligible institution" means a Minnesota public postsecondary institution, a private, nonprofit two-year trade and technical school granting associate degrees, an opportunities industrialization center accredited by the North Central Association of Colleges and Schools, or a private, residential, two-year or four-year, liberal arts, degree-granting college or university located in Minnesota.

(b) "Course" means a course or program.

(c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under subdivision 5 or 6 enrolls to earn both secondary and postsecondary credits, are taught by a secondary teacher or a postsecondary faculty member, and are offered at a high school for which the district is eligible to receive concurrent enrollment program aid under section 124D.091.

Sec. 19. Minnesota Statutes 2016, section 124D.09, subdivision 5, is amended to read:

Subd. 5. Authorization; notification. Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution. Notwithstanding any other law to the contrary, a 9th or 10th 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 apply to enroll in nonsectarian courses offered under subdivision 10, if (1) the school district and the eligible postsecondary institution providing the course agree to the student's enrollment or (2) the course is a world language course currently available to 11th and 12th grade students, and consistent with section 120B.022 governing world language standards, certificates, and seals. If an institution
accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner within ten days of acceptance. The notice must indicate the course and hours of enrollment of that pupil. If the pupil enrolls in a course for postsecondary credit, the institution must notify the pupil about payment in the customary manner used by the institution.

Sec. 20. Minnesota Statutes 2016, section 124D.09, is amended by adding a subdivision to read:

**Subd. 5b. Authorization; 9th or 10th grade pupil.** Notwithstanding any other law to the contrary, a 9th or 10th 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 apply to enroll in nonsectarian courses offered under subdivision 10, if:

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

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

Sec. 21. Minnesota Statutes 2016, section 124D.09, subdivision 10, is amended to read:

**Subd. 10. Courses according to agreements.** (a) An eligible pupil, according to subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a postsecondary faculty member and offered at a secondary school, or another location, according to an agreement between a public school board and the governing body of an eligible public postsecondary system or an eligible private postsecondary institution, as defined in subdivision 3. All provisions of this section shall apply to a pupil, public school board, district, and the governing body of a postsecondary institution, except as otherwise provided.

(b) To encourage students, especially American Indian students and students of color, to consider teaching as a profession, participating schools, school districts, and postsecondary institutions are encouraged to develop and offer an "Introduction to Teaching" or "Introduction to Education" course under this subdivision. An institution that receives a grant to develop a course under this paragraph must annually report to the commissioner in a form and manner determined by the commissioner on the participation rates of students.
in courses under this paragraph, including the number of students who apply for admission to colleges or universities with teacher preparation programs.

Sec. 22. Minnesota Statutes 2016, section 124D.09, subdivision 13, is amended to read:

Subd. 13. Financial arrangements. For a pupil enrolled in a course under this section, the department must make payments according to this subdivision for courses that were taken for secondary credit.

The department must not make payments to a school district or postsecondary institution for a course taken for postsecondary credit only. The department must not make payments to a postsecondary institution for a course from which a student officially withdraws during the first 14 days of the quarter or semester or who has been absent from the postsecondary institution for the first 15 consecutive school days of the quarter or semester and is not receiving instruction in the home or hospital.

A postsecondary institution shall receive the following:

(1) for an institution granting quarter credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the formula allowance minus $425, multiplied by 1.2, and divided by 45; or

(2) for an institution granting semester credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the general revenue formula allowance minus $425, multiplied by 1.2, and divided by 30.

The department must pay to each postsecondary institution 100 percent of the amount in clause (1) or (2) within 30 45 days of receiving initial enrollment information each quarter or semester. If changes in enrollment occur during a quarter or semester, the change shall be reported by the postsecondary institution at the time the enrollment information for the succeeding quarter or semester is submitted. At any time the department notifies a postsecondary institution that an overpayment has been made, the institution shall promptly remit the amount due.

Sec. 23. Minnesota Statutes 2016, section 124D.68, subdivision 2, is amended to read:

Subd. 2. Eligible pupils. (a) A pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation incentives program, if the pupil:

(1) performs substantially below the performance level for pupils of the same age in a locally determined achievement test;
(2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

(3) is pregnant or is a parent;

(4) has been assessed as chemically dependent;

(5) has been excluded or expelled according to sections 121A.40 to 121A.56;

(6) has been referred by a school district for enrollment in an eligible program or a program pursuant to section 124D.69;

(7) is a victim of physical or sexual abuse;

(8) has experienced mental health problems;

(9) has experienced homelessness sometime within six months before requesting a transfer to an eligible program;

(10) speaks English as a second language or is an English learner; or

(11) has withdrawn from school or has been chronically truant; or

(12) is being treated in a hospital in the seven-county metropolitan area for cancer or other life threatening illness or is the sibling of an eligible pupil who is being currently treated, and resides with the pupil's family at least 60 miles beyond the outside boundary of the seven-county metropolitan area.

(b) For the 2016-2017 school year fiscal years 2017 and 2018 only, a pupil otherwise qualifying under paragraph (a) who is at least 21 years of age and not yet 22 years of age, is an English learner with an interrupted formal education according to section 124D.59, subdivision 2a, and was in an early middle college program during the previous school year is eligible to participate in the graduation incentives program under section 124D.68 and in concurrent enrollment courses offered under section 124D.09, subdivision 10, and is funded in the same manner as other pupils under this section.

Sec. 24.Minnesota Statutes 2016, section 124D.695, is amended to read:

124D.695 APPROVED RECOVERY PROGRAM FUNDING.

Subdivision 1. Approved recovery program. "Approved recovery program" means a course of instruction offered by a recovery school that provides academic services, assistance with recovery, and continuing care to students recovering from substance abuse or dependency. A recovery program may be offered in a transitional academic setting designed to meet graduation requirements. A recovery program must be approved by the commissioner of education. The commissioner may specify the manner and form of the application for
the approval of a recovery school or recovery program. The commissioner must also approve
any unreimbursed pupil transportation costs incurred by students participating in an approved
recovery program.

Subd. 2. Eligibility. (a) An approved recovery program is eligible for an annual recovery
program grant of up to $125,000 to pay for a portion of the costs of under this section for
recovery program support staff under this section and approved pupil transportation expenses.
(b) "Recovery program support staff" means licensed alcohol and chemical dependency
counselors, licensed school counselors, licensed school psychologists, licensed school
nurses, and licensed school social workers.

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

Sec. 25. Minnesota Statutes 2016, section 124D.98, subdivision 1, is amended to read:

Subdivision 1. Literacy incentive aid. (a) A district's literacy incentive aid equals the
sum of the proficiency aid under subdivision 2, and the growth aid under subdivision 3.
(b) For fiscal year 2018 and later, the commissioner must prorate the aid under this
subdivision to ensure that the aid entitlement does not exceed $45,972,000.

EFFECTIVE DATE. This section is effective for revenue in fiscal year 2018 and later.

Sec. 26. [124D.99] INNOVATION ZONES.

Subdivision 1. Establishment; requirements for participation; innovation zone plans.
(a) The innovation zone program is established to improve student and school outcomes
consistent with the world's best workforce requirements under 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 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) new approaches to evaluation and assessment, including reducing duplicative assessments, using fully adaptive on- and off-grade assessments, and using assessments to identify early targeted interventions;

(3) the use of competency outcomes rather than seat time and course completion to fulfill standards, credits, and other graduation requirements;

(4) multidisciplinary, real-world, inquiry-based, 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;

(5) models of instruction designed to close the achievement gap, including new models for prekindergarten learners, age three to grade 3 models, English as a second language models, early identification and prevention of mental health issues, and others;

(6) 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;

(7) new methods of collaborative leadership including the expansion of schools where teachers have larger professional roles;

(8) new ways to enhance parental and community involvement in learning;

(9) new models of professional development for educators including embedded professional development; or

(10) 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.

(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 section 120B.11;

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

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

(5) a timeline for implementing the plan; and

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

The governing board for each partner must approve the innovation zone plan. Innovation zone partnerships may, but are not required to, submit an implementation grant application with their plan under subdivision 3.

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.

d) Notwithstanding 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 chapter 123B or 124E, and remain subject to any employment agreements under 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.

Subd. 2. Exemptions from laws and rules. Notwithstanding any law to the contrary, an innovation zone partner with an approved plan is exempt from each of the following state education laws and rules specifically identified in its plan, none of which may be construed as exempting an innovation zone partner from the Minnesota Comprehensive Assessments:

(1) any law or rule a district-created, site-governed school under section 123B.045 is exempt from;

(2) any statute or rule that the commissioner has granted exemption from to another district or charter school;

(3) student attendance recording requiring more than one count each day;
(4) high school curricular or graduation requirements that may be met through the adult
learning programs provided under sections 124D.52, subdivision 9, and 126C.05, subdivision
15, paragraph (b), clause (i);

(5) individual course requirements under sections 120B.021 and 120B.024 for Algebra
II for a student if enrolled in a course in applied mathematics, science, technology,
engineering, math, or other learning experience determined by the innovation zone plan to
be equivalent to Algebra II, and that is aligned with that student's career plans;

(6) online learning program approval under 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;

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

(8) calendar and credit restrictions under section 120B.024 and related rules if the student
meets the competencies required for graduation described in the innovation zone plan and
the student completes either a career certification or one or more years of postsecondary
education; and

(9) any required hours of instruction in any class or subject area, measured by Carnegie
units or otherwise, for a student who is meeting all competencies consistent with the
graduation standards described in the innovation zone plan.

Subd. 3. Planning and implementation grants. (a) An innovation zone partnership
may submit an application for approval of the innovation zone plan, a planning grant, or an
implementation grant.

(b) 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 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.

(c) An application for an innovation zone planning grant may be submitted to the
commissioner at any time in the form and manner specified by the commissioner. The
planning grant application must:

(1) name each member of the partnership;
57.1 (2) identify the hypotheses or practices the innovation zone will implement based upon
57.2 the research and methodology design cited in the plan;
57.3 (3) describe how teachers and other educational staff from the affected school sites will
57.4 be included in the planning and implementation process;
57.5 (4) propose a timeline of activities to develop an implementation plan; and
57.6 (5) describe the planning process budget.
57.7 In any year in which funds are available, the commissioner must approve or reject the
57.8 planning grant application based on the recommendations of the Innovation Zone Advisory
57.9 Panel. A planning grant may be awarded for up to two years.
57.10 (d) An application for an implementation grant must be submitted by April 1 of any year
57.11 in the form and manner specified by the commissioner. An application for an implementation
57.12 grant must include all of the information included in the planning grant, describe how the
57.13 plan will be implemented, and include a detailed budget. By May 1 of each year, the
57.14 commissioner must approve or reject the grant application based on the recommendation
57.15 of the Innovation Zone Advisory Panel and the availability of funds. An implementation
57.16 grant may be awarded for up to four years and may be renewed. An innovation zone
57.17 partnership may apply for an implementation grant without having first applied for a planning
57.18 grant.
57.19 Subd. 4. Innovation Zone Advisory Panel. (a) The commissioner must establish and
57.20 convene an Innovation Zone Advisory Panel.
57.21 (b) The panel must be composed of 14 members. One member must be appointed by
57.22 each of the following organizations: Education Minnesota, Minnesota Association of
57.23 Secondary School Principals, Minnesota Elementary School Principals' Association,
57.24 Minnesota Association of School Administrators, Minnesota School Boards Association,
57.25 Minnesota Association of Charter Schools, Center for Applied Research and Educational
57.26 Improvement at the University of Minnesota, and the Office of Higher Education. Six
57.27 members must be appointed by the commissioner of education, three of whom must have
57.28 expertise in innovation and three must have expertise in evaluation and research.
57.29 (c) The panel must:
57.30 (1) review all innovation zone plans submitted for approval; and
57.31 (2) recommend planning and implementation grant amounts for each qualifying applicant.
Subd. 5. Commissioner approval. Upon review of the evidence submitted, the commissioner may approve an innovation zone plan. Upon recommendation of the Innovation Zone Advisory Panel, and subject to available appropriations, the commissioner shall award planning and implementation grants to qualifying applicants. The commissioner shall consider geographical distribution when awarding grants. 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 Zone Advisory Panel, the commissioner must 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.

Subd. 6. Project evaluation, dissemination, and report to legislature. Each innovation zone partnership must submit project data to the commissioner in the form and manner provided for in the approved application. 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 summarize and categorize innovation zone plans and submit a report to the education committees of the legislature by February 1 of each odd-numbered year. The report may include recommendations for improving this section and describe additional statutes and rules from which innovation zone partnerships may be exempt.

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

Sec. 27. Minnesota Statutes 2016, section 124E.03, subdivision 2, is amended to read:

Subd. 2. Certain federal, state, and local requirements. (a) A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts. 
(b) A school must comply with statewide accountability requirements governing standards and assessments in chapter 120B.
(c) A charter school must comply with the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.
(d) A charter school is a district for the purposes of tort liability under chapter 466.
(e) A charter school must comply with the Pledge of Allegiance requirement under section 121A.11, subdivision 3.
(f) A charter school and charter school board of directors must comply with chapter 181 governing requirements for employment.
(g) A charter school must comply with continuing truant notification under section 260A.03.

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

(i) A charter school must adopt a policy, plan, budget, and process, consistent with section 120B.11, to review curriculum, instruction, and student achievement and strive for the world's best workforce.

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

Sec. 28. Minnesota Statutes 2016, section 124E.05, is amended by adding a subdivision to read:

Subd. 2a. Role, responsibilities, and requirements of authorizers. (a) The role of an authorizer is to ensure that the schools it authorizes fulfill the purposes for chartered public schools and the agreed-upon terms of the charter contract in order to safeguard quality educational opportunities for students and maintain public trust and confidence.

(b) An authorizer has the following responsibilities:

(1) to review applications for new schools and grade and site expansions of current schools and determine whether to approve or deny the applications based on sound criteria and needs;

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

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

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

(c) The commissioner shall not require an authorizer to undertake any role or responsibility beyond those in statute or the charter contract, or perform any oversight function which the department exercises in relation to any other public school.
The authorizer shall document in the annual income and expenditure report under subdivision 8 the training its staff and consultants participated in during the previous school year relative to chartering and authorizer role and responsibilities.

(c) The authorizer must participate in annual department-approved training.

Sec. 29. Minnesota Statutes 2016, section 124E.05, subdivision 4, is amended to read:

Subd. 4. Application content. (a) To be approved as an authorizer, an applicant must include in its application to the commissioner at least the following:

(1) how the organization carries out its mission by chartering schools;

(2) a description of the capacity of the organization to serve as an authorizer, including the positions allocated to authorizing duties, the qualifications for those positions, the full-time equivalencies of those positions, and the financial resources available to fund the positions;

(3) the application and review process the authorizer uses to decide whether to grant charters;

(4) the type of contract it arranges with the schools it charters to meet the provisions of section 124E.10;

(5) the process for overseeing the school, consistent with clause (4), to ensure that the schools chartered comply with applicable law and rules and the contract;

(6) the criteria and process the authorizer uses to approve applications adding grades or sites under section 124E.06, subdivision 5; and

(7) the process for renewing or terminating the school's charter based on evidence showing the academic, organizational, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement; and

(8) an assurance specifying that the organization is committed to serving as an authorizer for the full five-year term.

(b) Notwithstanding paragraph (a), an authorizer that is a school district may satisfy the requirements of paragraph (a), clauses (1) and (2), and any requirement governing a conflict of interest between an authorizer and its charter schools or ongoing evaluation or continuing education of an administrator or other professional support staff by submitting to the commissioner a written promise to comply with the requirements.
Sec. 30. Minnesota Statutes 2016, section 124E.05, subdivision 7, is amended to read:

Subd. 7. Withdrawal. If the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under section 124E.10, subdivision 4, the authorizer must notify all its chartered schools and the commissioner in writing by March 1 of its intent to withdraw as an authorizer on June 30 in the next calendar year, regardless of when the authorizer's five-year term of approval ends. Upon notification of the schools and commissioner, the authorizer must provide a letter to the school for distribution to families of students enrolled in the school that explains the decision to withdraw as an authorizer and outlines the process the authorizer will undertake to assist the school's transfer to another authorizer. The commissioner may approve the transfer of a charter school to a new authorizer under section 124E.10, subdivision 5a.

Sec. 31. Minnesota Statutes 2016, section 124E.06, subdivision 7, is amended to read:

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

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

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

(d) A charter school notified that its contract is not being renewed or terminated under section 124E.10, subdivision 4, may merge with another school only if the school proposing to take over the school:

(1) has a compatible academic or learning program;

(2) had, as of June 30 of the previous year, a net positive unreserved general fund balance for at least three fiscal years; and

(3) submits a plan for the assimilation of the schools into a merged school that is approved by the authorizers of the schools involved in the merger.
After approving the school's plan for the assimilation of the schools into a merged school, the authorizer shall submit an affidavit in the form and manner prescribed by the commissioner at least 60 business days prior to contract nonrenewal or contract termination.

Sec. 32. Minnesota Statutes 2016, section 124E.07, subdivision 3, is amended to read:

Subd. 3. Membership criteria. (a) The ongoing charter school board of directors shall have at least five nonrelated members and include: (1) at least one licensed teacher who is employed as a teacher at the school or provides instruction under contract between the charter school and a cooperative; (2) at least one parent or legal guardian of a student enrolled in the charter school who is not an employee of the charter school; and (3) at least one interested community member who resides in Minnesota, is not employed by the charter school, and does not have a child enrolled in the school. The board structure may include a majority of teachers under this paragraph or parents or community members, or it may have no clear majority. The chief financial officer and the chief administrator may only serve as ex-officio nonvoting board members. No charter school employees shall serve on the board other than teachers under clause (1). Contractors providing facilities, goods, or services to a charter school shall not serve on the board of directors of the charter school.

(b) An individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.

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

(d) Any employee, agent, or board member of the authorizer who participates in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the charter school is ineligible to serve on the board of directors of a school chartered by that authorizer.
Sec. 33. Minnesota Statutes 2016, section 124E.07, subdivision 4, is amended to read:

Subd. 4. Board structure. Board bylaws shall outline the process and procedures for changing the board's governance structure, consistent with chapter 317A. A board may change its governance structure only:

(1) by a majority vote of the board of directors and;

(2) by a majority vote of the licensed teachers employed by the school as teachers, including licensed teachers providing instruction under a contract between the school and a cooperative; and

(2) (3) with the authorizer's approval.

Any change in board governance structure must conform with the board composition established under this section.

Sec. 34. Minnesota Statutes 2016, section 124E.07, subdivision 7, is amended to read:

Subd. 7. Training. Every charter school board member, including voting and nonvoting ex-officio members, shall attend annual training throughout the member's term. All new board members shall attend initial training on the board's role and responsibilities, employment policies and practices, and financial management. A new board member who does not begin the required initial training within six three months after being seated and complete that training within 42 nine months after being seated is automatically ineligible to continue to serve as a board member. The school shall include in its annual report the training each board member attended during the previous year.

Sec. 35. Minnesota Statutes 2016, section 124E.10, is amended by adding a subdivision to read:

Subd. 5a. School transfer of authorizers. (a) If the authorizer and the charter school board mutually agree to not renew the contract for a reason unrelated to any cause under subdivision 4, the authorizer and charter school must jointly submit to the commissioner a written and signed letter of their intent to mutually not renew the contract. The authorizer that is a party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the school, including unmet contract outcomes and other contractual obligations. The charter contract between the proposed authorizers and the school must identify and provide a plan to address any outstanding obligations. If the commissioner does not approve the transfer of authorizer, the current authorizer and the school may withdraw their letter of nonrenewal and enter into a new contract. If the
commissioner does not approve the transfer and the authorizer and school enter into a new contract without withdrawing their letter of nonrenewal, the school must be dissolved according to applicable law and the terms of the contract.

(b) If, at the end of a contract, a charter school board votes to not renew its contract with the authorizer, is not subject to action under an authorizer's established corrective action or intervention plan as defined in their current contract, and is not subject to action of the authorizer under subdivision 4, the charter school board must notify the authorizer and commissioner that it does not plan to renew the relationship with the authorizer. The authorizer that is party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the school. The charter contract between the proposed authorizer and the school must identify and provide a plan to address any performance issues identified by the current authorizer. If the commissioner does not approve the transfer of authorizers and the current authorizer and school do not enter into a new contract, the school must be dissolved according to applicable law and the terms of the contract.

(c) If the governing board of an approved authorizer votes to withdraw as an authorizer under section 124E.05, subdivision 7, the proposed authorizer may submit a transfer request to the commissioner at any time after the withdrawing authorizer has given proper notice to the commissioner and the schools it authorizes. The authorizer and school board of directors must, in a joint letter, notify families of students enrolled in the school of the date of the withdrawal, and outline the process to change authorizers, and the possible outcomes of that process. The commissioner shall have 20 business days to review the transfer request and notify the proposed authorizer and the school of the commissioner's decision. The proposed authorizer and the school have 15 business days to address any issues identified by the commissioner's review. The commissioner shall have 20 business days after the proposed authorizer and the school address any issues identified by the commissioner's initial review to make a final determination.

(d) If the commissioner withdraws the authority of the authorizer to authorize schools under section 124E.05, subdivision 6, the commissioner shall develop a transfer of authorization plan with the authorizer, the charter school, and the proposed authorizer. This paragraph applies to schools not subject to nonrenewal for any cause under subdivision 4.

(e) Transfer requests with the proposed contracts under paragraphs (a) and (b) shall be submitted to the commissioner at least 105 business days before the end of an existing contract. The commissioner shall have 30 business days to review the transfer request and notify the proposed authorizer and the school of the commissioner's decision. The proposed
Sec. 36. Minnesota Statutes 2016, section 124E.11, is amended to read:

124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.

(a) A charter school, including its free preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

(1) pupils within an age group or grade level;

(2) pupils who are eligible to participate in the graduation incentives program under section 124D.68; or

(3) residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.

(b) A charter school, including its free preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its Web site, a lottery policy and process that it must use when accepting pupils by lot.

(c) A charter school shall give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot. A charter school that is located in Duluth township in St. Louis County and admits students in kindergarten through grade 6 must give enrollment preference to students residing within a five-mile radius of the school and to the siblings of enrolled children. A charter school may give enrollment preference to children currently enrolled in the school's free preschool or prekindergarten program under section 124E.06, subdivision 3, paragraph (a), who are eligible to enroll in kindergarten in the next school year.

(d) A person shall not be admitted to a charter school (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its Web site a policy for admission of
selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

(e) Except as permitted in paragraph (d), a charter school, including its free preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this section.

(f) The charter school or any agent of the school shall not distribute any services or goods, payments, or other incentives of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.

(g) Once a student is enrolled in the school, the student is considered enrolled in the school until the student formally withdraws or the school receives a request for the transfer of educational records from another school or a written election by the parent or guardian of the student withdrawing the student, or the student is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56. A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56.

(h) A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause (iv).

Sec. 37. Minnesota Statutes 2016, section 124E.17, subdivision 1, is amended to read:

Subdivision 1. Charter school information. (a) Charter schools must disseminate information about how to use the charter school offerings to targeted groups, among others. Targeted groups include low-income families and communities, students of color, and students who are at risk of academic failure.

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

(c) A charter school must document its dissemination efforts in its annual report.
Sec. 38. Minnesota Statutes 2016, section 124E.22, is amended to read:

**124E.22 BUILDING LEASE AID.**

(a) When a charter school finds it economically advantageous to rent or lease a building or land for any instructional purpose and it determines that the total operating capital revenue under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the commissioner for building lease aid. The commissioner must review and either approve or deny a lease aid application using the following criteria:

(1) the reasonableness of the price based on current market values;

(2) the extent to which the lease conforms to applicable state laws and rules; and

(3) the appropriateness of the proposed lease in the context of the space needs and financial circumstances of the charter school. The commissioner must approve aid only for a facility lease that has (i) a sum certain annual cost and (ii) a closure clause to relieve the charter school of its lease obligations at the time the charter contract is terminated or not renewed. The closure clause under item (ii) must not be constructed or construed to relieve the charter school of its lease obligations in effect before the charter contract is terminated or not renewed.

(b) A charter school must not use the building lease aid it receives for custodial, maintenance service, utility, or other operating costs.

(c) The amount of annual building lease aid for a charter school shall not exceed the lesser of (1) 90 percent of the approved cost or (2) the product of the charter school building lease aid pupil units served for the current school year times $1,314.

(d) A charter school's building lease aid pupil units equals the sum of the charter school pupil units under section 126C.05 and the pupil units for the portion of the day that the charter school's enrolled students are participating in the Postsecondary Enrollment Options Act under section 124D.09 and not otherwise included in the pupil count under section 126C.05.

**EFFECTIVE DATE.** This section is effective for fiscal year 2018 and later.

Sec. 39. Minnesota Statutes 2016, section 125A.56, subdivision 1, is amended to read:

**Subdivision 1. Requirement.** (a) Before a pupil is referred for a special education evaluation, the district must conduct and document at least two instructional strategies, alternatives, or interventions using a system of scientific, research-based instruction and intervention in academics or behavior, based on the pupil's needs, while the pupil is in the
regular classroom. The pupil's teacher must document the results. A special education
evaluation team may waive this requirement when it determines the pupil's need for the
evaluation is urgent. This section may not be used to deny a pupil's right to a special
education evaluation.

(b) A school district shall use alternative intervention services, including the assurance
of mastery program under section 124D.66, or an early intervening services program under
subdivision 2 to serve at-risk pupils who demonstrate a need for alternative instructional
strategies or interventions.

(c) A student identified as being unable to read at grade level under section 120B.12,
subdivision 2, paragraph (a), must be provided with alternate instruction under this
subdivision that is multisensory, systematic, sequential, cumulative, and explicit.

Sec. 40. Laws 2016, chapter 189, article 25, section 62, subdivision 7, is amended to read:

Subd. 7. Education Innovation Partners Cooperative Center. For a matching grant
to Education Innovation Partners Cooperative Center, No. 6091-50, to provide research-based
professional development services, on-site training, and leadership coaching to teachers
and other school staff:

$ 500,000 ..... 2017

A grant under this subdivision must be matched with money or in-kind contributions
from nonstate sources. This is a onetime appropriation. This appropriation is available until

June 30, 2019.

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

Sec. 41. AGRICULTURAL EDUCATOR GRANTS.

Subdivision 1. Grant program established. A grant program is established to support
school districts in paying agricultural education teachers for work over the summer with
high school students in extended programs.

Subd. 2. Application. The commissioner of education shall develop the form and method
for applying for the grants. The commissioner shall develop criteria for determining the
allocation of the grants, including appropriate goals for the use of the grants.

Subd. 3. Grant awards. Grant funding under this section must be matched by funding
from the school district for the agricultural education teacher's summer employment. Grant
funding for each teacher is limited to the one-half share of 40 working days.
Subd. 4. **Reports.** School districts that receive grant funds shall report to the commissioner of education no later than December 31 of each year regarding the number of teachers funded by the grant program and the outcomes compared to the goals established in the grant application. The Department of Education shall develop the criteria necessary for the reports.

Sec. 42. **COMMISSIONER OF EDUCATION MUST SUBMIT ESSA PLAN TO LEGISLATURE.**

The commissioner of education must submit the state plan developed pursuant to the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, United States Code, title 20, section 6311, to the education policy and finance committees of the legislature before submitting the plan to the United States Department of Education. The commissioner of education must not implement the state plan until the legislature has approved it.

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

Sec. 43. **DEPARTMENT OF EDUCATION; ASSESSMENT EVALUATION AND REPORT.**

(a) The Department of Education must develop a method to evaluate the impact of statewide testing on the local resources of school districts and charter schools. Resources include but are not limited to staff, technology, student time, and network access. The department must design the evaluation in collaboration with school districts and charter schools to create a process that minimizes the impact on school districts and charter schools.

(b) The commissioner must report to the chairs and the ranking minority members of the legislative committees having jurisdiction over early childhood through grade 12 education on the proposed evaluation method, resources needed, and amount of time needed to implement the evaluation in time for the 2018 legislative session.

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

Sec. 44. **EDUCATIONAL STABILITY FOR STUDENTS IN FOSTER CARE.**

Subdivision 1. **Establishment.** A pilot project is established to provide incentives for school districts and county governments to develop partnership agreements and implement transportation plans to help keep foster care students enrolled in their school of origin when a student is placed in a foster care setting outside the school of origin's boundaries.
Subd. 2. Qualifying plans. A school district must submit an application in the form and manner prescribed by the commissioner of education to participate in the program. To qualify for participation, one or more school districts and the local child welfare agency must have a written interagency agreement that describes the local plan for ensuring educational stability for foster care students. The parties to the agreement must seek Title IV-E reimbursement for eligible students and eligible transportation costs. The plan must describe:

(1) how transportation services will be arranged and provided; and

(2) how local transportation costs will be paid for if pilot project funds are insufficient to cover all costs.

Subd. 3. Pilot project; funding. The commissioner must reimburse partnerships with qualifying plans under subdivision 2 at the end of the school year based on allowable expenditures and reimbursements and compliance with other reporting requirements. If the available appropriation is insufficient to fully fund all qualifying plans, the commissioner may prorate the available funds statewide among all school districts with qualifying plans.

Subd. 4. Report. By February 1, 2018, the commissioner of education shall report on the pilot project to the legislative committees with jurisdiction over early childhood through grade 12 education. The report must include, at a minimum, the number of local agreements entered into for this project along with the number of school districts and counties participating in the agreements, baseline data showing the number of foster care students who were able to remain in their school of origin and the changes in the ratio over the time of the pilot project, data on expenditures for school stability transportation and federal reimbursements received for the pilot project with a midyear projection of end-of-year costs and revenues, and projected costs for statewide implementation of the program.

Sec. 45. FEDERAL EVERY STUDENT SUCCEEDS ACT FUNDING FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH (STEM) ACTIVITIES.

School districts are encouraged to use the funding provided for activities to support the effective use of technology under Title IV, Part A, of the federal Every Student Succeeds Act for:

(1) mentor-led, hands-on STEM education and engagement with materials that support inquiry-based and active learning;

(2) student participation in STEM competitions, including robotics competitions; and
(3) mentor-led, classroom-based, after-school activities with informal STEM instruction and education.

**EFFECTIVE DATE.** This section is effective July 1, 2017.

Sec. 46. RURAL CAREER AND TECHNICAL EDUCATION CONSORTIUM GRANTS.

Subdivision 1. Definition. "Rural career and technical education (CTE) consortium" means a voluntary collaboration of a 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.

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 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.

Subd. 5. **Reporting requirements.** A rural CTE consortium must submit an annual report on the progress of its activities to the commissioner of education and the legislative committees with jurisdiction over secondary and postsecondary education. The annual report must contain a financial report for the preceding fiscal year. The first report is due no later than January 15, 2019.

**Sec. 47. 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>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$71,249,000</td>
</tr>
<tr>
<td>2019</td>
<td>$73,267,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $6,725,000 for 2017 and $64,524,000 for 2018. The 2019 appropriation includes $7,169,000 for 2018 and $66,098,000 for 2019.

Subd. 3. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes, section 124D.98:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$45,972,000</td>
</tr>
<tr>
<td>2019</td>
<td>$45,972,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $4,597,000 for 2017 and $41,375,000 for 2018. The 2019 appropriation includes $4,597,000 for 2018 and $41,375,000 for 2019.

Subd. 4. **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>2018</td>
<td>$13,337,000</td>
</tr>
</tbody>
</table>

Article 2 Sec. 47.
Subd. 5. **Tribal contract schools.** For tribal contract school aid under Minnesota Statutes, section 124D.83:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,983,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$1,930,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $323,000 for 2017 and $1,660,000 for 2018.

The 2019 appropriation includes $184,000 for 2018 and $1,746,000 for 2019.

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>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$9,244,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$9,464,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $886,000 for 2017 and $8,358,000 for 2018.

The 2019 appropriation includes $928,000 for 2018 and $8,536,000 for 2019.

Subd. 7. **Reading corps.** For grants to ServeMinnesota for the Minnesota reading corps under Minnesota Statutes, section 124D.42, subdivision 8:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$8,625,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$8,625,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year. The base for fiscal year 2020 is $11,925,000.

Subd. 8. **Concurrent enrollment program.** For concurrent enrollment programs under Minnesota Statutes, section 124D.091:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$4,000,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$4,000,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

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

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

Subd. 9. **Expanded concurrent enrollment grants.** 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>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$375,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$375,000</td>
<td>2019</td>
</tr>
</tbody>
</table>
The department may retain up to five percent of the appropriation amount to monitor and administer the grant program.

Subd. 10. **ServeMinnesota program.** For funding ServeMinnesota programs under Minnesota Statutes, sections 124D.37 to 124D.45:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$900,000</td>
<td>....</td>
</tr>
<tr>
<td>2019</td>
<td>$900,000</td>
<td>....</td>
</tr>
</tbody>
</table>

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.

Subd. 11. **Student organizations.** For student organizations:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$725,000</td>
<td>....</td>
</tr>
<tr>
<td>2019</td>
<td>$725,000</td>
<td>....</td>
</tr>
</tbody>
</table>

(a) $46,000 each year is for student organizations serving health occupations (HOSA).
(b) $100,000 each year is for student organizations serving trade and industry occupations (Skills USA, secondary and postsecondary).
(c) $95,000 each year is for student organizations serving business occupations (BPA, secondary and postsecondary).
(d) $193,000 each year is for student organizations serving agriculture occupations (FFA, PAS).
(e) $142,000 each year is for student organizations serving family and consumer science occupations (FCCLA).
(f) $109,000 each year is for student organizations serving marketing occupations (DECA and DECA collegiate).
(g) $40,000 each year is for the Minnesota Foundation for Student Organizations.

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

Subd. 12. **Museums and education centers.** For grants to museums and education centers:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>2018</td>
<td>$535,000</td>
<td>....</td>
</tr>
<tr>
<td>2019</td>
<td>$460,000</td>
<td>....</td>
</tr>
</tbody>
</table>

(a) $319,000 each year is for the Minnesota Children's Museum. Of the amount in this paragraph, $50,000 in each year is for the Minnesota Children's Museum, Rochester.
(b) $50,000 each year is for the Duluth Children's Museum.

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

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

(e) $75,000 in fiscal year 2018 only is for the Works Museum.

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

Subd. 13. Starbase MN. For a grant to Starbase MN for rigorous science, technology, engineering, and math (STEM) program providing students in grades 4 to 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>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$500,000</td>
<td>2019</td>
</tr>
<tr>
<td>2019</td>
<td>$500,000</td>
<td></td>
</tr>
</tbody>
</table>

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

Subd. 14. Recovery program grants. For recovery program grants under Minnesota Statutes, section 124D.695:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
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<tbody>
<tr>
<td>2018</td>
<td>$750,000</td>
<td>2019</td>
</tr>
<tr>
<td>2019</td>
<td>$750,000</td>
<td></td>
</tr>
</tbody>
</table>

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

Subd. 15. Minnesota math corps program. For the Minnesota math corps program under Minnesota Statutes, section 124D.42, subdivision 9:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$550,000</td>
<td>2019</td>
</tr>
<tr>
<td>2019</td>
<td>$550,000</td>
<td></td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year. The base in fiscal year 2020 is $2,000,000.

Subd. 16. Civic education grants. For grants to the Minnesota Civic Education Coalition, Minnesota Civic Youth, Learning Law and Democracy Foundation, and YMCA Youth in Government to provide civic education programs for Minnesota youth age 18 and younger. Civic education is the study of constitutional principles and the democratic foundation of our national, state, and local institutions, and the study of political processes and structures of government, grounded in the understanding of constitutional government under the rule of law.

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$125,000</td>
<td>2019</td>
</tr>
<tr>
<td>2019</td>
<td>$125,000</td>
<td></td>
</tr>
</tbody>
</table>
Any balance in the first year does not cancel but is available in the second year.

Subd. 17. **Minnesota Principals Academy.** For a grant 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>2018</td>
<td>$200,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$200,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

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

Subd. 18. **Educational stability for students living in foster care.** For a pilot project to promote educational stability for students living in foster care:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,000,000</td>
</tr>
</tbody>
</table>

Up to five percent of the appropriation may be used for state and local administrative costs such as reporting, technical support, and establishing a title IV-E reimbursement claiming process. This is a onetime appropriation. This appropriation is available until June 30, 2019.

Subd. 19. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124E.22:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$73,341,000</td>
</tr>
<tr>
<td>2019</td>
<td>$78,802,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $6,850,000 for 2017 and $66,491,000 for 2018.

The 2019 appropriation includes $7,387,000 for 2018 and $71,415,000 for 2019.

Subd. 20. **Race 2 Reduce.** (a) For grants to support expanded Race 2 Reduce water conservation programming in Minnesota schools:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$307,000</td>
</tr>
<tr>
<td>2019</td>
<td>$307,000</td>
</tr>
</tbody>
</table>

(b) In the first year, $143,000 is for H2O for Life; $98,000 is for Independent School District No. 624, White Bear Lake; and $66,000 is for Independent School District No. 832, Mahtomedi.

(c) Any balance in the first year does not cancel but is available in the second year. The base appropriation for fiscal year 2020 is zero.

Subd. 21. **Paraprofessional pathway to teacher licensure.** (a) For grants to school districts for Grow Your Own new teacher programs:
(b) The grants are for school districts where more than 25 percent of students are students of color or are American Indian to provide financial assistance, mentoring, and experiences to enable persons who are of color or who are American Indian and working or living in the local community to become teachers. 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. Grants may be used for:

(1) tuition scholarships or stipends to eligible teaching assistants or other nonlicensed employees who are of color or who are American Indian participating in a Board of Teaching approved program under Minnesota Statutes, section 122A.09, subdivision 10, paragraph (a);

(2) a nonconventional teacher residency pilot program established under Minnesota Statutes, section 122A.09, subdivision 10, paragraph (a). The program shall provide tuition scholarships or stipends to enable education or teaching assistants or other nonlicensed employees of a first class city school district who hold a bachelor's degree from an accredited college or university and who seek an education license to participate in a Board of Teaching-approved nonconventional teacher residency program under Minnesota Statutes, section 122A.09, subdivision 10, paragraph (a). Any funds not awarded by June 1, 2019, may be reallocated among the remaining districts if the total cost of the program exceeds the original allocation; or

(3) supporting the development of residency programs at any school or district in the state where at least 25 percent of students are students of color or are American Indian for prospective teachers of color or who are American Indian who seek an education license to participate in a Board of Teaching-approved program under Minnesota Statutes, section 122A.09, subdivision 10, paragraph (a).

(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:

(1) developing and supporting future teacher clubs focused on encouraging middle and high school students who are of color or who are American Indian to have experiential learning, support the success of younger students, and pursue a teaching career; and
(2) 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 five percent of the appropriation amount 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. 22. Statewide testing and reporting system. For the statewide testing and reporting system under Minnesota Statutes, section 120B.30:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$10,892,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$10,892,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

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

Subd. 23. College entrance examination reimbursement. To reimburse districts for students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph (e), for onetime payment of their college entrance examination fee:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,511,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$1,511,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

The Department of Education must reimburse districts for their onetime payments on behalf of students. Any balance in the first year does not cancel but is available in the second year. This appropriation is available until October 1, 2019.

Subd. 24. Alternative teacher compensation aid. For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$89,863,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$89,623,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $8,917,000 for 2017 and $80,946,000 for 2018.

The 2019 appropriation includes $8,993,000 for 2018 and $80,630,000 for 2019.
Subd. 25. Collaborative urban and greater Minnesota educators of color program grants. (a) For collaborative urban and greater Minnesota educators of color program grants:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,030,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

(b) For fiscal years 2018, 2019, and 2020, grants shall be awarded in equal amounts: $206,000 each year is for the Southeast Asian Teacher program at Concordia University, St. Paul; $206,000 each year is for the Collaborative Urban Educator program at the University of St. Thomas; $206,000 each year is for the Center for Excellence in Urban Teaching at Hamline University; $206,000 each year is for the East Africa Student to Teacher program at Augsburg College; and $206,000 each year is for the Urban Teacher program at Metropolitan State University. Grants may be used to provide financial support to teacher candidates completing licensure programs and complement other scholarship and stipend programs created to address the shortage of teachers in Minnesota who are of color or who are American Indian.

(c) Any balance in the first year does not cancel but is available in the second year. The department may retain up to five percent of the appropriation in each year to monitor and administer the grant program.

(d) By January 15 of each year, each institution shall prepare for the legislature a detailed report regarding the funds used to recruit, retain, and induct teacher candidates who are of color or who are American Indian. The report must include the total number of teacher candidates of color, disaggregated by race or ethnic group, who are recruited to the institution, are newly admitted to the licensure program, are enrolled in the licensure program, have completed student teaching, have graduated, and are licensed and newly employed as Minnesota teachers in their licensure field. The total number of teacher candidates who are of color or who are American Indian at each stage from recruitment to licensed teaching must be reported as a percentage of total candidates seeking the same licensure at the institution. The report must include the graduation rate for each cohort of teacher candidates, the placement rate for each graduating cohort of teacher candidates, and the retention rate for each graduating cohort of teacher candidates, among other program outcomes.

(e) For fiscal year 2021 and later, grants shall be awarded only to programs that demonstrate success at recruiting, retaining, and inducting teacher candidates who are of color or who are American Indian. As funds are available, the commissioner may award competitive grants to Minnesota higher education institutions that apply to the commissioner in the form and manner determined by the commissioner.
Subd. 26. 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>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$4,500,000</td>
<td>2019</td>
<td>$4,500,000</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.

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

Subd. 27. Grants to increase science, technology, engineering, and math course offerings. 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>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$750,000</td>
<td>2019</td>
<td>$750,000</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year. The base for fiscal year 2020 is $815,000.

Subd. 28. Agricultural educator grants. For agricultural educator grants under section 1:
Subd. 29. **American Indian teacher preparation grants.** For joint grants to assist American Indian people to become teachers under Minnesota Statutes, section 122A.63:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$250,000</td>
<td>....</td>
</tr>
<tr>
<td>2019</td>
<td>$250,000</td>
<td>....</td>
</tr>
</tbody>
</table>

Any balance in the first year does not cancel but is available in the second year. The base for fiscal year 2020 is $500,000.

Subd. 30. **African American Registry.** (a) For grants to the African American Registry for the Teacher’s Forum:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$460,000</td>
<td>....</td>
</tr>
<tr>
<td>2019</td>
<td>$460,000</td>
<td>....</td>
</tr>
</tbody>
</table>

(b) The African American Registry must use the grant funds to establish partnerships with Metropolitan State University and the University of St. Thomas to improve the cultural competency of candidates seeking a first teaching license. By January 15 of each year, the African American Registry shall report to the legislature a detailed report regarding the funds used. The report must include the number of teachers prepared. The base appropriation in fiscal year 2020 is $0.

Subd. 31. **Rural career and technical education consortium.** (a) For rural career and technical education consortium grants:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,500,000</td>
<td>....</td>
</tr>
<tr>
<td>2019</td>
<td>$1,500,000</td>
<td>....</td>
</tr>
</tbody>
</table>

This appropriation is available until June 30, 2022. If the appropriation in the first year is insufficient, the 2019 appropriation is available.

(b) For fiscal year 2018 and 2019, the commissioner shall award a two-year grant to the consortium that is a collaboration of the Southwest/West Central Service Cooperative (SWWC), Southwest Minnesota State University, Minnesota West Community and Technical College, Ridgewater College, and other regional public and private partners. For fiscal year 2020 and 2021, the commissioner shall award a two-year grant to an applicant consortium that includes the South Central Service Cooperative or Southeast Service Cooperative and a two-year grant to an applicant consortium that includes the Northwest Service Cooperative or Northeast Service Cooperative.

(c) The base appropriation in fiscal year 2020 is $3,000,000.
Subd. 32. **Grants for high school transition teams.** For grants to support the planning and implementation of high school transition teams of teachers, guidance counselors, and high school students who assist students in grades 8 and 9 and their families to successfully navigate the transition to high school:

$500,000 .... 2018

This is a onetime appropriation and is available until June 30, 2020. Of the amounts appropriated, $250,000 is for a grant to Independent School District No. 622, North St. Paul-Maplewood-Oakdale, $150,000 is for a grant to Independent School District No. 624, White Bear Lake, and $100,000 is for a grant to Independent School District No. 832, Mahtomedi.

Subd. 33. **Support our students grant program.** (a) For grants to eligible schools under the support our students grant program:

$4,000,000 .... 2018
$4,000,000 .... 2019

(b) To the extent practicable, the commissioner should allot amounts in each year of the six-year grant period to ensure that adequate funds are available for the entirety of the grant. Up to $100,000 in each fiscal year may be retained by the commissioner for administration of the grant program. The base in fiscal year 2020 and later is $4,000,000.

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

Subd. 34. **Educator assessment data training.** For training to help educators interpret and use assessment data to improve instruction:

$250,000 .... 2018
$250,000 .... 2019

The appropriation must be used to help school districts and charter schools use, analyze, and interpret the data from Minnesota Comprehensive Assessments in a timely manner to improve instruction for individual students.

Subd. 35. **Assessment evaluation and report.** For an evaluation of the impact of statewide assessments on local resources:

$40,000 .... 2018
$-0- .... 2019
Sec. 48. REVISOR'S INSTRUCTION.

The revisor of statutes shall codify Laws 2016, chapter 189, article 25, section 56, in
the next publication of Minnesota Statutes.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 49. REPEALER.

Minnesota Statutes 2016, section 124E.10, subdivision 5, is repealed.

ARTICLE 3

TEACHERS

Section 1. Minnesota Statutes 2016, section 122A.09, is amended by adding a subdivision
to read:

Subd. 12. Endorsement; dual enrollment instruction. The Board of Teaching must
issue an endorsement for dual enrollment instruction to a high school teacher licensed in a
content-specific field who successfully completes the requirements for providing dual
enrollment instruction in the teacher's licensure field, consistent with board-adopted
standards. The board must adopt standards for this endorsement in consultation with eligible
public postsecondary institutions participating in course agreements under section 124D.09,
subdivision 10. The board-adopted standards for the endorsement must allow a secondary
teacher that receives the endorsement to teach a dual credit course offered by any eligible
postsecondary institution. The endorsement means a change in the teacher's license that
allows the teacher to teach postsecondary college in the schools dual credit courses under
section 124D.09, subdivision 10, at a high school.

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

Sec. 2. Minnesota Statutes 2016, section 122A.17, is amended to read:

122A.17 VALIDITY OF CERTIFICATES OR LICENSES.

(a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and
Standards Board must not affect the validity of certificates or licenses to teach in effect on
July 1, 1974, or the rights and privileges of the holders thereof, except that any such
certificate or license may be suspended or revoked for any of the causes and by the procedures
specified by law.
(b) All teacher licenses in effect on January 1, 2018, shall remain valid for one additional
year after the date the license is scheduled to expire.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

Subdivision 1. Authority to license. (a) The Professional Educator Licensing and
Standards Board of Teaching must license teachers, as defined in section 122A.15,
subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision
2, issue teacher licenses to candidates who meet the qualifications prescribed by this chapter.

(b) The Board of School Administrators must license supervisory personnel as defined
in section 122A.15, subdivision 2, except for athletic coaches.

c) Licenses under the jurisdiction of the Board of Teaching, the Board of School
Administrators, and the commissioner of education must be issued through the licensing
section of the department.

d) The Professional Educator Licensing and Standards Board of Teaching and the
Department of Education must enter into a data sharing agreement to share educational data
at the E-12 level for the limited purpose of program approval and improvement for teacher
education programs. The program approval process must include targeted redesign of teacher
preparation programs to address identified E-12 student areas of concern.

(e) The Board of School Administrators and the Department of Education must enter
into a data sharing agreement to share educational data at the E-12 level for the limited
purpose of program approval and improvement for education administration programs. The
program approval process must include targeted redesign of education administration
preparation programs to address identified E-12 student areas of concern.

For purposes of the data sharing agreements under paragraphs (d) (c) and (e) (d),
the Professional Educator Licensing and Standards Board of Teaching, Board of School
Administrators, and Department of Education may share private data, as defined in section
13.02, subdivision 12, on teachers and school administrators. The data sharing agreements
must not include educational data, as defined in section 13.32, subdivision 1, but may include
summary data, as defined in section 13.02, subdivision 19, derived from educational data.

EFFECTIVE DATE. This section is effective January 1, 2018.
Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

Subd. 2. **Teacher and Support personnel qualifications.** (a) The Professional Educator Licensing and Standards Board of Teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and competent for their respective positions, including those meeting the standards adopted under section 122A.09, subdivision 4, paragraph (n).

(b) The board must require a candidate for teacher licensure to demonstrate a passing score on a board-adopted examination of skills in reading, writing, and mathematics, before being for a candidate to be granted a professional five-year Tier 2, 3, or 4 teaching license under section 122A.181 to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs, except that the board may issue up to four temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed a board adopted skills exam. At the request of the employing school district or charter school, the Board of Teaching may issue an initial professional one-year teaching license to an otherwise qualified teacher not passing or demonstrating a passing score on a board-adopted skills examination in reading, writing, and mathematics. For purposes of this section, the initial professional one-year teaching license issued by the board is limited to the current subject or content matter the teacher is employed to teach and limited to the district or charter school requesting the initial professional one-year teaching license. If the board denies the request, it must provide a detailed response to the school administrator as to the reasons for the denial. The board must require colleges and universities offering a board approved teacher preparation program to make available upon request remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on a board-adopted skills examination, including those for whom English is a second language. The colleges and universities must make available assistance in the specific academic areas of candidates' deficiency. School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on a board-adopted skills examination, and who received an initial professional one-year teaching license to teach in Minnesota. The board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking a board-adopted skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, and the candidates who have not passed a content or pedagogy exam, disaggregated by categories of race, ethnicity, and eligibility for financial aid.
(c) The Board of Teaching must grant professional five-year teaching licenses only to those persons who have met board criteria for that license, which includes passing a board-adopted skills examination in reading, writing, and mathematics, and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph. The requirement to pass a board-adopted reading, writing, and mathematics skills examination, does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a professional five-year teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1.

(d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. Among other requirements, teacher candidates must demonstrate the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language, and achievement in content areas in a regular classroom setting. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

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

Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 2b, is amended to read:

Subd. 2b. Reading specialist. Not later than July 1, 2002, The Professional Educator Licensing and Standards Board of Teaching must adopt rules providing for reading teacher licensure.

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

Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 3, is amended to read:

Subd. 3. Supervisory and coach qualifications; code of ethics. The commissioner of education Professional Educator Licensing and Standards Board must issue licenses under its jurisdiction to persons the commissioner finds to be qualified and competent for
their respective positions under the rules it adopts. The commissioner of education board may develop, by rule, a code of ethics for supervisory personnel covering standards of professional practices, including areas of ethical conduct and professional performance and methods of enforcement.

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

Sec. 7. Minnesota Statutes 2016, section 122A.18, subdivision 3a, is amended to read:

Subd. 3a. **Technology strategies.** All colleges and universities approved by the board of Teaching to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to deliver digital and blended learning and curriculum and engage students with technology.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 8. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and Standards Board of Teaching may allow a person who is enrolled in and making satisfactory progress in a board-approved teacher program and who has successfully completed student teaching to be employed as a short-call substitute teacher.

(b) The Professional Educator Licensing and Standards Board of Teaching may issue a lifetime qualified short-call or long-call substitute teaching license to a person who:

(1) was a qualified teacher under section 122A.16 while holding a professional five-year Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181 and receives a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers Retirement Fund Association;

(2) holds an out-of-state teaching license and receives a retirement annuity as a result of the person's teaching experience; or

(3) held a professional five-year Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181, taught at least three school years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience. A person holding a lifetime qualified short-call or long-call substitute teaching license is not required to complete continuing education clock hours. A person holding this license may reapply to the board for either:
88.1 (i) a professional five-year Tier 3 or Tier 4 teaching license under section 122A.181, and must again complete continuing education clock hours one school year after receiving the professional five-year Tier 3 or Tier 4 teaching license; or

88.4 (ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's degree, an associate's degree, or an appropriate professional credential in the content area the candidate will teach.

88.7 EFFECTIVE DATE. This section is effective July 1, 2018.

88.8 Sec. 9. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

88.9 Subd. 7c. Temporary military license. The Professional Educator Licensing and Standards Board of Teaching shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be $87.90 for an online application or $86.40 for a paper application. The board must provide candidates for a license under this subdivision with information regarding the tiered licensure system provided in section 122A.181.

88.15 EFFECTIVE DATE. This section is effective July 1, 2018.

88.16 Sec. 10. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

88.17 Subd. 8. Background checks. (a) The Professional Educator Licensing and Standards Board of Teaching and the commissioner of education of the Board of School Administrators must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all first-time teaching applicants for licenses under their jurisdiction. Applicants must include with their licensure applications:

88.19 (1) an executed criminal history consent form, including fingerprints; and

88.22 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension for the fee for conducting the criminal history background check.

88.25 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data as defined in section 13.87 and shall also conduct a search of the national criminal records repository. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).
(c) The Professional Educator Licensing and Standards Board of Teaching or the commissioner of education Board of School Administrators may issue a license pending completion of a background check under this subdivision, but must notify the individual that the individual's license may be revoked based on the result of the background check. The individual must notify the school district or charter school that employs the individual as a teacher that the individual's license has been revoked.

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

Sec. 11. [122A.181] **TIERED LICENSURE SYSTEM.**

**Subdivision 1.** **Professional Educator Licensing and Standards Board to issue licenses.** (a) The Professional Educator Licensing and Standards Board must license teachers as defined in section 122A.15, subdivision 1. The tiered licensure system supersedes the licensure system implemented under Minnesota Statutes 2016, section 122A.18, and Minnesota Rules, part 8710.0300.

(b) The Professional Educator Licensing and Standards Board must issue a license to candidates who meet the qualifications prescribed by this chapter.

**Subd. 2. Licensure tiers.** The Professional Educator Licensing and Standards Board must issue a license to candidates who meet the qualifications for the appropriate tier according to the following table:

<table>
<thead>
<tr>
<th>License Name</th>
<th>Duration</th>
<th>Renewal</th>
<th>Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier 1 license</td>
<td>One year</td>
<td>Unlimited</td>
<td>At least one of the following:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(1) for a license to teach career and technical education, at least one of the following:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(i) an associate's degree in the content area;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(ii) professional credential; or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(iii) five years of work experience in the content area;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2) for a license to teach in a content area not included in clause (1), a baccalaureate degree.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>A school board must confirm to the Professional Educator Licensing and Standards Board that it has attempted but is unable to hire a teacher with a Tier 2, 3, or 4 license for the position and that the candidate has the necessary skills and knowledge to teach in a specified content area.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>A candidate meeting the above qualifications must be granted a Tier 1 license upon the request of the employing school board or charter school board.</td>
</tr>
</tbody>
</table>
Years worked with a Tier 1 license do not count toward the candidate's continuing contract under section 122A.40 or 122A.41.

Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.

Meets Tier 1 qualifications and at least one of the following:

1. enrolled in and making satisfactory progress in a Professional Educator Licensing and Standards Board-approved teacher preparation program;
2. passing scores on all required skills, content area, and pedagogy licensure exams; or
3. master's degree in content area.

A school board must confirm that the candidate has the necessary skills and knowledge to teach in a specified content area.

Years worked with a Tier 2 license only count toward the candidate's continuing contract under section 122A.40 or 122A.41 if the candidate subsequently obtains a Tier 3 or Tier 4 license.

Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.

Meets Tier 1 qualifications and at least one of the following:

1. successful completion of a Professional Educator Licensing and Standards Board-approved teacher preparation program;
2. successful completion of an out-of-state teacher preparation program that includes field-specific methods training and field-specific student teaching;
3. an out-of-state professional teaching license in good standing;
4. passing scores on all required skills, content area, and pedagogy licensure exams; or

And meets at least one of the following criteria:

1. 12 weeks of student teaching experience;
2. two years of field-specific teaching experience; or
3. completion of a comprehensive teacher mentoring program offered by a Minnesota school.
Must participate in a school district's evaluation program that includes an individual growth and development plan.

Meets Tier 3 qualifications and the following:

1. at least three years teaching experience in any state; and

2. passing scores on all required skills, content area, and pedagogy licensure exams.

Must participate in a school district's evaluation program that includes an individual growth and development plan.

Subd. 3. Assessment alternatives. A Tier 3 or Tier 4 teacher licensure candidate that fails, after two attempts, to obtain a passing score on the board-adopted skills examination in reading, writing, and mathematics may demonstrate to the board that they have attained the required skills by either of the following:

1. completing a portfolio using board-adopted standards; or

2. teaching for three years in a Minnesota school with at least one summative teacher evaluation and showing satisfactory evidence of successful teaching according to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

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

Sec. 12. [122A.187] EXPIRATION AND RENEWAL.

Subdivision 1. License form requirements. Each license issued under this chapter must bear the date of issue and the name of the state-approved teacher training provider or alternative teaching program, as applicable. Licenses must expire and be renewed according to rules adopted by the Professional Educator Licensing and Standards Board or the Board of School Administrators. Requirements for renewing a Tier 3 or Tier 4 license must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completing such additional preparation as required under this section, or as the Professional Educator Licensing and Standards Board prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The Professional Educator Licensing and Standards Board shall establish requirements for renewing the licenses of athletic coaches.

Subd. 2. Professional growth. (a) Applicants for license renewal for a Tier 3 or Tier 4 license who have been employed as a teacher during the renewal period of the expiring license, as a condition of license renewal, must present to the Professional Educator Licensing...
and Standards Board evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, practices in meeting the varied needs of English learners from young children to adults under section 124D.59, subdivisions 2 and 2a.

(b) The Professional Educator Licensing and Standards Board must ensure that its teacher relicensing requirements include paragraph (a).

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

Sec. 13. [122A.188] LICENSURE DENIAL; APPEAL.

Subdivision 1. Denial letter. (a) The Professional Educator Licensing and Standards Board must inform a candidate within 30 days of receiving a completed application whether the candidate's application for an initial teaching license or renewal of license has been approved or denied. When an application is denied, the notification letter must inform the candidate of the process for seeking review of the denial and of the appeals process provided in this section, including all deadlines for seeking review of the denial decision and filing an appeal. The notification letter must identify each licensure requirement the candidate failed to meet.

(b) For purposes of this section, "denial" means denial of an initial license or a denial of a renewal license. Denial of an initial license includes a grant of a license that is a lower tier than the candidate applied for and denial of application for an additional field of licensure.

Subd. 2. Review of denial. A candidate whose license application is denied may seek review of the denial by submitting a letter to the Professional Educator Licensing and Standards Board within 30 calendar days of receipt of the denial letter. The candidate may include any documentation necessary to demonstrate that the candidate meets the licensure requirements. The board must review the denial within 60 calendar days of receipt of the letter seeking review. If the board affirms the denial, the board must send the candidate a letter identifying each licensure requirement the candidate failed to meet and informing the candidate of the appeal process provided under this section.

Subd. 3. Appeal. A candidate whose application for license or license renewal has been denied under subdivisions 1 and 2 may appeal the decision by filing a written request with the Professional Educator Licensing and Standards Board within 30 days of notice that the board has affirmed the denial of license. The board must then initiate a contested case under the Administrative Procedure Act, sections 14.001 to 14.69.

**EFFECTIVE DATE.** This section is effective July 1, 2018.
Sec. 14. Minnesota Statutes 2016, section 122A.19, is amended to read:

122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;

LICENSES.

Subdivision 1. Bilingual and English as a second language licenses. The Professional Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant teaching licenses in bilingual education and English as a second language to persons who present satisfactory evidence that they:

(a) (1) possess competence and communicative skills in English and in another language;

(b) (2) possess a bachelor's degree or other academic degree approved by the board, and meet such requirements as to course of study and training as the board may prescribe, consistent with subdivision 4; and

(3) meet all other requirements for a teaching license provided in section 122A.18.

Subd. 2. Persons holding general teaching licenses. The board may license a person who holds a general teaching license in any tier under section 122A.181, and who presents the board with satisfactory evidence of competence and communicative skills in a language other than English under this section.

Subd. 4. Teacher preparation programs. For the purpose of licensing bilingual and English as a second language teachers, the board may approve programs at colleges or universities designed for their training. These programs must provide instruction in implementing research-based practices designed specifically for English learners. The programs must focus on developing English learners' academic language proficiency in English, including oral academic language, giving English learners meaningful access to the full school curriculum, developing culturally relevant teaching practices appropriate for immigrant students, and providing more intensive instruction and resources to English learners with lower levels of academic English proficiency and varied needs, consistent with section 124D.59, subdivisions 2 and 2a.

Subd. 5. Persons eligible for employment. Any person licensed under this section is eligible for employment by a school board as a teacher in a bilingual education or English as a second language program in which the language for which the person is licensed is taught or used as a medium of instruction. A board may prescribe only those additional qualifications for teachers licensed under this section that are approved by the board of teaching.
Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program positions, districts must give preference to and make affirmative efforts to seek, recruit, and employ persons who (1) are native speakers of the language which is the medium of instruction in the bilingual education program or share a native language with the majority of their students, and (2) share the culture of the English learners enrolled in the program. The district shall provide procedures for involving the parent advisory committees in designing the procedures for recruiting, screening, and selecting applicants. This section must not be construed to limit the school board's authority to hire and discharge personnel.

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

Sec. 15. Minnesota Statutes 2016, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

1. immoral character or conduct;
2. failure, without justifiable cause, to teach for the term of the teacher's contract;
3. gross inefficiency or willful neglect of duty;
4. failure to meet licensure requirements; or
5. fraud or misrepresentation in obtaining a license.

The written complaint must specify the nature and character of the charges.

(b) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to
children under section 609.352, interference with privacy under section 609.746 or stalking
under section 609.749 and the victim was a minor, using minors in a sexual performance
under section 617.246, possessing pornographic works involving a minor under section
617.247, or any other offense not listed in this paragraph that requires the person to register
as a predatory offender under section 243.166, or a crime under a similar law of another
state or the United States. The board shall send notice of this licensing action to the district
in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under
paragraph (b), may petition the board to reconsider the licensing action if the person's
conviction for child abuse or sexual abuse is reversed by a final decision of the Court of
Appeals or the Supreme Court or if the person has received a pardon for the offense. The
petitioner shall attach a certified copy of the appellate court's final decision or the pardon
to the petition. Upon receiving the petition and its attachment, the board shall schedule and
hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the
petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal
of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified
from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing
action. If the board finds that the petitioner is not disqualified from teaching under paragraph
(a), clause (1), it shall reverse its previous licensing action.

(d) For purposes of this subdivision, the Professional Educator Licensing and Standards
Board of Teaching is delegated the authority to suspend or revoke coaching licenses.

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

Sec. 16. Minnesota Statutes 2016, section 122A.20, subdivision 2, is amended to read:

Subd. 2. Mandatory reporting. A school board must report to the Professional Educator
Licensing and Standards Board of Teaching, the Board of School Administrators, or the
Board of Trustees of the Minnesota State Colleges and Universities, whichever has
jurisdiction over the teacher's or administrator's license, when its teacher or administrator
is discharged or resigns from employment after a charge is filed with the school board under
section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed
that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses
(1) to (5), or when a teacher or administrator is suspended or resigns while an investigation
is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41,
subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator
is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),
clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

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

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

Sec. 17. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

Subd. 2. Licensure via portfolio. (a) The Professional Educator Licensing and Standards Board must develop a process for an eligible candidate may use licensure via portfolio to obtain a professional five-year teaching any teacher license under section 122A.181, or to add a licensure field, consistent with applicable Board of Teaching licensure rules via portfolio.
(b) A candidate for a professional five-year teaching license must submit to the Educator Licensing Division at the department board one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the Educator Licensing Division at the department board one portfolio demonstrating content competence for each field the candidate seeks to add.

(d) The board of Teaching must notify a candidate who submits a portfolio under paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not the portfolio was approved. If the portfolio was not approved, the board must immediately inform the candidate how to revise the portfolio to successfully demonstrate the requisite competence. The candidate may resubmit a revised portfolio at any time and the Educator Licensing Division at the department board must approve or disapprove the revised portfolio within 60 calendar days of receiving it.

(e) A candidate must pay to the executive secretary of the board of Teaching a $300 fee for the first portfolio submitted for review and a $200 fee for any portfolio submitted subsequently. The revenue generated from the fee must be deposited in an education licensure portfolio account in the special revenue fund. The fees set by the board of Teaching are nonrefundable for applicants not qualifying for a license. The board of Teaching may waive or reduce fees for candidates based on financial need.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 18. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

Subd. 3. Teacher licensure agreements with adjoining states. (a) Notwithstanding any other law to the contrary, the Professional Educator Licensing and Standards Board of Teaching must enter into a National Association of State Directors of Teacher Education and Certification (NASDTEC) interstate agreement and other interstate agreements for teacher licensure to allow fully certified teachers from adjoining states to transfer their certification to Minnesota. The board must enter into these interstate agreements only after determining that the rigor of the teacher licensure or certification requirements in the adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.
(b) The Professional Educator Licensing and Standards Board of Teaching must work with designated authorities in adjoining states to establish interstate teacher licensure agreements under this section.

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

Sec. 19. [122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.

Subdivision 1. Definitions. (a) "Provider" or "unit" means an eligible entity that seeks or has obtained approval for an alternative teacher preparation program consistent with this section.

(b) "Program" means content provided by a provider that leads toward licensure in a specific content area.

Subd. 2. Purpose. To provide alternative pathways toward Minnesota teacher licensure outside of the traditional means, to improve ethnic and cultural diversity in the classroom, and to close the achievement gap, the Professional Educator Licensing and Standards Board must approve qualified teacher preparation providers and programs under this section that are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a Tier 3 license under section 122A.181.

Subd. 3. Eligibility. A school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose is eligible to participate under this section. An eligible entity may apply for provider and program approval simultaneously.

Subd. 4. Provider approval. An eligible entity must be approved as a provider before being approved to provide programs toward licensure. The Professional Educator Licensing and Standards Board must approve eligible entities under subdivision 3 that meet the following requirements:

(1) has evidence and a history of fiscal solvency, capacity, and operation;

(2) has evidence of necessary infrastructure to provide accurate, timely, and secure data for the purposes of admission, candidate monitoring, testing, background checks, and license recommendations;

(3) has policies and procedures in place ensuring the security of candidate records under the federal Family Educational Rights and Privacy Act;

(4) has the instructional capacity or ability to obtain the instructional capacity to provide an adequate instructional phase under subdivision 5; and
(5) meets all other board-adopted rules for teacher preparation providers.

Subd. 5. Program approval. The board must approve programs offered by approved providers based on nontraditional criteria. An approved program must have the following characteristics:

(1) an instructional phase that provides intensive preparation and observed classroom experience that is commensurate with the scope of licensure standards defined under rule, before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) a strategy to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) provide assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program, and to support efforts to successfully complete the program;

(5) provide intensive and ongoing professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a workplace orientation, professional staff development, mentoring and peer review, focused on standards of professional practice and continuous professional growth; and

(6) a process to review a candidate's final proficiency of required licensure content standards that leads to potential candidate recommendation by the provider to the board for a Tier 3 teaching license under subdivision 8.

Subd. 6. Nontraditional means; program instructors. (a) The board must permit alternative teacher preparation providers and teacher candidates to demonstrate pedagogy and content standard proficiency in school-based programs and through other nontraditional means. Nontraditional means may include previous work experiences, teaching experiences, educator evaluations, industry-recognized certifications, and other essentially equivalent demonstrations.

(b) The board must use nontraditional criteria to determine qualifications of program instructors, including permitting instructors to hold a baccalaureate degree only.

Subd. 7. Program disapproval, suspension. If the board determines that a teacher preparation provider or licensure program fails to meet or is deficient in any of the requirements of subdivision 5, it may suspend or revoke the approval of the provider or
program after it notifies the provider of the deficiencies and gives the provider an opportunity
to remedy the deficiencies.

Subd. 8. Candidate program completion; teacher licensure. (a) A candidate who
completes an approved program must apply for a license under the tiered licensure system
according to section 122A.181.

(b) A person who successfully completes another state’s alternative teacher preparation
licensure program may apply to the Professional Educator Licensing and Standards Board
for a Tier 3 license.

Subd. 9. Reports. (a) An approved alternative teacher preparation provider must report
to the Professional Educator Licensing and Standards Board on items that are defined in
statute regarding program candidates, completion, and effectiveness or other items that are
required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial
report on the alternative teacher preparation program and providers to legislative committees
with jurisdiction over kindergarten through grade 12 education policy and finance by January
15 of each odd-numbered year.

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

Sec. 20. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

Subd. 2. Exceptions. A person who teaches in a community education program which
qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements
as a teacher. A person who teaches in an early childhood and family education program
which is offered through a community education program and which qualifies for community
education aid pursuant to section 124D.20 or early childhood and family education aid
pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A
person who teaches in a community education course which is offered for credit for
graduation to persons under 18 years of age shall continue to meet licensure requirements
as a teacher. A person who teaches a driver training course which is offered through a
community education program to persons under 18 years of age shall be licensed by the
Professional Educator Licensing and Standards Board of Teaching or be subject to section
171.35. A license which is required for an instructor in a community education program
pursuant to this subdivision shall not be construed to bring an individual within the definition
of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,
clause (a).
Sec. 21. Minnesota Statutes 2016, section 122A.28, is amended to read:

122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS;

LICENSURE REQUIREMENTS.

Subdivision 1. K-12 license to teach deaf and hard-of-hearing students; relicensure.

(a) The Professional Educator Licensing and Standards Board of Teaching must review and determine appropriate licensure requirements for a candidate for a license or an applicant for a continuing license to teach deaf and hard-of-hearing students in prekindergarten through grade 12. In addition to other requirements, a candidate must demonstrate the minimum level of proficiency in American sign language as determined by the board.

(b) Among other relicensure requirements, each teacher under this section must complete 30 continuing education clock hours on hearing loss topics, including American Sign Language, American Sign Language linguistics, or deaf culture, in each licensure renewal period.

Subd. 2. Licensure for teaching oral/aural deaf education programs. (a) The Professional Educator Licensing and Standards Board of Teaching shall adopt a separate licensure rule for a candidate for a license or an applicant for a continuing license to teach in oral/aural deaf education programs or to provide services, including itinerant oral/aural deaf education services, to deaf and hard-of-hearing students in prekindergarten through grade 12.

(b) The board shall design rule requirements for teaching oral/aural deaf education in collaboration with representatives of parents and educators of deaf and hard-of-hearing students, postsecondary programs preparing teachers of deaf and hard-of-hearing students, and the Department of Education.

(c) Rule requirements for teaching oral/aural deaf education shall reflect best practice research in oral/aural deaf education. Advanced competencies in teaching deaf and hard-of-hearing students through oral/aural modes shall be included.

(d) Licensure requirements for teachers of oral/aural deaf education must include minimum competency in American sign language, but are not subject to the guidelines established in Laws 1993, chapter 224, article 3, section 32, as amended by Laws 1998, chapter 398, article 2, section 47. The signed communication proficiency interview shall not be required for teachers licensed to teach deaf and hard-of-hearing students through oral/aural deaf education methods.
Sec. 22. Minnesota Statutes 2016, section 122A.29, is amended to read:

122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS; LICENSURE REQUIREMENTS.

Teachers licensed in the education of blind and visually impaired students must demonstrate competence in reading and writing Braille. The Professional Educator Licensing and Standards Board of Teaching, at such time as a valid and reliable test is available, shall adopt a rule to assess these competencies that is consistent with the standards of the National Library Services for the Blind and Physically Handicapped.

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

Sec. 23. Minnesota Statutes 2016, section 122A.30, is amended to read:

122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION INSTRUCTORS.

(a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local employer school board, a person who teaches in a part-time vocational or career and technical education program is exempt from a license requirement. Nothing in this section shall exclude licensed career and technical educators from the definition of "teacher" in section 122A.40, 122A.41, or 179A.03.

(b) This section expires June 30, 2020. After this section expires, persons who teach in a part-time vocational or career and technical education program may apply for a teaching license provided in section 122A.181.

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

Sec. 24. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

Subd. 11. Teachers. A school board must employ necessary licensed teachers for its early childhood family education programs. The Board of Teaching, at its discretion, may grant an applicant a variance under this subdivision, consistent with sections 122A.09, subdivision 10, and 122A.25, and Board of Teaching rules.

EFFECTIVE DATE. This section is effective July 1, 2018.
Sec. 25. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services rendered or for costs incurred in career and technical education programs approved by the commissioner and operated in accordance with rules promulgated by the commissioner. This aid shall be paid only for services rendered and for costs incurred by essential, licensed personnel who meet the requirements for licensure pursuant to the rules of the Minnesota Professional Educator Licensing and Standards Board of Teaching. Licensed personnel means persons holding a valid career and technical license issued by the commissioner or the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding section 127A.42, the commissioner may modify or withdraw the program or aid approval and withhold aid under this section without proceeding under section 127A.42 at any time. To do so, the commissioner must determine that the program does not comply with rules of the Department of Education or that any facts concerning the program or its budget differ from the facts in the district's approved application.

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

Sec. 26. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

Subdivision 1. **American Indian language and culture education licenses.** The Professional Educator Licensing and Standards Board of Teaching, in consultation with the Tribal Nations Education Committee, must grant initial and continuing teaching licenses in American Indian language and culture education that bear the same duration as other initial and continuing licenses. The board must grant licenses to persons who present satisfactory evidence that they:

(1) possess competence in an American Indian language or possess unique qualifications relative to or knowledge and understanding of American Indian history and culture; or

(2) possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, tribal resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own...
behalf or these applications may be submitted by the superintendent or other authorized
official of a school district, participating school, or an American Indian school.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 27. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under
this section shall be eligible for employment by a school board or a participating school as
a teacher in an American Indian education program in which the American Indian language
or culture in which the person is licensed is taught. A school district or participating school
may prescribe only those additional qualifications for teachers licensed under this section
as are approved by the Professional Educator Licensing and Standards Board of Teaching.
Any school board or participating school upon request may be exempted from the licensure
requirements of this section in the hiring of one or more American Indian language and
culture education teachers for any school year in which compliance would, in the opinion
of the commissioner, create a hardship in the securing of the teachers.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 28. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

Subd. 2. **Teacher standards.** A teacher or administrator at the academies is subject to
the licensure standards of the Professional Educator Licensure and Standards Board of
Teaching or the commissioner of education. An administrator at the academies is subject
to the licensure standards of the Board of School Administrators.

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

Sec. 29. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

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

(c) "School district" means an independent school district, special school district,
intermediate district, education district, special education cooperative, service cooperative,
a cooperative center for vocational education, or a charter school located in Minnesota.
(d) "Teacher" means an individual holding a teaching license issued by the licensing division in the Department of Education on behalf of the Board of Teaching Professional Educator Licensure and Standards Board who is employed by a school district to provide classroom instruction in a teacher shortage area.

(e) "Teacher shortage area" means the licensure fields and economic development regions reported by the commissioner of education as experiencing a teacher shortage.

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

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

Sec. 30. LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.

Subdivision 1. **One-year license.** A one-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 1 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 2 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 3. **Three-year license.** A three-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 3 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education before the effective date of this section must be treated as a Tier 4 license established under Minnesota Statutes, sections 122A.18 and 122A.181.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 31. RULE CHANGE; ACADEMIC AND BEHAVIORAL STRATEGIST LICENSURE.

No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules, part 8710.5050, subpart 4, so that academic and behavioral strategist continuing licenses under that part may be issued and renewed according to rules of the Board of Teaching governing continuing licenses and without requiring the candidate to hold or be recommended for licensure in any other licensure field. The board shall use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under
this section, and Minnesota Statutes, section 14.386, does not apply except as provided in
Minnesota Statutes, section 14.388.

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

**Sec. 32. TEACHER OF SPECIAL EDUCATION LICENSE REVIEW.**

The Professional Educator Licensing and Standards Board must conduct a review of all available teacher of special education licenses and determine the options for cross-categorical licenses for teachers of special education. The board must report its findings and draft legislation, if needed, to the legislative committees with jurisdiction over kindergarten through grade 12 education by December 14, 2018.

**Sec. 33. REPEALER.**

Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, and 7; 122A.23, subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

**ARTICLE 4**

**SPECIAL EDUCATION**

Section 1. Minnesota Statutes 2016, section 125A.0941, is amended to read:

**125A.0941 DEFINITIONS.**

(a) The following terms have the meanings given them.

(b) "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists.

(c) "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. The term physical holding does not mean physical contact that:

(1) helps a child respond or complete a task;
107.1 (2) assists a child without restricting the child's movement;
107.2 (3) is needed to administer an authorized health-related service or procedure; or
107.3 (4) is needed to physically escort a child when the child does not resist or the child's
107.4 resistance is minimal.
107.5 (d) "Positive behavioral interventions and supports" means interventions and strategies
to improve the school environment and teach children the skills to behave appropriately;
107.6 including the key components under section 122A.627.
107.7 (e) "Prone restraint" means placing a child in a face down position.
107.8 (f) "Restrictive procedures" means the use of physical holding or seclusion in an
107.9 emergency. Restrictive procedures must not be used to punish or otherwise discipline a
107.10 child.
107.11 (g) "Seclusion" means confining a child alone in a room from which egress is barred.
107.12 Egress may be barred by an adult locking or closing the door in the room or preventing the
107.13 child from leaving the room. Removing a child from an activity to a location where the
107.14 child cannot participate in or observe the activity is not seclusion.

Sec. 2. Minnesota Statutes 2016, section 125A.11, subdivision 1, is amended to read:

Subdivision 1. **Nonresident tuition rate; other costs.** (a) For fiscal year 2015 and later,
when a school district provides special instruction and services for a pupil with a disability
as defined in section 125A.02 outside the district of residence, excluding a pupil for whom
an adjustment to special education aid is calculated according to section 127A.47, subdivision
7, paragraphs (b) to (d), special education aid paid to the resident district must be reduced
by an amount equal to (1) the actual cost of providing special instruction and services to
the pupil, including a proportionate amount for special transportation, plus (2) the amount
of general education revenue, excluding local optional revenue, plus local optional aid and
referendum equalization aid attributable to that pupil, calculated using the resident district's
average general education revenue and referendum equalization aid per adjusted pupil unit
excluding basic skills revenue, elementary sparsity revenue and secondary sparsity revenue,
minus (3) the amount of special education aid for children with a disability under section
125A.76 received on behalf of that child, minus (4) if the pupil receives special instruction
and services outside the regular classroom for more than 60 percent of the school day, the
amount of general education revenue and referendum equalization aid, excluding portions
attributable to district and school administration, district support services, operations and
maintenance, capital expenditures, and pupil transportation, attributable to that pupil for
the portion of time the pupil receives special instruction and services outside of the regular
classroom, calculated using the resident district's average general education revenue and
referendum equalization aid per adjusted pupil unit excluding basic skills revenue, elementary
sparsity revenue and secondary sparsity revenue and the serving district's basic skills revenue,
elementary sparsity revenue and secondary sparsity revenue per adjusted pupil unit.
Notwithstanding clauses (1) and (4), for pupils served by a cooperative unit without a fiscal
agent school district, the general education revenue and referendum equalization aid
attributable to a pupil must be calculated using the resident district's average general
education revenue and referendum equalization aid excluding compensatory revenue,
elementary sparsity revenue, and secondary sparsity revenue. Special education aid paid to
the district or cooperative providing special instruction and services for the pupil must be
increased by the amount of the reduction in the aid paid to the resident district. If the resident
district's special education aid is insufficient to make the full adjustment, the remaining
adjustment shall be made to other state aid due to the district.
(b) Notwithstanding paragraph (a), when a charter school receiving special education
aid under section 124E.21, subdivision 3, provides special instruction and services for a
pupil with a disability as defined in section 125A.02, excluding a pupil for whom an
adjustment to special education aid is calculated according to section 127A.47, subdivision
7, paragraphs (b) to (e), special education aid paid to the resident district must be reduced
by an amount equal to that calculated under paragraph (a) as if the charter school received
aid under section 124E.21, subdivision 1. Notwithstanding paragraph (a), special education
aid paid to the charter school providing special instruction and services for the pupil must
not be increased by the amount of the reduction in the aid paid to the resident district.
(c) Notwithstanding paragraph (a) and section 127A.47, subdivision 7, paragraphs (b)
to (d):
(1) an intermediate district or a special education cooperative may recover unreimbursed
costs of serving pupils with a disability, including building lease, debt service, and indirect
costs necessary for the general operation of the organization, by billing membership fees
and nonmember access fees to the resident district;
(2) a charter school where more than 30 percent of enrolled students receive special
education and related services, a site approved under section 125A.515, an intermediate
district, a site constructed according to Laws 1992, chapter 558, section 7, subdivision 7,
to meet the educational needs of court-placed adolescents, or a special education cooperative
may apply to the commissioner for authority to charge the resident district an additional
amount to recover any remaining unreimbursed costs of serving pupils with a disability;
(3) the billing under clause (1) or application under clause (2) must include a description
of the costs and the calculations used to determine the unreimbursed portion to be charged
to the resident district. Amounts approved by the commissioner under clause (2) must be
included in the aid adjustments under paragraph (a), or section 127A.47, subdivision 7,
paragraphs (b) to (d), as applicable.

(d) For purposes of this subdivision and section 127A.47, subdivision 7, paragraph (b),
"general education revenue and referendum equalization aid" means the sum of the general
education revenue according to section 126C.10, subdivision 1, excluding the local optional
levy according to section 126C.10, subdivision 2e, paragraph (c), plus the referendum
equalization aid according to section 126C.17, subdivision 7.

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

Sec. 3. Minnesota Statutes 2016, section 125A.21, subdivision 2, is amended to read:

Subd. 2. **Third-party reimbursement.** (a) Beginning July 1, 2000, districts shall seek
reimbursement from insurers and similar third parties for the cost of services provided by
the district whenever the services provided by the district are otherwise covered by the
child's health coverage. Districts shall request, but may not require, the child's family to
provide information about the child's health coverage when a child with a disability begins
to receive services from the district of a type that may be reimbursable, and shall request,
but may not require, updated information after that as needed.

(b) For children enrolled in medical assistance under chapter 256B or MinnesotaCare
under chapter 256L who have no other health coverage, a district shall provide an initial
and annual written notice to the enrolled child's parent or legal representative of its intent
to seek reimbursement from medical assistance or MinnesotaCare for:

(1) the evaluations required as part of the individualized education program process or
individualized family service plan process; and

(2) health-related services provided by the district in accordance with the individualized
education program or individualized family service plan.

The initial notice must give the child's parent or legal representative the right to request a
copy of the child's education records on the health-related services that the district provided
to the child and disclosed to a third-party payer.

(c) The district shall give the parent or legal representative annual written notice of:
(1) the district's intent to seek reimbursement from medical assistance or MinnesotaCare
for evaluations required as part of the individualized education program process or
individualized family service plan process, and for health-related services provided by the
district in accordance with the individualized education program or individualized family
service plan;

(2) the right of the parent or legal representative to request a copy of all records
concerning individualized education program or individualized family service plan
health-related services disclosed by the district to any third party; and

(3) the right of the parent or legal representative to withdraw consent for disclosure of
a child's records at any time without consequence.

The written notice shall be provided as part of the written notice required by Code of Federal
Regulations, title 34, section 300.504 or 303.520. The district must ensure that the parent
of a child with a disability is given notice, in understandable language, of federal and state
procedural safeguards available to the parent under this paragraph and paragraph (b).

(d) In order to access the private health care coverage of a child who is covered by private
health care coverage in whole or in part, a district must:

(1) obtain annual written informed consent from the parent or legal representative, in
compliance with subdivision 5; and

(2) inform the parent or legal representative that a refusal to permit the district or state
Medicaid agency to access their private health care coverage does not relieve the district of
its responsibility to provide all services necessary to provide free and appropriate public
education at no cost to the parent or legal representative.

(e) If the commissioner of human services obtains federal approval to exempt covered
individualized education program or individualized family service plan health-related
services from the requirement that private health care coverage refuse payment before
medical assistance may be billed, paragraphs (b), (c), and (d) shall also apply to students
with a combination of private health care coverage and health care coverage through medical
assistance or MinnesotaCare.

(f) In the event that Congress or any federal agency or the Minnesota legislature or any
state agency establishes lifetime limits, limits for any health care services, cost-sharing
provisions, or otherwise provides that individualized education program or individualized
family service plan health-related services impact benefits for persons enrolled in medical
assistance or MinnesotaCare, the amendments to this subdivision adopted in 2002 are
repealed on the effective date of any federal or state law or regulation that imposes the
limits. In that event, districts must obtain informed consent consistent with this subdivision
as it existed prior to the 2002 amendments and subdivision 5, before seeking reimbursement
for children enrolled in medical assistance under chapter 256B or MinnesotaCare under
chapter 256L who have no other health care coverage.

EFFECTIVE DATE. This section is effective August 1, 2017.

Sec. 4. Minnesota Statutes 2016, section 125A.515, is amended to read:

125A.515 PLACEMENT OF STUDENTS; APPROVAL OF EDUCATION

1. Approval of on-site education programs. The commissioner shall
approve on-site education programs for placement of children and youth in residential
facilities including detention centers, before being licensed by the Department of Human
Services or the Department of Corrections. Education programs in these facilities shall
conform to state and federal education laws including the Individuals with Disabilities
Education Act (IDEA). This section applies only to placements in children's residential
facilities licensed by the Department of Human Services or the Department of Corrections.
For purposes of this section, "on-site education program" means the educational services
provided directly on the grounds of the care and treatment children's residential facility to
children and youth placed for care and treatment.

Subd. 3. Responsibilities for providing education. (a) The district in which the children's
residential facility is located must provide education services, including special education
if eligible, to all students placed in a facility.

(b) For education programs operated by the Department of Corrections, the providing
district shall be the Department of Corrections. For students remanded to the commissioner
of corrections, the providing and resident district shall be the Department of Corrections.

Subd. 3a. Students without a disability from other states. A school district is not
required to provide education services under this section to a student who:

(1) is not a resident of Minnesota;

(2) does not have an individualized education program; and

(3) does not have a tuition arrangement or agreement to pay the cost of education from
the placing authority.
Subd. 4. **Education services required.** (a) Education services must be provided to a student beginning within three business days after the student enters the care and treatment children's residential facility. The first four days of the student's placement may be used to screen the student for educational and safety issues.

(b) If the student does not meet the eligibility criteria for special education, regular education services must be provided to that student.

Subd. 5. **Education programs for students placed in children's residential facilities.**

(a) When a student is placed in a children's residential facility approved under this section that has an on-site education program, the providing district, upon notice from the care and treatment children's residential facility, must contact the resident district within one business day to determine if a student has been identified as having a disability, and to request at least the student's transcript, and for students with disabilities, the most recent individualized education program (IEP) and evaluation report, and to determine if the student has been identified as a student with a disability. The resident district must send a facsimile copy to the providing district within two business days of receiving the request.

(b) If a student placed under this section has been identified as having a disability and has an individualized education program in the resident district:

(1) the providing agency must conduct an individualized education program meeting to reach an agreement about continuing or modifying special education services in accordance with the current individualized education program goals and objectives and to determine if additional evaluations are necessary; and

(2) at least the following people shall receive written notice or documented phone call to be followed with written notice to attend the individualized education program meeting:

(i) the person or agency placing the student;

(ii) the resident district;

(iii) the appropriate teachers and related services staff from the providing district;

(iv) appropriate staff from the children's residential facility;

(v) the parents or legal guardians of the student; and

(vi) when appropriate, the student.

(c) For a student who has not been identified as a student with a disability, a screening must be conducted by the providing districts as soon as possible to determine the student's...
Subd. 6. Exit report summarizing educational progress. If a student has been placed in a facility under this section for 15 or more business days, the providing district must prepare an exit report summarizing the regular education, special education, evaluation, educational progress, and service information and must send the report to the resident district and the next providing district if different, the parent or legal guardian, and any appropriate social service agency. For students with disabilities, this report must include the student's IEP.

Subd. 7. Minimum educational services required. When a student is placed in a children's residential facility approved under this section, at a minimum, the providing district is responsible for:

1. the education necessary, including summer school services, for a student who is not performing at grade level as indicated in the education record or IEP; and
2. a school day, of the same length as the school day of the providing district, unless the unique needs of the student, as documented through the IEP or education record in consultation with treatment providers, requires an alteration in the length of the school day.

Subd. 8. Placement, services, and due process. When a student's treatment and educational needs allow, education shall be provided in a regular educational setting. The determination of the amount and site of integrated services must be a joint decision between the student's parents or legal guardians and the treatment and education staff. When applicable, educational placement decisions must be made by the IEP team of the providing district. Educational services shall be provided in conformance with the least restrictive environment principle of the Individuals with Disabilities Education Act. The providing district and care and treatment children's residential facility shall cooperatively develop discipline and behavior management procedures to be used in emergency situations that comply with the Minnesota Pupil Fair Dismissal Act and other relevant state and federal laws and regulations.

Subd. 9. Reimbursement for education services. (a) Education services provided to students who have been placed under this section are reimbursable in accordance with special education and general education statutes.

(b) Indirect or consultative services provided in conjunction with regular education prereferral interventions and assessment provided to regular education students suspected
of being disabled and who have demonstrated learning or behavioral problems in a screening
are reimbursable with special education categorical aids.

(c) Regular education, including screening, provided to students with or without
disabilities is not reimbursable with special education categorical aids.

Subd. 10. **Students unable to attend school but not covered under this section.**

Students who are absent from, or predicted to be absent from, school for 15 consecutive or
intermittent days, and placed at home or in facilities not licensed by the Departments of
Corrections or Human Services are entitled to regular and special education services
consistent with this section or Minnesota Rules, part 3525.2325. These students include
students with and without disabilities who are home due to accident or illness, in a hospital
or other medical facility, or in a day treatment center.

Sec. 5. Minnesota Statutes 2016, section 125A.74, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** A district may enroll as a provider in the medical assistance
program and receive medical assistance payments for covered evaluations and special
education services provided to persons eligible for medical assistance under chapter 256B.
To receive medical assistance payments, the district must pay the nonfederal share of medical
assistance services provided according to section 256B.0625, subdivision 26, and comply
with relevant provisions of state and federal statutes and regulations governing the medical
assistance program.

**EFFECTIVE DATE.** This section is effective August 1, 2017.

Sec. 6. Minnesota Statutes 2016, section 125A.76, subdivision 2c, is amended to read:

Subd. 2c. **Special education aid.** (a) For fiscal year 2016 and later, a district's special
education aid equals the sum of the district's special education initial aid under subdivision
2a and the district's excess cost aid under section 125A.79, subdivision 5.

(b) Notwithstanding paragraph (a), for fiscal year 2016, the special education aid for a
school district must not exceed the sum of the special education aid the district would have
received for fiscal year 2016 under Minnesota Statutes 2012, sections 125A.76 and 125A.79,
as adjusted according to Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision
7, and the product of the district's average daily membership served and the special education
aid increase limit.

(c) Notwithstanding paragraph (a), for fiscal year 2017 and later, the special education
aid for a school district must not exceed the sum of: (i) the product of the district's average...
daily membership served and the special education aid increase limit and (ii) the product
of the sum of the special education aid the district would have received for fiscal year 2016
under Minnesota Statutes 2012, sections 125A.76 and 125A.79, as adjusted according to
Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of the
district's average daily membership served for the current fiscal year to the district's average
daily membership served for fiscal year 2016, and the program growth factor.

(d) Notwithstanding paragraph (a), for fiscal year 2016 and later the special education
aid for a school district, not including a charter school or cooperative unit as defined in
section 123A.24, must not be less than the lesser of (1) the district's nonfederal special
education expenditures for that fiscal year or (2) the product of the sum of the special
education aid the district would have received for fiscal year 2016 under Minnesota Statutes
2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012,
sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted daily
membership for the current fiscal year to the district's average daily membership for fiscal
year 2016, and the program growth factor.

(e) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first year
of operation shall generate special education aid based on current year data. A newly formed
cooperative unit as defined in section 123A.24 may apply to the commissioner for approval
to generate special education aid for its first year of operation based on current year data,
with an offsetting adjustment to the prior year data used to calculate aid for programs at
participating school districts or previous cooperatives that were replaced by the new
cooperative. The department shall establish procedures to adjust the prior year data and
fiscal year 2016 old formula aid used in calculating special education aid to exclude costs
that have been eliminated for districts where programs have closed or where a substantial
portion of the program has been transferred to a cooperative unit.

(f) The department shall establish procedures through the uniform financial accounting
and reporting system to identify and track all revenues generated from third-party billings
as special education revenue at the school district level; include revenue generated from
third-party billings as special education revenue in the annual cross-subsidy report; and
exclude third-party revenue from calculation of excess cost aid to the districts.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2018 and later.

Sec. 7. Minnesota Statutes 2016, section 256B.0625, subdivision 26, is amended to read:

Subd. 26. Special education services. (a) Medical assistance covers evaluations necessary
in making a determination for eligibility for individualized education program and
individualized family service plan services and for medical services identified in a recipient's
individualized education program and individualized family service plan and covered under
the medical assistance state plan. Covered services include occupational therapy, physical
therapy, speech-language therapy, clinical psychological services, nursing services, school
psychological services, school social work services, personal care assistants serving as
management aides, assistive technology devices, transportation services, health assessments,
and other services covered under the medical assistance state plan. Mental health services
eligible for medical assistance reimbursement must be provided or coordinated through a
children's mental health collaborative where a collaborative exists if the child is included
in the collaborative operational target population. The provision or coordination of services
does not require that the individualized education program be developed by the collaborative.

The services may be provided by a Minnesota school district that is enrolled as a medical
assistance provider or its subcontractor, and only if the services meet all the requirements
otherwise applicable if the service had been provided by a provider other than a school
district, in the following areas: medical necessity, physician's orders, documentation,
personnel qualifications, and prior authorization requirements. The nonfederal share of costs
for services provided under this subdivision is the responsibility of the local school district
as provided in section 125A.74. Services listed in a child's individualized education program
are eligible for medical assistance reimbursement only if those services meet criteria for
federal financial participation under the Medicaid program.

(b) Approval of health-related services for inclusion in the individualized education
program does not require prior authorization for purposes of reimbursement under this
chapter. The commissioner may require physician review and approval of the plan not more
than once annually or upon any modification of the individualized education program that
reflects a change in health-related services.

(c) Services of a speech-language pathologist provided under this section are covered
notwithstanding Minnesota Rules, part 9505.0390, subpart 1, item L, if the person:

(1) holds a masters degree in speech-language pathology;

(2) is licensed by the Minnesota Board of Teaching as an educational speech-language
pathologist; and

(3) either has a certificate of clinical competence from the American Speech and Hearing
Association, has completed the equivalent educational requirements and work experience
necessary for the certificate or has completed the academic program and is acquiring
supervised work experience to qualify for the certificate.
(d) Medical assistance coverage for medically necessary services provided under other subdivisions in this section may not be denied solely on the basis that the same or similar services are covered under this subdivision.

(e) The commissioner shall develop and implement package rates, bundled rates, or per diem rates for special education services under which separately covered services are grouped together and billed as a unit in order to reduce administrative complexity.

(f) The commissioner shall develop a cost-based payment structure for payment of these services. Only costs reported through the designated Minnesota Department of Education data systems in distinct service categories qualify for inclusion in the cost-based payment structure. The commissioner shall reimburse claims submitted based on an interim rate, and shall settle at a final rate once the department has determined it. The commissioner shall notify the school district of the final rate. The school district has 60 days to appeal the final rate. To appeal the final rate, the school district shall file a written appeal request to the commissioner within 60 days of the date the final rate determination was mailed. The appeal request shall specify (1) the disputed items and (2) the name and address of the person to contact regarding the appeal.

(g) Effective July 1, 2000, medical assistance services provided under an individualized education program or an individual family service plan by local school districts shall not count against medical assistance authorization thresholds for that child.

(h) Nursing services as defined in section 148.171, subdivision 15, and provided as an individualized education program health-related service, are eligible for medical assistance payment if they are otherwise a covered service under the medical assistance program.

Medical assistance covers the administration of prescription medications by a licensed nurse who is employed by or under contract with a school district when the administration of medications is identified in the child's individualized education program. The simple administration of medications alone is not covered under medical assistance when administered by a provider other than a school district or when it is not identified in the child's individualized education program.

EFFECTIVE DATE. This section is effective August 1, 2017.

Sec. 8. Laws 2016, chapter 189, article 25, section 62, subdivision 17, is amended to read:

Subd. 17. Southwest Minnesota State University special education teacher education program. (a) For the Southwest Minnesota State University special education teacher
education program to support Minnesota resident residents working toward licensure in an online program, including persons currently employed as:

118.3 (1) special education paraprofessionals working toward licensure in an online program;

118.4 (2) teachers without a special education license working on a variance; or

118.5 (3) individuals teaching with a community expert license:

118.6 $385,000
118.7 $132,000 ..... 2017
118.8 $253,000 ..... 2018

The base for this program in fiscal year 2018 is $0. (b) The 2018 appropriation is available until June 30, 2019.

118.11 (c) $253,000 of the $385,000 appropriation in Laws 2016, chapter 189, article 25, section 62, subdivision 17, is canceled to the state general fund on June 30, 2017.

118.13 EFFECTIVE DATE. This section is effective retroactively to July 1, 2016.

Sec. 9. SPECIAL EDUCATION ASSISTIVE TECHNOLOGY STUDY.

Subdivision 1. Study. The commissioner of education must examine the use of assistive technology in Minnesota school districts. The commissioner may examine financial data, survey school officials, and use other methods to collect data on the use of assistive technology by Minnesota's students. The commissioner must consult with the Minnesota Assistive Technology Advisory Council and other interested organizations to determine the scope and focus of the study.

Subd. 2. Data reporting. The commissioner must examine the federally required uniform financial accounting and reporting standards object codes, and if necessary, recommend changes to better capture school district spending on assistive technology. The commissioner must examine approaches to collecting additional student level assistive technology data through the electronic data reporting system.

Subd. 3. Assistive technology manual. The commissioner must examine the department's assistive technology manual, and determine whether to prepare a revised manual.

Subd. 4. Report. The commissioner of education must report to the legislative committees having jurisdiction over kindergarten through grade 12 education by February 15, 2018, on the use of assistive technology by Minnesota's students and recommend statutory changes to encourage individualized education programs and individualized family service plans to incorporate a child-centered assistive technology plan.
Sec. 10. 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:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,340,361,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$1,427,629,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $156,403,000 for 2017 and $1,183,958,000 for 2018. The 2019 appropriation includes $166,667,000 for 2018 and $1,260,962,000 for 2019.

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>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,597,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$1,830,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$508,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$532,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $48,000 for 2017 and $460,000 for 2018. The 2019 appropriation includes $51,000 for 2018 and $481,000 for 2019.

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>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$46,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$47,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

Subd. 6. Special education out-of-state tuition. For special education out-of-state tuition under Minnesota Statutes, section 125A.79, subdivision 8:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$250,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$250,000</td>
<td>2019</td>
</tr>
</tbody>
</table>
Sec. 11. **REPEALER.**

Minnesota Statutes 2016, sections 125A.75, subdivision 7; and 125A.76, subdivision 2b, are repealed effective for fiscal year 2018 and later.

**ARTICLE 5**

**FACILITIES AND TECHNOLOGY**

Section 1. Minnesota Statutes 2016, section 123A.73, subdivision 2, is amended to read:

Subd. 2. **Involuntary Dissolution; referendum revenue.** As of the effective date of the voluntary or involuntary dissolution of a district and its attachment to one or more existing districts pursuant to sections 123A.60 or 123A.64 to 123A.72, the authorization for any referendum revenue previously approved by the voters of the dissolved district in that district pursuant to section 126C.17, subdivision 9, or its predecessor or successor provision, is canceled. The authorization for any referendum revenue previously approved by the voters of a district to which all or part of the dissolved district is attached shall not be affected by the attachment and shall apply to the entire area of the district as enlarged by the attachment.

**EFFECTIVE DATE.** This section is effective retroactively to January 1, 2017.

Sec. 2. Laws 2016, chapter 189, article 30, section 25, subdivision 5, is amended to read:

Subd. 5. **Early repayment aid incentive.** (a) For incentive grants for a district that repays the full outstanding original principal on its capital loan by November 30, 2016, under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by this act:

<table>
<thead>
<tr>
<th></th>
<th>2,200,000</th>
<th>2,350,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td></td>
<td>... 2017</td>
</tr>
</tbody>
</table>

(b) Of this amount, $150,000 is for a grant to Independent School District No. 36, Kelliher; $180,000 is for a grant to Independent School District No. 95, Cromwell; $495,000 is for a grant to Independent School District No. 299, Caledonia; $220,000 is for a grant to Independent School District No. 306, Laporte; $150,000 is for a grant to Independent School District No. 362, Littlefork; $650,000 is for a grant to Independent School District No. 682, Roseau; and $505,000 is for a grant to Independent School District No. 2580, East Central.

(c) The grant may be used for any school-related purpose.

(d) The base appropriation for 2022 is zero.
Sec. 3. **DISPOSITION OF CROSSWINDS SCHOOL; PROCEEDS OF SALE.**

Subdivision 1. **Disposition of Crosswinds school property.** (a) Notwithstanding the appropriation of state general obligation bond proceeds in Laws 1998, chapter 404, section 5, subdivision 5; Laws 1999, chapter 240, article 1, section 3; Laws 2000, chapter 492, article 1, section 5, subdivision 2; Laws 2001, First Special Session chapter 12, section 2, subdivision 2; and Laws 2005, chapter 20, article 1, section 5, subdivision 3, to acquire and better the Crosswinds school facilities by the Joint Powers District No. 6067, East Metro Integration District, in Woodbury, the Crosswinds school may be conveyed by the commissioner of administration to a buyer on the open market.

(b) As soon as practicable following July 1, 2017, and consistent with Minnesota Statutes, sections 16A.695 and 16B.281 to 16B.298, and constraints on the disposition of bond-financed property, the commissioner of administration shall offer the Crosswinds school property for sale for no less than fair market value. Before offering the Crosswinds school property for sale, the commissioner of administration must determine that the property is no longer needed to carry out the governmental program for which it was acquired or constructed.

Subd. 2. **Proceeds of sale of Crosswinds school.** Consistent with Minnesota Statutes, sections 16A.695 and 16B.287, the net state proceeds of the sale of the Crosswinds school shall be credited to the general fund and appropriated to the commissioner of management and budget for a onetime direct aid payment to the Teachers Retirement Association.

**EFFECTIVE DATE.** This section is effective July 1, 2017.

Sec. 4. **TRANSITION REQUIREMENTS; CROSSWINDS SCHOOL.**

Subdivision 1. **Student enrollment.** Any student enrolled in the Crosswinds school during the 2016-2017 school year may continue to enroll in the Crosswinds school in any subsequent year that a school district or charter school operates a school at that site.

Subd. 2. **Compensatory revenue; literacy aid; alternative compensation revenue.** For the 2017-2018 school year only, for a school district or charter school enrolling pupils at the Crosswinds school, the Department of Education must calculate compensatory revenue, literacy aid, and alternative compensation revenue for the Crosswinds school based on the October 1, 2016, enrollment counts at that site.

**EFFECTIVE DATE.** This section is effective July 1, 2017.
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:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$22,081,000</td>
<td>2019</td>
<td>$19,422,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $2,044,000 for 2017 and $20,037,000 for 2018. The 2019 appropriation includes $2,226,000 for 2018 and $17,196,000 for 2019.

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>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$80,179,000</td>
<td>2019</td>
<td>$103,460,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $5,814,000 for 2017 and $74,365,000 for 2018. The 2019 appropriation includes $8,261,000 for 2018 and $95,199,000 for 2019.

Subd. 4. Equity in telecommunications access. For equity in telecommunications access:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$3,750,000</td>
<td>2019</td>
<td>$3,750,000</td>
</tr>
</tbody>
</table>

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 2018 and 2019 shall be prorated. Any balance in the first year does not cancel but is available in the second year.

Subd. 5. Early repayment aid incentive. (a) For incentive grants for a district that repays the full outstanding original principal on its capital loan by November 30, 2016, under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by Laws 2016, chapter 189, article 30, section 22:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$2,350,000</td>
<td>2019</td>
<td>$2,350,000</td>
</tr>
</tbody>
</table>

(b) Of this amount, $150,000 is for a grant to Independent School District No. 36, Kelliher; $180,000 is for a grant to Independent School District No. 95, Cromwell; $495,000

Article 5 Sec. 5.
is for a grant to Independent School District No. 299, Caledonia; $220,000 is for a grant to
Independent School District No. 306, Laporte; $150,000 is for a grant to Independent School
District No. 362, Littlefork; $650,000 is for a grant to Independent School District No. 682,
Roseau; and $505,000 is for a grant to Independent School District No. 2580, East Central.
(c) The grant may be used for any school-related purpose.
(d) The base appropriation for 2022 is $0.

Sec. 6. REPEALER.
(a) Minnesota Statutes 2016, section 123A.73, subdivision 3, is repealed.
(b) Minnesota Statutes 2016, sections 129C.10, subdivision 5a; and 129C.30, are repealed.
EFFECTIVE DATE. Paragraph (a) is effective retroactively to January 1, 2017.
Paragraph (b) is effective July 1, 2017.

ARTICLE 6
NUTRITION

Section 1. 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 lunch. For school lunch aid under Minnesota Statutes, section 124D.111,
and Code of Federal Regulations, title 7, section 210.17:
$ 16,721,000 ..... 2018
$ 17,223,000 ..... 2019
Subd. 3. School breakfast. For traditional school breakfast aid under Minnesota Statutes,
section 124D.1158:
$ 10,601,000 ..... 2018
$ 11,359,000 ..... 2019
Subd. 4. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes,
section 124D.118:
$ 758,000 ..... 2018
$ 758,000 ..... 2019

Article 6 Section 1.
Subd. 5. *Summer school food service replacement aid.* For summer school food service replacement aid under Minnesota Statutes, section 124D.119:

$150,000 ..... 2018

$150,000 ..... 2019

**ARTICLE 7**

**LIBRARIES**

Section 1. Minnesota Statutes 2016, section 134.31, subdivision 2, is amended to read:

Subd. 2. *Advice and instruction.* The Department of Education shall give advice and instruction to the managers of any public library or to any governing body maintaining a library or empowered to do so by law upon any matter pertaining to the organization, maintenance, or administration of libraries. The department may also give advice and instruction, as requested, to postsecondary educational institutions, public school districts or charter schools, state agencies, governmental units, nonprofit organizations, or private entities. It shall assist, to the extent possible, in the establishment and organization of library service in those areas where adequate services do not exist, and may aid in improving previously established library services. The department shall also provide assistance to school districts, regional library systems, and member libraries interested in offering joint library services at a single location.

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. *Basic system support.* For basic system support aid under Minnesota Statutes, section 134.355:

$13,570,000 ..... 2018

$13,570,000 ..... 2019

The 2018 appropriation includes $1,357,000 for 2017 and $12,213,000 for 2018.

The 2019 appropriation includes $1,357,000 for 2018 and $12,213,000 for 2019.

Subd. 3. *Multicounty, multitype library systems.* For aid under Minnesota Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

$1,300,000 ..... 2018

$1,300,000 ..... 2019
The 2018 appropriation includes $130,000 for 2017 and $1,170,000 for 2018.

The 2019 appropriation includes $130,000 for 2018 and $1,170,000 for 2019.

Subd. 4. 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>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$900,000</td>
</tr>
<tr>
<td>2019</td>
<td>$900,000</td>
</tr>
</tbody>
</table>

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

Subd. 5. Regional library telecommunications aid. For regional library telecommunications 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>2018</td>
<td>$2,300,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019</td>
<td>$2,300,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $230,000 for 2017 and $2,070,000 for 2018.

The 2019 appropriation includes $230,000 for 2018 and $2,070,000 for 2019.

ARTICLE 8

EARLY CHILDHOOD AND FAMILY SUPPORT

Section 1. Minnesota Statutes 2016, section 124D.165, subdivision 1, is amended to read:

Subdivision 1. Establishment; purpose. There is established an early learning scholarships program in order to close the opportunity gap by increasing access to high-quality early childhood programs for children ages three from birth to age five.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 2. Minnesota Statutes 2016, section 124D.165, subdivision 2, is amended to read:

Subd. 2. Family eligibility. (a) For a family to receive an early learning scholarship, parents or guardians must meet the following eligibility requirements:

(1) have a child three or four not yet five years of age on September 1 of the current school year, who has not yet started kindergarten; and

(2) have income equal to or less than 185 percent of federal poverty level income in the current calendar year, or be able to document their child's current participation in the free and reduced-price lunch program or child and adult care food program, National School...
Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution
Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections
2011-2036; Head Start under the federal Improving Head Start for School Readiness Act
of 2007; Minnesota family investment program under chapter 256J; child care assistance
programs under chapter 119B; the supplemental nutrition assistance program; or placement
in foster care under section 260C.212.

(b) Notwithstanding the other provisions of this section, a parent under age 21 who is
pursuing a high school or general education equivalency diploma is eligible for an early
learning scholarship if the parent has a child age zero to five years old and meets the income
eligibility guidelines in this subdivision.

(c) Any siblings between the ages zero to not yet five years old of a child who
has been awarded a scholarship under this section must be awarded a scholarship upon
request, provided the sibling attends the same program as long as funds are available.

A child who has received a scholarship under this section must continue to receive
a scholarship each year until that child is eligible for kindergarten under section 120A.20
and as long as funds are available.

(d) Early learning scholarships may not be counted as earned income for the purposes
of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
family investment program under chapter 256J, child care assistance programs under chapter
119B, or Head Start under the federal Improving Head Start for School Readiness Act of
2007.

(e) A child from an adjoining state whose family resides at a Minnesota address as
assigned by the United States Postal Service, who has received developmental screening
under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
and whose family meets the criteria of paragraph (a) is eligible for an early learning
scholarship under this section.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 3. Minnesota Statutes 2016, section 124D.165, subdivision 3, is amended to read:

Subd. 3. Administration. (a) The commissioner shall establish application timelines
and determine the schedule for awarding scholarships that meets operational needs of eligible
families and programs. The commissioner must give highest priority to applications from
children who:
127.1 (1) have a parent under age 21 who is pursuing a high school or general education equivalency diploma;

127.3 (2) are in foster care or otherwise in need of protection or services; or

127.4 (3) have experienced homelessness in the last 24 months, as defined under the federal McKinney-Vento Homeless Assistance Act.

127.6 The commissioner may prioritize applications on additional factors including family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.

127.9 (b) For fiscal years 2014 and 2015 only, scholarships may not exceed $5,000 per year for each eligible child. For fiscal year 2016 and later, the commissioner shall establish a target for the average scholarship amount per child based on the results of the rate survey conducted under section 119B.02.

127.13 (c) A four-star rated program that has children eligible for a scholarship enrolled in or on a waiting list for a program beginning in July, August, or September may notify the commissioner, in the form and manner prescribed by the commissioner, each year of the program's desire to enhance program services or to serve more children than current funding provides. The commissioner may designate a predetermined number of scholarship slots for that program and notify the program of that number. Beginning July 1, 2016, a school district or Head Start program qualifying under this paragraph may use its established registration process to enroll scholarship recipients and may verify a scholarship recipient's family income in the same manner as for other program participants.

127.22 (d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not been accepted and subsequently enrolled in a rated program within ten months of the awarding of the scholarship, the scholarship cancels and the recipient must reapply in order to be eligible for another scholarship. A child may not be awarded more than one scholarship in a 12-month period.

127.27 (e) A child who receives a scholarship who has not completed development screening under sections 121A.16 to 121A.19 must complete that screening within 90 days of first attending an eligible program.

127.30 (f) For fiscal year 2017 and later, a school district or Head Start program enrolling scholarship recipients under paragraph (c) may apply to the commissioner, in the form and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of the application, the commissioner must pay each program directly for each approved
128.1 scholarship recipient enrolled under paragraph (c) according to the metered payment system
or another schedule established by the commissioner.

128.3 Sec. 4. EARLY CHILDHOOD CARE AND EDUCATION PROGRAM STUDY.

128.4 Subdivision 1. Study authorized. (a) The Legislative Coordinating Commission must
provide for a study of Minnesota early childhood care and education programs. The
Legislative Coordinating Commission must use a request for proposal process to select a
consultant to conduct the study. The commissioners of education, human services, and
health must make reasonable efforts to provide information consistent with the purpose of
the study and required recommendation elements of the study report under subdivision 2.

(b) The selected consultant must consult with individuals or groups representing child
care providers, early childhood special education programs, Head Start programs, voluntary
prekindergarten programs, school readiness programs, early learning scholarship programs,
community education programs, home-visiting programs, organizations and coalitions
advocating to increase child access to high-quality early childhood care and education, and
families of children eligible for early childhood care and education programs. The individuals
and groups consulted must represent public and private, including faith-based, providers of
these services and programs.

128.18 Subd. 2. Report requirements. No later than January 15, 2018, the Legislative
Coordinating Commission must deliver a report completed by the consultant under
subdivision 1 to the chairs and ranking minority members of the legislative committees
having jurisdiction over early childhood education, health, and human services. At a
minimum, the report must make recommendations relating to:

128.23 (1) integrating state resources for child care assistance provided through the basic sliding
fee program under Minnesota Statutes, section 119B.03, and the Minnesota family investment
program under Minnesota Statutes, chapter 256J;

128.26 (2) aligning family income eligibility requirements for early childhood care and education
programs under Minnesota Statutes, chapters 119B, 124D, and 256J;

128.28 (3) coordinating outreach to families eligible to provide uniform notification about
available program options;

128.30 (4) reducing duplicative paperwork and administrative burden and increasing the stability
of funding for families of children eligible for early childhood care and education programs;

128.32 (5) maximizing child care assistance program integrity and payment mechanisms to
increase fund accountability and efficiency;
(6) transferring powers and duties related to the quality rating and improvement system
under Minnesota Statutes, section 124D.142;

(7) providing for local and state information technology investments and data sharing
agreements necessary to support a system of coordinated care and education;

(8) coordinating internal and external evaluation of early childhood care and education
programs to measure and report on their effectiveness and efficiency; and

(9) transferring or consolidating powers and duties related to other early childhood care
and education programs currently administered by the Department of Education, the
Department of Human Services, or the Department of Health.

Sec. 5. SYSTEM REDESIGN; HOMELESS CHILDREN SUPPORTS.

The Children's Cabinet must create a plan for a cross-agency system that provides support
for homeless families, especially those with a child up to four years of age, to access available
services. The Children's Cabinet shall create the plan in consultation with the Department
of Education, the Department of Human Services, the Department of Health, the Minnesota
Housing Finance Agency, and stakeholders, including counties, school districts, and nonprofit
organizations. The redesigned system must address issues including:

(1) implementation methodology that addresses differences in service delivery in rural
versus urban settings;

(2) a training pipeline to increase qualified staff for service providers, including staff of
color;

(3) statewide entry and intake forms to assess and identify the educational and
developmental needs of the child;

(4) a support plan that follows the child even after the child is no longer homeless;

(5) a common data system that allows for easier sharing of data and the plan components
for each child between local entities;

(6) identifying and supporting a community outreach system;

(7) personalizing assistance for a homeless child and the child's family to help the child
and the family navigate systems and resources;

(8) transportation options to access services; and
(9) methods to ensure that all state-funded programs and services for a homeless child are adequately staffed with personnel who are trained on the specifics of the program and receive professional development to handle complex, intergenerational trauma.

The Children's Cabinet must report findings and recommendations regarding the plan, along with draft legislation, to the chairs and ranking minority members of the legislative committees having jurisdiction over early childhood through grade 12 education, housing, and human services policy by January 23, 2018.

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.

Subd. 2. School readiness. For revenue for school readiness programs under Minnesota Statutes, sections 124D.15 and 124D.16:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$33,683,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$33,683,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $3,368,000 for 2017 and $30,315,000 for 2018. The 2019 appropriation includes $3,368,000 for 2018 and $30,315,000 for 2019.

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>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$60,884,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$60,884,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

Up to $950,000 each year is for administration of this program. Any balance in the first year does not cancel but is available in the second year. The base appropriation for fiscal year 2020 is $62,384,000.

(b) Of these amounts, up to five percent in each year is for transfer to the commissioner of human services for expansion of the quality rating and improvement system under Minnesota Statutes, section 124D.142. The amount transferred under this paragraph must be reduced by the amount of any federal funding under the childcare and development block grant authorized under Public Law 101-508, in that year for the system under Minnesota Statutes, section 124D.142.

Subd. 4. Head Start program. For Head Start programs under Minnesota Statutes, section 119A.52:
Subd. 5. Early childhood family education aid. For early childhood family education aid under Minnesota Statutes, section 124D.135:

- 2018: $25,100,000
- 2019: $25,100,000

The 2018 appropriation includes $2,904,000 for 2017 and $27,271,000 for 2018.

The 2019 appropriation includes $3,030,000 for 2018 and $28,444,000 for 2019.

Subd. 6. Developmental screening aid. For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

- 2018: $3,606,000
- 2019: $3,629,000

The 2018 appropriation includes $358,000 for 2017 and $3,248,000 for 2018.

The 2019 appropriation includes $360,000 for 2018 and $3,269,000 for 2019.

Subd. 7. Parent-child home program. For a grant to the parent-child home program:

- 2018: $900,000
- 2019: $900,000

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 2018 and 2019. The base appropriation for this program for fiscal year 2020 and later is $900,000.

The 2017 appropriation under Laws 2016, chapter 189, article 31, section 4, is available until June 30, 2019. To the extent practicable, the parent-child home program is encouraged to expend the fiscal year 2017 appropriation equally over fiscal years 2017, 2018, and 2019.

Subd. 8. Kindergarten entrance assessment initiative and intervention program.

For the kindergarten entrance assessment initiative and intervention program under Minnesota Statutes, section 124D.162:

- 2018: $281,000
- 2019: $281,000

Subd. 9. Quality rating and improvement system. 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>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,750,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

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

The base appropriation for this program in fiscal year 2020 and later is $1,750,000.

Subd. 10. **Early childhood programs at tribal 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>2018</td>
<td>$68,000</td>
</tr>
<tr>
<td>2019</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>2018</td>
<td>$49,000</td>
</tr>
<tr>
<td>2019</td>
<td>$49,000</td>
</tr>
</tbody>
</table>

Subd. 12. **Home visiting aid.** For home visiting aid under Minnesota Statutes, section
124D.135:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$527,000</td>
</tr>
<tr>
<td>2019</td>
<td>$571,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $0 for 2017 and $527,000 for 2018. The 2019
appropriation includes $58,000 for 2018 and $513,000 for 2019.

Subd. 13. **System Redesign Report.** For the Children's Cabinet system redesign report
to the legislature:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

This is a onetime appropriation.

Sec. 7. **APPROPRIATION; EARLY CHILDHOOD CARE AND EDUCATION PROGRAM STUDY.**

$75,000 in fiscal year 2018 is appropriated from the general fund to the Legislative
Coordinating Commission for the early childhood care and education program study.
ARTICLE 9

COMMUNITY EDUCATION AND PREVENTION

Section 1. Minnesota Statutes 2016, section 124D.19, is amended by adding a subdivision to read:

Subd. 13a. Community partnership coalition programs. (a) Each district operating a community education program under this section may establish a community partnership coalition program to support the collaborative work of school organizations and other community organizations that:

(1) focus on achieving data-driven, locally controlled positive outcomes for children and youth throughout an entire neighborhood or geographic area;

(2) deliver integrated, supportive services programs for children of all ages and their families, including programs to address kindergarten readiness and youth development, grade 3 reading proficiency, grades 5 to 8 math proficiency, high school graduation, postsecondary enrollment and completion, remedial education reduction, career skills and readiness, parental engagement and development, physical and mental health, and community engagement and programmatic alignment;

(3) build a continuum of educational family and community supports with academically rigorous schools at the center;

(4) maximize program efficiencies by integrating programmatic activities and eliminating administrative barriers;

(5) develop local infrastructure needed to sustain and scale up proven and effective solutions beyond the initial neighborhood or geographic area; and

(6) measure outcomes appropriate to unique community needs and interests and periodically conduct rigorous formative and summative program evaluations.

(b) The district shall maintain a separate account within the community services fund for all funds related to the community partnership coalition program.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 2. Minnesota Statutes 2016, 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) community partnerships coalition programs, according to section 124D.19, subdivision 13a.

(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.

(c) 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.

(d) A school district operating a community partnerships coalition program under section
124D.19, subdivision 13a, may apply to the commissioner for a grant in the form and manner
specified by the commissioner. The commissioner may award grants to applicant districts
in an amount not to exceed $200,000 per district per fiscal year.

EFFECTIVE DATE. This section is effective July 1, 2017.

Sec. 3. 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. Community education aid. For community education aid under Minnesota Statutes, section 124D.20:

$483,000.....2018

$393,000.....2019

The 2018 appropriation includes $53,000 for 2017 and $430,000 for 2018.

The 2019 appropriation includes $47,000 for 2018 and $346,000 for 2019.

Subd. 3. Adults with disabilities program aid. For adults with disabilities programs under Minnesota Statutes, section 124D.56:

$710,000.....2018

$710,000.....2019

The 2018 appropriation includes $71,000 for 2017 and $639,000 for 2018.

The 2019 appropriation includes $71,000 for 2018 and $639,000 for 2019.

Subd. 4. Hearing-impaired adults. For programs for hearing-impaired adults under Minnesota Statutes, section 124D.57:

$70,000.....2018

$70,000.....2019

Subd. 5. School-age care aid. For school-age care aid under Minnesota Statutes, section 124D.22:

$1,000.....2018

$1,000.....2019

The 2018 appropriation includes $0 for 2017 and $1,000 for 2018.

The 2019 appropriation includes $0 for 2018 and $1,000 for 2019.

Subd. 6. Community partnerships coalition program grants, (a) For community partnerships coalition program grants:

$1,200,000.....2018

$1,200,000.....2019

(b) For fiscal year 2018 only, the commissioner must award a grant equaling at least $177,000 to the school district that is in a collaborative partnership with the Northfield Healthy Community Initiative in Northfield, the school district that is in a collaborative partnership with the Jones Family Foundation for the Every Hand Joined program in Red Wing, and the school district that is in a collaborative partnership with the United Way of Central Minnesota for the Partners for Student Success program.
(c) The base appropriation for fiscal year 2020 and later is $1,200,000.

Subd. 7. Northside Achievement Zone. For a grant to the Northside Achievement Zone:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>2018</td>
<td>$600,000</td>
</tr>
<tr>
<td>2019</td>
<td>$600,000</td>
</tr>
</tbody>
</table>

Funds appropriated in this section are to reduce multigenerational poverty and the educational achievement gap through increased enrollment of families within the zone and may be used for Northside Achievement Zone programming and services consistent with federal Promise Neighborhood program agreements and requirements.

The base appropriation for this program in fiscal year 2020 and later is $600,000.

Subd. 8. St. Paul Promise Neighborhood. For a grant to the St. Paul Promise Neighborhood:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$600,000</td>
</tr>
<tr>
<td>2019</td>
<td>$600,000</td>
</tr>
</tbody>
</table>

Funds appropriated in this section are to reduce multigenerational poverty and the educational achievement gap through increased enrollment of families within the zone, and may be used for St. Paul Promise Neighborhood programming and services consistent with federal Promise Neighborhood program agreements and requirements.

The base appropriation for this program in fiscal year 2020 and later is $600,000.

ARTICLE 10

SELF-SUFFICIENCY AND LIFELONG LEARNING

Section 1. Minnesota Statutes 2016, section 124D.52, subdivision 7, is amended to read:

Subd. 7. Performance tracking system. (a) By July 1, 2000, each approved adult basic education program must develop and implement a performance tracking system to provide information necessary to comply with federal law and serve as one means of assessing the effectiveness of adult basic education programs. For required reporting, longitudinal studies, and program improvement, the tracking system must be designed to collect data on the following core outcomes for learners, including English learners, who have completed participating in the adult basic education program:

(1) demonstrated improvements in literacy skill levels in reading, writing, speaking the English language, numeracy, problem solving, English language acquisition, and other literacy skills;
(2) placement in, retention in, or completion of postsecondary education, training, unsubsidized employment, or career advancement;

(3) receipt of a secondary school diploma or its recognized equivalent; and

(4) reduction in participation in the diversionary work program, Minnesota family investment program, and food support education and training program.

(b) A district, group of districts, state agency, or private nonprofit organization providing an adult basic education program may meet this requirement by developing a tracking system based on either or both of the following methodologies:

(1) conducting a reliable follow-up survey; or

(2) submitting student information, including collected Social Security numbers for data matching.

Data related to obtaining employment must be collected in the first quarter following program completion or can be collected while the student is enrolled, if known. Data related to employment retention must be collected in the third quarter following program exit. Data related to any of the specified outcome outcomes may be collected at any time during a program year.

(c) When a student in a program is requested to provide the student's Social Security number, the student must be notified in a written form easily understandable to the student that:

(1) providing the Social Security number is optional and no adverse action may be taken against the student if the student chooses not to provide the Social Security number;

(2) the request is made under section 124D.52, subdivision 7;

(3) if the student provides the Social Security number, it will be used to assess the effectiveness of the program by tracking the student's subsequent career; and

(4) the Social Security number will be shared with the Department of Education; Minnesota State Colleges and Universities; Office of Higher Education; Department of Human Services; and Department of Employment and Economic Development in order to accomplish the purposes described in paragraph (a) and will not be used for any other purpose or reported to any other governmental entities.

(d) Annually a district, group of districts, state agency, or private nonprofit organization providing programs under this section must forward the tracking data collected to the Department of Education. For the purposes of longitudinal studies on the employment status of
of former students under this section, the Department of Education must forward the Social
Security numbers to the Department of Employment and Economic Development to
electronically match the Social Security numbers of former students with wage detail reports
filed under section 268.044. The results of data matches must, for purposes of this section
and consistent with the requirements of the United States Code, title 29, section 2871, of
the Workforce Investment Act of 1998 (Workforce Innovation and Opportunity Act), be
compiled in a longitudinal form by the Department of Employment and Economic
Development and released to the Department of Education in the form of summary data
that does not identify the individual students. The Department of Education may release
this summary data. State funding for adult basic education programs must not be based on
the number or percentage of students who decline to provide their Social Security numbers
or on whether the program is evaluated by means of a follow-up survey instead of data
matching.

Sec. 2. Minnesota Statutes 2016, section 124D.549, is amended to read:

**124D.549 GENERAL EDUCATION DEVELOPMENT (GED) TESTS RULES; COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST.**

The commissioner may amend rules to reflect changes in the national minimum standard
score for passing the general education development (GED) tests, in consultation with adult
basic education stakeholders, must select a high school equivalency test. The commissioner
may issue a high school equivalency diploma to a Minnesota resident 19 years of age or
older who has not earned a high school diploma, who has not previously been issued a GED,
and who has exceeded or achieved a minimum passing score on the equivalency test
established by the publisher. The commissioner of education may waive the minimum age
requirement if supportive evidence is provided by an employer or a recognized education
or rehabilitation provider.

Sec. 3. Minnesota Statutes 2016, section 124D.55, is amended to read:

**124D.55 GENERAL EDUCATION DEVELOPMENT (GED) COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST FEES.**

The commissioner shall pay 60 percent of the fee that is charged to an eligible individual
for the full battery of general education development (GED) the commissioner-selected
high school equivalency tests, but not more than $40 for an eligible individual.
For fiscal year 2017 only, the commissioner shall pay 100 percent of the fee charged to an eligible individual for the full battery of general education development (GED) the commissioner-selected high school equivalency tests, but not more than the cost of one full battery of tests per year for any individual.

Sec. 4. Minnesota Statutes 2016, section 256J.08, subdivision 38, is amended to read:

Subd. 38. **Full-time student.** "Full-time student" means a person who is enrolled in a graded or ungraded primary, intermediate, secondary, GED commissioner of education-selected high school equivalency preparatory, trade, technical, vocational, or postsecondary school, and who meets the school's standard for full-time attendance.

Sec. 5. Minnesota Statutes 2016, section 256J.08, subdivision 39, is amended to read:

Subd. 39. **General educational development or GED Commissioner of education-selected high school equivalency.** "General educational development" or "GED" "Commissioner of education-selected high school equivalency" means the general educational development high school equivalency certification issued by the commissioner of education as an equivalent to a secondary school diploma under Minnesota Rules, part 3500.3100, subpart 4.

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.

Subd. 2. **Adult basic education aid.** For adult basic education aid under Minnesota Statutes, section 124D.531:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$50,010,000</td>
<td>2019</td>
<td>$51,497,000</td>
</tr>
</tbody>
</table>

The 2018 appropriation includes $4,881,000 for 2017 and $45,129,000 for 2018.

The 2019 appropriation includes $5,014,000 for 2018 and $46,483,000 for 2019.

Subd. 3. **High school equivalency tests.** For payment of 60 percent of the costs of the commissioner-selected high school equivalency tests under Minnesota Statutes, section 124D.55:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$125,000</td>
<td>2019</td>
<td>$125,000</td>
</tr>
</tbody>
</table>

Article 10 Sec. 6. 139
Sec. 7. **REVISOR'S INSTRUCTION.**

In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the term "commissioner-selected high school equivalency" or similar term for "general education development," "GED," or similar terms for wherever the term refers to the tests or programs leading to a certification issued by the commissioner of education as an equivalency to a secondary diploma.

Sec. 8. **REPEALER.**

Minnesota Rules, part 3500.3100, subpart 4, is repealed.

ARTICLE 11

STATE AGENCIES

Section 1. Minnesota Statutes 2016, section 120B.363, subdivision 1, is amended to read:

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

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

Sec. 2. Minnesota Statutes 2016, section 122A.06, subdivision 2, is amended to read:

Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional employee required to hold a license from the Professional Educator Licensing and Standards Board of Teaching.

**EFFECTIVE DATE.** This section is effective January 1, 2018.
Sec. 3. Minnesota Statutes 2016, section 122A.06, subdivision 3, is amended to read:

Subd. 3. *Board*. "Board" means the Professional Educator Licensing and Standards Board of Teaching.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 122A.07, is amended to read:

122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.

Subdivision 1. *Appointment of members.* The Professional Educator Licensing and Standards Board of Teaching consists of eleven members appointed by the governor, with the advice and consent of the senate. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. No member may be reappointed for more than one additional term.

Subd. 2. *Eligibility; board composition.* Except for the representatives of higher education and the public, to be eligible for appointment to the Board of Teaching a person must be a teacher currently teaching in a Minnesota school and fully licensed for the position held and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment. Each nominee, other than a public nominee, must be selected on the basis of professional experience and knowledge of teacher education, accreditation, and licensure. The board must be composed of:

1. six five teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment and who do not qualify under clause (2) or (3), at least four of whom must be teaching in a public school, at least one of whom must be a teacher in a charter school, one of whom must be from a related service category licensed by the board, and one of whom must be licensed in either a geographic or license shortage area, and none of whom may be serving in an administrative function at a school district or school as of the effective date of this section;

2. one higher education representative, who must be a faculty member preparing teachers one superintendent;

3. one school administrator district human resources director; and

4. three members of the public, two of whom must be present or former members of school boards one elementary or secondary school principal; and
Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the Professional Educator Licensing and Standards Board. The terms of the initial board members must be as follows:

1. (1) two members must be appointed for terms that expire January 1, 2019;
2. (2) two members must be appointed for terms that expire January 1, 2020;
3. (3) two members must be appointed for terms that expire January 1, 2021; and
4. (4) three members must be appointed for terms that expire January 1, 2022.

(b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first appointments to the Professional Educator Licensing and Standards Board for four years from the effective date of this section.

Subd. 3. **Vacant position.** With the exception of a teacher who retires from teaching during the course of completing a board term, the position of a member who leaves Minnesota or whose employment status changes to a category different from that from which appointed is deemed vacant.

Subd. 4. **Administration, Terms, compensation; removal; vacancies.** The provision of staff, administrative services and office space; the review and processing of complaints; the setting of fees; the selection and duties of an executive director to serve the board; and other provisions relating to board operations not provided in this chapter are as provided in chapter 214. Membership terms, except as provided in subdivision 2a, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.

(b) The commissioner of administration must provide the board with administrative support services, according to section 16B.371.

(c) The commissioner of education must provide suitable offices and other space to the board at no cost until January 1, 2020. Thereafter, the board may contract with either the commissioner of education or the commissioner of administration for the provision of
suitable offices and other space, joint conference and hearing facilities, and examination rooms.

Subd. 5. District reimbursement for costs of substitute teachers. The Professional Educator Licensing and Standards Board may reimburse local school districts for the costs of substitute teachers employed when regular teachers are providing professional assistance to the state by serving on the board or on a committee or task force appointed by the board and charged to make recommendations concerning standards for teacher licensure in this state.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 5. Minnesota Statutes 2016, section 122A.08, is amended to read:

**122A.08 MEETINGS.**

Subdivision 1. Meetings. The Professional Educator Licensing and Standards Board of Teaching must meet regularly at the times and places as the board determines. Meetings must be called by the chair or at the written request of any eight members.

Subd. 2. Executive secretary director. The Professional Educator Licensing and Standards Board of Teaching must have an executive secretary director who is in the unclassified civil service and who is not a member of the board. The executive director must fulfill the duties provided in section 122A.09, subdivision 6. The board must review the performance of the executive director and set the salary of the executive director, not to exceed the limit for a position listed in section 15A.0815, subdivision 2.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

Subdivision 1. Code of ethics. The Professional Educator Licensing and Standards Board of Teaching must develop by rule a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement.

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

Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

Subd. 2. Advise members of profession. The Professional Educator Licensing and Standards Board must act in an advisory capacity to members of the profession in matters of interpretation of the code of ethics.

Article 11 Sec. 7.
144.1 EFFECTIVE DATE. This section is effective July 1, 2018.

144.2 Sec. 8. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

Subd. 3. Election of chair and officers. The Professional Educator Licensing and Standards Board shall elect a chair and such other officers as it may deem necessary.

144.5 EFFECTIVE DATE. This section is effective January 1, 2018.

144.6 Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

Subd. 4. License and rules Licensing. (a) The Professional Educator Licensing and Standards Board must adopt rules to license public school teachers and interns subject to chapter 14 license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its authority to make all licensing decisions with respect to candidates for teacher licensure. The board must evaluate candidates for compliance with statutory or rule requirements for licensure and develop licensure verification requirements.

(b) The board must require all candidates for teacher licensure to demonstrate establish a passing score on a board-adopted skills examination in reading, writing, and mathematics, as for a requirement for an initial professional five-year Tier, 2, 3, or 4 teaching license, except that the board may issue up to four initial professional one-year teaching licenses to an otherwise qualified candidate who has not yet passed the board-adopted skills exam. The board must require colleges and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the board-adopted skills examination, including those for whom English is a second language. The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. The Board of Teaching and the entity administering the content, pedagogy, and skills examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, pedagogy, and skills examinations that the applicant received during their secondary or postsecondary education.

(c) The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section 122A.245; nonconventional programs,
and Montessori teacher training programs. The board, upon the request of a postsecondary
student preparing for teacher licensure or a licensed graduate of a teacher preparation
program, shall assist in resolving a dispute between the person and a postsecondary institution
providing a teacher preparation program when the dispute involves an institution's
recommendation for licensure affecting the person or the person's credentials. At the board's
discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher
education programs to implement a research based, results-oriented curriculum that focuses
on the skills teachers need in order to be effective. Among other components, teacher
preparation programs may use the Minnesota State Colleges and Universities program model
to provide a school-year-long student teaching program that combines clinical opportunities
with academic coursework and in-depth student teaching experiences to offer students
ongoing mentorship, coaching, and assessment, help to prepare a professional development
plan, and structured learning experiences. The board shall implement new systems of teacher
preparation program evaluation to assure program effectiveness based on proficiency of
graduates in demonstrating attainment of program outcomes. Teacher preparation programs
including alternative teacher preparation programs under section 122A.245, among other
programs, must include a content-specific, board-approved, performance-based assessment
that measures teacher candidates in three areas: planning for instruction and assessment;
engaging students and supporting learning; and assessing student learning. The board's
redesign rules must include creating flexible, specialized teaching licenses, credentials, and
other endorsement forms to increase students' participation in language immersion programs,
world language instruction, career development opportunities, work-based learning, early
college courses and careers, career and technical programs, Montessori schools, and project
and place-based learning, among other career and college ready learning offerings.

(e) The board must adopt rules requiring candidates for professional five-year teaching
licenses to pass an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills for a Tier 2, 3, or 4 teaching license under section 122A.181. The rules shall be effective by September 1, 2001. The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading.
development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for professional five-year teaching licenses based on appropriate professional competencies that are aligned with the board’s licensing system and students’ diverse learning needs. All teacher candidates must have preparation in English language development and content instruction for English learners in order to be able to effectively instruct the English learners in their classrooms. The board must include these licenses in a statewide differentiated licensing system that creates new leadership roles for successful experienced teachers premised on a collaborative professional culture dedicated to meeting students’ diverse learning needs in the 21st century, recognizes the importance of cultural and linguistic competencies, including the ability to teach and communicate in culturally competent and aware ways, and formalizes mentoring and induction for newly licensed teachers provided through a teacher support framework.

(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses. The board must require a licensed teacher who is renewing a professional five-year Tier 3 or 4 teaching license to include in the renewal requirements further preparation in English language development and specially designed content instruction in English for English learners.

(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.

(k) The board must adopt rules that require all licensed teachers who are renewing their professional five-year Tier 3 or 4 teaching licenses to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.
(l) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

(m) (k) The board must adopt rules that require all licensed teachers who are renewing their professional five-year Tier 3 or 4 teaching licenses to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

(m) (l) The board must adopt rules that require all licensed teachers who are renewing their professional five-year Tier 3 or 4 teaching licenses to include in their renewal period at least one hour of suicide prevention best practices in each licensure renewal among the continuing education credits required to renew a license under this paragraph, and further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

(o) The board must adopt rules by January 1, 2016, to license applicants under sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications through the board's recognition of a teaching license from another state in a similar content field, completion of a state-approved teacher preparation program, teaching experience as the teacher of record in a similar licensure field, depth of content knowledge, depth of content methods or general pedagogy, subject-specific professional development and contribution to the field, or classroom performance as determined by documented student growth on normed assessments or documented effectiveness on evaluations. The rules must adopt criteria for determining a "similar content field" and "similar licensure area."

**EFFECTIVE DATE.** This section is effective July 1, 2018.
Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 4a, is amended to read:

Subd. 4a. Teacher and administrator preparation and performance data; report.

(a) The Professional Educator Licensing and Standards Board of Teaching and the Board of School Administrators, in cooperation with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges and universities offering board-adopted teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Professional Educator Licensing and Standards Board of Teaching and the Board of School Administrators annually by June 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on a Web site hosted jointly by the boards.

(b) Publicly reported summary data on teacher preparation programs must include:

student entrance requirements for each Professional Educator Licensing and Standards Board-approved program, including grade point average for enrolling students in the preceding year; the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year; summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time resident and nonresident program graduates in the preceding year needed to complete the program; the current number and percent of students by program who graduated, received a standard Minnesota teaching license, and were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate; students’ pass rates on skills and subject matter exams required for graduation in each program and licensure area in the preceding school year; survey results measuring student and graduate satisfaction with the program in the preceding school year, disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual; a standard measure of the satisfaction of school principals or supervising teachers with the student teachers assigned to a school or supervising teacher; and information under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.
(c) Publicly reported summary data on administrator preparation programs approved by
the Board of School Administrators must include: summary data on faculty qualifications,
including at least the content areas of faculty undergraduate and graduate degrees and their
years of experience either as kindergarten through grade 12 classroom teachers or school
administrators; the average time program graduates in the preceding year needed to complete
the program; the current number and percent of students who graduated, received a standard
Minnesota administrator license, and were employed as an administrator in a Minnesota
school district or school in the preceding year, disaggregated by race, except when
disaggregation would not yield statistically reliable results or would reveal personally
identifiable information about an individual; the number of credits by graduate program
that students in the preceding school year needed to complete to graduate; survey results
measuring student, graduate, and employer satisfaction with the program in the preceding
school year, disaggregated by race, except when disaggregation would not yield statistically
reliable results or would reveal personally identifiable information about an individual; and
information under paragraphs (f) and (g). Program reporting must be consistent with section
122A.14, subdivision 10.

(d) School districts annually by October 1 must report to the Professional Educator
Licensing and Standards Board of Teaching the following information for all teachers who
finished the probationary period and accepted a continuing contract position with the district
from September 1 of the previous year through August 31 of the current year: the
effectiveness category or rating of the teacher on the summative evaluation under section
122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher
primarily taught during the three-year evaluation cycle; and the teacher preparation program
preparing the teacher in the teacher's primary areas of instruction and licensure.

(e) School districts annually by October 1 must report to the Professional Educator
Licensing and Standards Board of Teaching the following information for all probationary
teachers in the district who were released or whose contracts were not renewed from
September 1 of the previous year through August 31 of the current year: the licensure areas
in which the probationary teacher taught; and the teacher preparation program preparing
the teacher in the teacher's primary areas of instruction and licensure.

(f) School districts annually by October 1 must report to the Board of School
Administrators the following information for all school principals and assistant principals
who finished the probationary period and accepted a continuing contract position with the
district from September 1 of the previous year through August 31 of the current year: the
effectiveness category or rating of the principal or assistant principal on the summative
evaluation under section 123B.147, subdivision 3; and the principal preparation program
providing instruction to the principal or assistant principal.

(g) School districts annually by October 1 must report to the Board of School
Administrators all probationary school principals and assistant principals in the district who
were released or whose contracts were not renewed from September 1 of the previous year
through August 31 of the current year.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

Subd. 6. **Register of persons licensed.** The executive secretary director of the
Professional Educator Licensing and Standards Board of Teaching shall keep a record
of the proceedings of and a register of all persons licensed pursuant to the provisions of this
chapter. The register must show the name, address, license number and the renewal of the
license. The board must on July 1, of each year or as soon thereafter as is practicable, compile
a list of such duly licensed teachers and transmit a copy of the list to the board. A copy of
the register must be available during business hours at the office of the board to any interested
person.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

Subd. 7. **Commissioner’s assistance; Professional Educator Licensing and Standards Board money.** The commissioner shall provide all necessary materials and assistance for
the transaction of the business of the Board of Teaching and All moneys received by the
Professional Educator Licensing and Standards Board of Teaching shall be paid into the
state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05
to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.187, 122A.188,
122A.20, 122A.21, 122A.22, 122A.23, 122A.2451, 122A.26, 122A.30, 122A.40, 122A.41,
122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which
are incurred by the Professional Educator Licensing and Standards Board of Teaching shall
be paid for from appropriations made to the Professional Educator Licensing and Standards
Board of Teaching.

**EFFECTIVE DATE.** This section is effective January 1, 2018.
Sec. 13. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

Subd. 9. Professional Educator Licensing and Standards Board may adopt rules. (a) The Professional Educator Licensing and Standards Board of Teaching may adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09, 122A.16, 122A.17, 122A.18, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23.

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

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

Sec. 14. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

Subd. 10. Permissions. (a) Notwithstanding subdivision 9 and sections 14.055 and 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant waivers to its rules upon application by a school district or a charter school for purposes of implementing experimental programs in learning or management.

(b) To enable a school district or a charter school to meet the needs of students enrolled in an alternative education program and to enable licensed teachers instructing those students to satisfy content area licensure requirements, the Professional Educator Licensing and Standards Board of Teaching annually may permit a licensed teacher teaching in an alternative education program to instruct students in a content area for which the teacher is not licensed, consistent with paragraph (a).

(c) A special education license permission issued by the Professional Educator Licensing and Standards Board of Teaching for a primary employer's low-incidence region is valid in all low-incidence regions.

(d) The Board of Teaching may issue a one-year professional license under paragraph (a), which the board may renew two times, to allow a person holding a full credential from the American Montessori Society, a diploma from Association Montessori Internationale, or a certificate of completion from a program accredited by the Montessori Accreditation Council for Teacher Education to teach in a Montessori program operated by a school district or charter school.

(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow individuals who hold a bachelor's degree from an accredited postsecondary institution, demonstrate occupational competency based on at least three years of full-time work experience in business or industry, and enroll and make satisfactory progress in an alternative
preparation program leading to certification as a career and technical education instructor to teach career and technical education courses offered by a school district or charter school. Consistent with this paragraph and section 136F.361, the Professional Educator Licensing and Standards Board of Teaching must strongly encourage approved college or university-based teacher preparation programs and institutions throughout Minnesota to develop alternative pathways for certifying and licensing high school career and technical education instructors and teachers, allowing such candidates to meet certification and licensure standards that demonstrate their content knowledge, classroom experience, and pedagogical practices and their qualifications based on a combination of occupational testing, professional certification or licensure, and long-standing work experience.

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

Sec. 15. Minnesota Statutes 2016, section 122A.22, is amended to read:

**122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

No person shall be accounted a qualified teacher until the school district or charter school contracting with the person for teaching services verifies through the Minnesota education licensing system available on the department's Professional Educator Licensing and Standards Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and 122A.44, subdivision 1.

**EFFECTIVE DATE.** This section is effective January 1, 2018.

Sec. 16. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

**Subd. 6. Survey of districts.** The commissioner of education shall survey the state's school districts and teacher preparation programs and report to the education committees of the legislature by February 1 of each odd-numbered year until 2020 on the status of teacher early retirement patterns, the access to effective and more diverse teachers who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the substitute teacher shortage, including patterns and shortages in subject areas and the economic development regions of the state. The report must also include: aggregate data on teachers' self-reported race and ethnicity; data on how districts are making progress in hiring teachers and substitutes in the areas of shortage; and a five-year projection of teacher demand for each district, taking into account the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll in the district during that five-year period.
Sec. 17. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

Subdivision 1. Services provided. The commissioner of education with respect to the Board of Teaching; the commissioner of public safety with respect to the Board of Private Detective and Protective Agent Services; the Board of Peace Officer Standards and Training; and the commissioner of revenue with respect to the Board of Assessors, shall provide suitable offices and other space, joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, consulting services relating to evaluation procedures and techniques, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. Investigative services shall be provided the boards by employees of the Office of Attorney General. The commissioner of health with respect to the health-related licensing boards shall provide mailing and office supply services and may provide other facilities and services listed in this subdivision at a central location upon request of the health-related licensing boards. The commissioner of commerce with respect to the remaining non-health-related licensing boards shall provide the above facilities and services at a central location for the remaining non-health-related licensing boards. The legal and investigative services for the boards shall be provided by employees of the attorney general assigned to the departments servicing the boards. Notwithstanding the foregoing, the attorney general shall not be precluded by this section from assigning other attorneys to service a board if necessary in order to insure competent and consistent legal representation. Persons providing legal and investigative services shall to the extent practicable provide the services on a regular basis to the same board or boards.

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

Sec. 18. Minnesota Statutes 2016, section 214.045, is amended to read:

214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD OF TEACHING.

The commissioner of health and the health-related licensing boards must coordinate with the Professional Educator Licensing and Standards Board of Teaching when modifying licensure requirements for regulated persons in order to have consistent regulatory requirements for personnel who perform services in schools.

EFFECTIVE DATE. This section is effective January 1, 2018.
Sec. 19. TRANSFER OF POWERS.

(a) The creation of the Professional Educator Licensing and Standards Board shall be considered a transfer by law of the responsibilities of the Board of Teaching and the Minnesota Department of Education with respect to licensure and credentialing of teachers and school personnel to the Professional Educator Licensing and Standards Board for purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions associated with the responsibilities being transferred to the Professional Educator Licensing and Standards Board are transferred with their incumbents to the new agency pursuant to Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota Statutes, section 122A.07.

(b) The responsibilities of the Minnesota Department of Education with respect to licensure of school administrators are transferred by law to the Board of School Administrators for purposes of section 15.039.

(c) The Professional Educator Licensing and Standards Board must review all rules adopted by the Board of Teaching and amend or repeal rules not consistent with statute. The Professional Educator Licensing and Standards Board must review all teacher preparation programs approved by the Board of Teaching to determine whether the approved programs meet the needs of schools in Minnesota.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 20. FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD.

The governor shall make appointments to the Professional Educator Licensing and Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor shall designate one member of the board to convene the first meeting by February 1, 2018, and to act as chair until the board elects a chair at its first meeting.

Sec. 21. IMPLEMENTATION REPORT.

By January 1, 2019, the Professional Educator Licensing and Standards Board must prepare a report to the legislature on the implementation of the teacher licensure system established under sections 122A.18 to 122A.181. The report must include the number of applicants for license in each tier, the number of applications granted and denied, summary data on the reasons applications were denied, and the status of the board's rulemaking process for all licensure-related rules.
Section 22. Appropriations; Department of Education.

In this section, unless otherwise indicated, the sums indicated are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subdivision 1. Department of Education.

除非另有说明，本节中所列资金从一般基金中拨付给教育厅，用于指定的财政年度。

Subd. 2. Department.

(a) For the Department of Education:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$16,720,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$16,929,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

Of these amounts:

1. $231,000 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. $500,000 each year is for the school safety technical assistance center under Minnesota Statutes, section 127A.052;
4. $250,000 each year is for the School Finance Division to enhance financial data analysis; and
5. $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.

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

(c) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C. office.

(d) 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.

(e) 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.

(f) The base appropriation in fiscal year 2020 is $16,846,000. The base appropriation in fiscal year 2021 is $16,759,000.
Subd. 3. **Licensure by portfolio.** For licensure by portfolio:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$34,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$34,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

This appropriation is from the educator licensure portfolio account of the special revenue fund.

Sec. 23. **APPROPRIATIONS; BOARD OF TEACHING.**

(a) The sums indicated in this section are appropriated from the general fund to the Board of Teaching or any successor organization for the fiscal years designated:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$3,481,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$3,493,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

(b) 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 Board of Teaching under the mechanism specified in that agreement.

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

(d) The base appropriation for fiscal year 2020 is $2,734,000. The base appropriation for fiscal year 2021 is $2,709,000.

Sec. 24. **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>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$13,204,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$13,186,000</td>
<td>2019</td>
</tr>
</tbody>
</table>

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

Sec. 25. **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>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$6,573,000</td>
<td>2018</td>
</tr>
<tr>
<td>2019</td>
<td>$6,573,000</td>
<td>2019</td>
</tr>
</tbody>
</table>
(b) Of the amounts appropriated in paragraph (a), $370,000 in each year is for transfer

to the commissioner of administration for grants for arts integration and Turnaround Arts

programs.

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

Sec. 26. REVISOR INSTRUCTION.

In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the
term "Professional Educator Licensing and Standards Board" for "Board of Teaching"

wherever the term refers to the powers, duties, and responsibilities of the Board of Teaching.
The revisor shall also make grammatical changes related to the change in terms.

ARTICLE 12

FORECAST ADJUSTMENTS

A. GENERAL EDUCATION

Section 1. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision

2, as amended by Laws 2016, chapter 189, article 27, section 17, 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></th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>6,649,435,000</td>
<td>6,815,372,000</td>
</tr>
<tr>
<td>$</td>
<td>6,848,521,000</td>
<td>6,173,962,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $622,908,000 for 2015 and 6,026,524,000 for 2016.
The 2017 appropriation includes $641,412,000 for 2016 and $6,207,109,000 for 2017.

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

Sec. 2. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 3, 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></th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>39,000</td>
<td>42,000</td>
</tr>
<tr>
<td>$</td>
<td>26,000</td>
<td>26,000</td>
</tr>
</tbody>
</table>
158.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

158.2 Sec. 3. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 4, as amended by Laws 2016, chapter 189, article 34, section 1, is amended to read:

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

158.4 | Year  | Amount   |
--- | --- | --- |
158.5 | 2016 | 3,051,000 |
158.6 | 2017 | 2,666,000 |

158.7 The 2016 appropriation includes $278,000 for 2015 and $2,773,000 for 2016.

158.8 The 2017 appropriation includes $308,000 for 2016 and $2,358,000 for 2017.

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

158.10 Sec. 4. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 6, as amended by Laws 2016, chapter 189, article 34, section 3, is amended to read:

158.11 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

158.12 | Year  | Amount   |
--- | --- | --- |
158.13 | 2016 | 16,759,000 |
158.14 | 2017 | 16,879,000 |

158.15 The 2016 appropriation includes $1,575,000 for 2015 and $15,184,000 for 2016.

158.16 The 2017 appropriation includes $1,687,000 for 2016 and $15,192,000 for 2017.

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

158.18 Sec. 5. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 7, as amended by Laws 2016, chapter 189, article 34, section 4, is amended to read:

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

158.20 | Year  | Amount   |
--- | --- | --- |
158.21 | 2016 | 17,673,000 |
158.22 | 2017 | 18,278,000 |

158.23 The 2016 appropriation includes $1,816,000 for 2015 and $15,857,000 for 2016.
The 2017 appropriation includes $1,761,000 for 2016 and $16,342,000 for 2017.

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

Sec. 6. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 9, as amended by Laws 2016, chapter 189, article 34, section 5, 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>
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</thead>
<tbody>
<tr>
<td>2016</td>
<td>$5,922,000</td>
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<tr>
<td>2017</td>
<td>$4,262,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $574,000 for 2015 and $5,348,000 for 2016. The 2017 appropriation includes $517,000 for 2016 and $4,289,000 for 2017.

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

B. EDUCATION EXCELLENCE

Sec. 7. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 2, as amended by Laws 2016, chapter 189, article 25, section 44, is amended to read:

Subd. 2. Alternative compensation. For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$78,907,000</td>
</tr>
<tr>
<td>2017</td>
<td>$89,049,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $7,766,000 for 2015 and $71,141,000 for 2016. The 2017 appropriation includes $7,876,000 for 2016 and $81,173,000 for 2017.

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

Sec. 8. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 3, as amended by Laws 2016, chapter 189, article 25, section 45, is amended to read:

Subd. 3. 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>2016</td>
<td>$65,439,000</td>
</tr>
</tbody>
</table>

**EFFECTIVE DATE.** This section is effective the day following final enactment.
The 2016 appropriation includes $6,382,000 for 2015 and $59,057,000 for 2016.

The 2017 appropriation includes $6,561,000 for 2016 and $60,530,000 for 2017.

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

Sec. 9. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 4, as amended by Laws 2016, chapter 189, article 34, section 6, is amended to read:

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

- $44,538,000 ..... 2016
- $45,855,000
- $45,803,000 ..... 2017

The 2016 appropriation includes $4,683,000 for 2015 and $39,855,000 for 2016.

The 2017 appropriation includes $4,428,000 for 2016 and $41,375,000 for 2017.

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

Sec. 10. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 5, as amended by Laws 2016, chapter 189, article 34, section 7, is amended to read:

**Subd. 5. Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

- $14,423,000 ..... 2016
- $15,193,000
- $13,496,000 ..... 2017

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

Sec. 11. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 7, as amended by Laws 2016, chapter 189, article 34, section 8, is amended to read:

**Subd. 7. Tribal contract schools.** For tribal contract school aid under Minnesota Statutes, section 124D.83:

- $3,539,000 ..... 2016
The 2016 appropriation includes $204,000 for 2015 and $3,335,000 for 2016.

The 2017 appropriation includes $370,000 for 2016 and $3,345,000 for 2017.

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

Sec. 12. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 11, as amended by Laws 2016, chapter 189, article 34, section 9, is amended to read:

Subd. 11. American Indian education aid. For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

The 2016 appropriation includes $0 for 2015 and $7,740,000 for 2016.

The 2017 appropriation includes $860,000 for 2016 and $8,018,000 for 2017.

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

Sec. 13. Laws 2015, First Special Session chapter 3, article 4, section 9, subdivision 2, as amended by Laws 2016, chapter 189, article 28, section 10, is amended to read:

Subd. 2. Charter school building lease aid. For building lease aid under Minnesota Statutes, section 124E.22:

The 2016 appropriation includes $6,032,000 for 2015 and $57,508,000 for 2016.

The 2017 appropriation includes $6,389,000 for 2016 and $63,743,000 for 2017.

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

Sec. 14. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 2, as amended by Laws 2016, chapter 189, article 29, section 15, is amended to read:

Subd. 2. Special education; regular. For special education aid under Minnesota Statutes, section 125A.75:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$1,183,619,000</td>
<td>.....</td>
</tr>
<tr>
<td>2017</td>
<td>$1,247,107,000</td>
<td>.....</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $137,932,000 for 2015 and $1,045,687,000 for 2016.

The 2017 appropriation includes $147,202,000 for 2016 and $1,099,905,000 for 2017.

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

Sec. 15. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 3, as amended by Laws 2016, chapter 189, article 34, section 10, is amended to read:

Subd. 3. Travel for home-based services. For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$416,000</td>
</tr>
<tr>
<td>2017</td>
<td>$482,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $35,000 for 2015 and $381,000 for 2016.

The 2017 appropriation includes $42,000 for 2016 and $440,000 for 2017.

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

Sec. 16. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 5, as amended by Laws 2016, chapter 189, article 34, section 11, is amended to read:

Subd. 5. 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>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$1,307,000</td>
</tr>
<tr>
<td>2017</td>
<td>$1,390,000</td>
</tr>
</tbody>
</table>

EFFECTIVE DATE. This section is effective the day following final enactment.
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. 17. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 6, is amended to read:

Subd. 6. **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:

163.9 $ 56,000 ..... 2016
163.10 $ 57,000
163.11 $ 45,000 ..... 2017

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

**D. FACILITIES AND TECHNOLOGY**

Sec. 18. Laws 2015, First Special Session chapter 3, article 6, section 13, subdivision 2, as amended by Laws 2016, chapter 189, article 30, section 23, is amended to read:

Subd. 2. **Long-term facilities maintenance equalization equalized aid.** For long-term facilities maintenance equalization equalized aid under Minnesota Statutes, section 123B.595:

163.18 $ 0 ..... 2016
163.19 $ 52,844,000
163.20 $ 50,571,000 ..... 2017

The 2017 appropriation includes $0 for 2016 and $52,844,000 $50,571,000 for 2017.

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

Sec. 19. Laws 2015, First Special Session chapter 3, article 6, section 13, subdivision 3, as amended by Laws 2016, chapter 189, article 34, section 12, is amended to read:

Subd. 3. **Debt service equalization.** For debt service aid according to Minnesota Statutes, section 123B.53, subdivision 6:

163.27 $ 20,349,000 ..... 2016
163.28 $ 22,926,000
163.29 $ 20,406,000 ..... 2017

The 2016 appropriation includes $2,295,000 for 2015 and $18,054,000 for 2016.
The 2017 appropriation includes $2,005,000 for 2016 and $20,921,000 $18,401,000 for 2017.

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

**E. NUTRITION**

Sec. 20. Laws 2015, First Special Session chapter 3, article 7, section 7, subdivision 2, as amended by Laws 2016, chapter 189, article 27, section 18, is amended to read:

Subd. 2. **School lunch.** For school lunch aid according to 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>2016</td>
<td>$16,251,000</td>
<td>2017</td>
<td>$16,775,000</td>
</tr>
<tr>
<td></td>
<td>$16,234,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

Sec. 21. Laws 2015, First Special Session chapter 3, article 7, section 7, subdivision 3, as amended by Laws 2016, chapter 189, article 27, section 19, 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>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$9,457,000</td>
<td>2017</td>
<td>$10,365,000</td>
</tr>
<tr>
<td></td>
<td>$9,869,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

Sec. 22. Laws 2015, First Special Session chapter 3, article 7, section 7, subdivision 4, as amended by Laws 2016, chapter 189, article 34, section 15, is amended to read:

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>2016</td>
<td>$788,000</td>
<td>2017</td>
<td>$788,000</td>
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<tr>
<td></td>
<td>$758,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**EFFECTIVE DATE.** This section is effective the day following final enactment.
F. EARLY CHILDHOOD EDUCATION

Sec. 23. Laws 2015, First Special Session chapter 3, article 9, section 8, subdivision 5, as amended by Laws 2016, chapter 189, article 34, section 16, is amended to read:

Subd. 5. Early childhood family education aid. For early childhood family education aid under Minnesota Statutes, section 124D.135:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount 1</th>
<th>Year</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$27,948,000</td>
<td>2017</td>
<td>$29,336,000</td>
</tr>
<tr>
<td></td>
<td>$28,944,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $2,713,000 for 2015 and $25,235,000 for 2016.
The 2017 appropriation includes $2,803,000 for 2016 and $26,141,000 for 2017.

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

Sec. 24. Laws 2015, First Special Session chapter 3, article 9, section 8, subdivision 6, as amended by Laws 2016, chapter 189, article 34, section 17, is amended to read:

Subd. 6. Developmental screening aid. For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount 1</th>
<th>Year</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$3,477,000</td>
<td>2017</td>
<td>$3,488,000</td>
</tr>
<tr>
<td></td>
<td>$3,573,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $338,000 for 2015 and $3,139,000 for 2016.
The 2017 appropriation includes $348,000 for 2016 and $3,225,000 for 2017.

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

Sec. 25. Laws 2015, First Special Session chapter 3, article 10, section 3, subdivision 2, as amended by Laws 2016, chapter 189, article 34, section 18, 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 1</th>
<th>Year</th>
<th>Amount 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$790,000</td>
<td>2017</td>
<td>$555,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $107,000 for 2015 and $683,000 for 2016.
The 2017 appropriation includes $75,000 for 2016 and $478,000 for 2017.

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

G. SELF-SUFFICIENCY AND LIFELONG LEARNING

Sec. 26. Laws 2015, First Special Session chapter 3, article 11, section 3, subdivision 2, as amended by Laws 2016, chapter 189, article 34, section 19, is amended to read:

Subd. 2. Adult basic education aid. For adult basic education aid under Minnesota Statutes, section 124D.531:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>48,231,000</td>
</tr>
<tr>
<td>2017</td>
<td>49,683,000</td>
</tr>
</tbody>
</table>

The 2016 appropriation includes $4,782,000 for 2015 and $43,449,000 for 2016.

The 2017 appropriation includes $4,827,000 for 2016 and $43,935,000 for 2017.

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

Article locations in S0718-1

ARTICLE 1  GENERAL EDUCATION ........................................ Page.Ln 2.9
ARTICLE 2  EDUCATION EXCELLENCE ................................ Page.Ln 18.27
ARTICLE 3  TEACHERS .................................................. Page.Ln 83.7
ARTICLE 4  SPECIAL EDUCATION ..................................... Page.Ln 106.13
ARTICLE 5  FACILITIES AND TECHNOLOGY ....................... Page.Ln 120.4
ARTICLE 6  NUTRITION ................................................ Page.Ln 123.12
ARTICLE 7  LIBRARIES ................................................. Page.Ln 124.5
ARTICLE 8  EARLY CHILDHOOD AND FAMILY SUPPORT .......... Page.Ln 125.16
ARTICLE 9  COMMUNITY EDUCATION AND PREVENTION ...... Page.Ln 133.1
ARTICLE 10 SELF-SUFFICIENCY AND LIFELONG LEARNING .... Page.Ln 136.19
ARTICLE 11 STATE AGENCIES ....................................... Page.Ln 140.9
ARTICLE 12 FORECAST ADJUSTMENTS ............................ Page.Ln 157.10
122A.162 LICENSURE RULES.
The commissioner may make rules relating to licensure of school personnel not licensed by the Board of Teaching or Board of School Administrators.

122A.163 TEACHER RULE VARIANCES; COMMISSIONER.
Notwithstanding any law to the contrary, and only upon receiving the agreement of the State Board of Teaching or Board of School Administrators, whichever has jurisdiction over the licensure, the commissioner of education may grant a variance to rules governing licensure of persons licensed by the Board of Teaching or Board of School Administrators, whichever has jurisdiction.

122A.18 BOARD TO ISSUE LICENSES.
Subd. 4. Expiration and renewal. (a) Each license the Department of Education issues through its licensing section must bear the date of issue and the name of the state-approved teacher training provider. Licenses must expire and be renewed according to the respective rules the Board of Teaching, the Board of School Administrators, or the commissioner of education adopts. Requirements for renewing a license must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completing such additional preparation as the Board of Teaching prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The State Board of Teaching shall establish requirements for renewing the licenses of athletic coaches.

(b) Applicants for license renewal who have been employed as a teacher during the renewal period of their expiring license, as a condition of license renewal, must present to their local continuing education and relicensure committee or other local relicensure committee evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, practices in meeting the varied needs of English learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. The applicant must include a reflective statement of professional accomplishment and the applicant's own assessment of professional growth showing evidence of:

(1) support for student learning;
(2) use of best practices techniques and their applications to student learning;
(3) collaborative work with colleagues that includes examples of collegiality such as attested-to committee work, collaborative staff development programs, and professional learning community work; or
(4) continual professional development that may include (i) job-embedded or other ongoing formal professional learning or (ii) for teachers employed for only part of the renewal period of their expiring license, other similar professional development efforts made during the relicensure period.

The Board of Teaching must ensure that its teacher relicensing requirements also include this paragraph.

(c) The Board of Teaching shall offer alternative options for license renewal for teachers who are accepted into and complete the National Board for Professional Teaching Standards certification process, and offer additional continuing relicensure options for teachers who earn National Board for Professional Teaching Standards certification. Continuing relicensure requirements for teachers who do not maintain National Board for Professional Teaching Standards certification are those the board prescribes, consistent with this section.

Subd. 4a. Limited provisional licenses. The board may grant two-year provisional licenses to licensure candidates in a field in which they were not previously licensed or in a field in which a shortage of licensed teachers exists. A shortage is defined as an inadequate supply of licensed personnel in a given licensure area as determined by the commissioner.

Subd. 7. Limited provisional licenses. The Board of Teaching may grant provisional licenses, which shall be valid for two years, in fields in which licenses were not issued previously or in fields in which a shortage of licensed teachers exists. A shortage is defined as a lack of or an inadequate supply of licensed personnel within a given licensure area in a school district that
has notified the Board of Teaching of the shortage and has applied to the Board of Teaching for provisional licenses for that district's licensed staff.

122A.23 APPLICANTS TRAINED IN OTHER STATES.
Subdivision 1. Preparation equivalency. When a license to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state university, or of the University of Minnesota, or of a liberal arts university, or a technical training institution, such license may also, in the discretion of the Board of Teaching, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state. The diploma or degree must be granted by virtue of completing coursework in teacher preparation as preliminary to the granting of a diploma or a degree of the same rank and class. For purposes of granting a Minnesota teaching license to a person who receives a diploma or degree from a state-accredited, out-of-state teacher training program leading to licensure, the Board of Teaching must establish criteria and streamlined policies and procedures by January 1, 2016, to recognize the experience and professional credentials of the person holding the out-of-state diploma or degree and allow that person to demonstrate to the board the person's qualifications for receiving a Minnesota teaching license based on performance measures the board adopts by January 1, 2016, under this section.

Subd. 2. Applicants licensed in other states. (a) Subject to the requirements of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a professional five-year teaching license or an initial professional one-year teaching license under paragraphs (c) to (f) to an applicant who holds at least a baccalaureate degree from a regionally accredited college or university and holds or held an out-of-state teaching license that requires the applicant to successfully complete a teacher preparation program approved by the issuing state, which includes either (1) field-specific teaching methods, student teaching, or equivalent experience, or (2) at least two years of teaching experience as the teacher of record in a similar licensure area.

(b) The Board of Teaching may issue a professional five-year teaching license on the basis of teaching experience and examination requirements only.

(c) The Board of Teaching must issue a professional five-year teaching license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar content field and grade levels if the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, and either (i) has completed field-specific teaching methods, student teaching, or equivalent experience, or (ii) has at least two years of teaching experience as the teacher of record in a similar licensure area.

(d) The Board of Teaching, consistent with board rules and paragraph (i), must issue up to four initial professional one-year teaching licenses to an applicant who holds or held an out-of-state teaching license to teach a similar licensure area and grade levels, where the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, but has not successfully completed all exams and human relations preparation components required by the Board of Teaching. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

(e) The Board of Teaching, consistent with board rules, must issue up to four initial professional one-year teaching licenses to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar licensure area and grade levels, where the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, but has not completed field-specific teaching methods or student teaching or equivalent experience.

The applicant may complete field-specific teaching methods by successfully participating in a one-year school district mentorship program consistent with board-adopted standards of effective practice and Minnesota graduation requirements. If no school district mentorship program is available, the applicant must complete field-specific teaching methods coursework while serving as a teacher of record and providing classroom instruction in the applicant's field of licensure. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

(f) The Board of Teaching must issue to an applicant with an out-of-state teaching license up to four initial professional one-year teaching licenses that are restricted in content or grade levels specified in the out-of-state license if the applicant's out-of-state teaching license is more
limited than a similar Minnesota license in content field or grade levels. The Board of Teaching must issue a professional five-year teaching license to an applicant who successfully completes all exams and human relations preparation components required by the Board of Teaching. Any content or grade level restriction placed on a license under this paragraph remains in effect.

(g) The Board of Teaching may issue a two-year provisional permission to an applicant under this subdivision to teach in a shortage area, consistent with section 122A.18, subdivision 4a.

(h) The Board of Teaching may issue a license under this subdivision if the applicant has attained the additional degrees, credentials, or licenses required in a particular licensure field and the applicant can demonstrate competency by obtaining qualifying scores on the board-adopted skills examination in reading, writing, and mathematics, and on applicable board-adopted rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraphs (a) and (e).

(i) The Board of Teaching must require an applicant for a professional five-year teaching license or an initial professional one-year teaching license under this subdivision to pass a board-adopted skills examination in reading, writing, and mathematics before the board issues the license unless, notwithstanding other provisions of this subdivision, an applicable board-approved National Association of State Directors of Teacher Education and Certification interstate agreement exists to allow fully certified teachers from other states to transfer their certification to Minnesota.

122A.245 ALTERNATIVE TEACHER PREPARATION PROGRAM AND PRELIMINARY TEACHER LICENSE.

Subdivision 1. Requirements. (a) To improve academic excellence, improve ethnic and cultural diversity in the classroom, and close the academic achievement gap, the Board of Teaching must approve qualified teacher preparation programs under this section that are a means to acquire a two-year preliminary teacher license, which the board may renew one time for an additional one-year term, and to prepare for acquiring a professional five-year license. The following entities are eligible to participate under this section:

(1) a school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose that forms a partnership with a college or university that has a board-approved alternative teacher preparation program; or

(2) a school district or charter school, after consulting with a college or university with a board-approved teacher preparation program, that forms a partnership with a nonprofit corporation organized under chapter 317A for an education-related purpose that has a board-approved teacher preparation program.

(b) Before becoming a teacher of record, a candidate must:

(1) have a bachelor's degree with a 3.0 or higher grade point average unless the board waives the grade point average requirement based on board-adopted criteria adopted by January 1, 2016;

(2) demonstrate a passing score on a board-adopted reading, writing, and mathematics skills examination under section 122A.09, subdivision 4, paragraph (b); and

(3) obtain qualifying scores on applicable board-adopted rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

(c) The Board of Teaching must issue a two-year preliminary teacher license to a person who enrolls in an alternative teacher preparation program.

Subd. 2. Characteristics. An alternative teacher preparation program under this section must include:

(1) a minimum 200-hour instructional phase that provides intensive preparation and student teaching before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) strategies to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program and to support their efforts to successfully complete the program;

(5) intensive, ongoing, and multiyear professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a workplace orientation, professional staff development, and mentoring and peer review focused on standards of professional practice and continuous professional growth; and
(6) a requirement that teacher candidates demonstrate to the local site team under subdivision 5 satisfactory progress toward acquiring professional five-year teaching licenses from the Board of Teaching.

Subd. 3. Program approval; disapproval. (a) The Board of Teaching must approve alternative teacher preparation programs under this section based on board-adopted criteria that reflect best practices for alternative teacher preparation programs, consistent with this section.

(b) The board must permit teacher candidates to demonstrate mastery of pedagogy and content standards in school-based settings and through other nontraditional means. "Nontraditional means" must include a portfolio of previous experiences, teaching experience, educator evaluations, certifications marking the completion of education training programs, and essentially equivalent demonstrations.

(c) The board must use nontraditional criteria to determine the qualifications of program instructors.

(d) The board may permit instructors to hold a baccalaureate degree only.

(e) If the Board of Teaching determines that a teacher preparation program under this section does not meet the requirements of this section, it may revoke its approval of the program after it notifies the program provider of any deficiencies and gives the program provider an opportunity to remedy the deficiencies.

Subd. 4. Employment conditions. Where applicable, teacher candidates with a preliminary teacher license under this section are members of the local employee organization representing teachers and subject to the terms of the local collective bargaining agreement between the exclusive representative of the teachers and the school board. A collective bargaining agreement between a school board and the exclusive representative of the teachers must not prevent or restrict or otherwise interfere with a school district's ability to employ a teacher prepared under this section.

Subd. 5. Approval for professional five-year license. A school board or its designee must appoint members to a local site team that includes teachers, school administrators, and postsecondary faculty under subdivision 1, paragraph (a), clause (1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a), clause (2), to evaluate the performance of the teacher candidate. The evaluation must be consistent with board-adopted performance measures, use the Minnesota state standards of effective practice and subject matter content standards for teachers established in Minnesota Rules, and include a report to the board recommending whether or not to issue the teacher candidate a professional five-year teaching license.

Subd. 6. Applicants trained in other states. A person who successfully completes another state's alternative teacher preparation program, consistent with section 122A.23, may apply to the Board of Teaching for an initial professional one-year teaching license or a professional five-year teaching license.

Subd. 7. Professional five-year license. The Board of Teaching must issue a professional five-year teaching license to an otherwise qualified teacher candidate under this section who successfully performs throughout a program under this section, obtains qualifying scores on applicable board-adopted rigorous skills, pedagogy, and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to the board qualifications for licensure under subdivision 6.

Subd. 8. Qualified teacher. A person holding a valid limited-term license under this section is a qualified teacher and the teacher of record under section 122A.16.

Subd. 9. Exchange of best practices. By July 31 in an even-numbered year, approved alternative preparation program providers, the Minnesota State Colleges and Universities, the University of Minnesota, the Minnesota Private College Council, and the Department of Education must exchange information about best practices and educational innovations.

Subd. 10. Reports. The Board of Teaching must submit an interim report on the efficacy of this program to the policy and finance committees of the legislature with jurisdiction over kindergarten through grade 12 education by February 15, 2013, and a final report by February 15, 2015.

122A.25 NONLICENSED COMMUNITY EXPERTS; VARIANCE.

Subdivision 1. Authorization. Notwithstanding any law or commissioner of education rule to the contrary, the Board of Teaching may allow school districts or charter schools to hire nonlicensed community experts to teach in the public schools or charter schools on a limited basis according to this section.
Subd. 2. Applications; criteria. The school district or charter school shall apply to the Board of Teaching for approval to hire nonlicensed teaching personnel from the community. In approving or disapproving the application for each community expert, the board shall consider:

1. the qualifications of the community person whom the district or charter school proposes to employ;
2. the reasons for the need for a variance from the teacher licensure requirements;
3. the district's efforts to obtain licensed teachers, who are acceptable to the school board, for the particular course or subject area or the charter school's efforts to obtain licensed teachers for the particular course or subject area;
4. the amount of teaching time for which the community expert would be hired;
5. the extent to which the district or charter school is utilizing other nonlicensed community experts under this section;
6. the nature of the community expert's proposed teaching responsibility; and
7. the proposed level of compensation to the community expert.

Subd. 3. Approval of plan. The Board of Teaching shall approve or disapprove an application within 60 days of receiving it from a school district or charter school.

Subd. 4. Background check. A school district or charter school shall provide the Board of Teaching with confirmation that criminal background checks have been completed for all nonlicensed community experts employed by the district or charter school and approved by the Board of Teaching under this section.

123A.73 LEVY LIMITATIONS OF REORGANIZED DISTRICTS.

Subd. 3. Voluntary dissolution; referendum revenue. As of the effective date of the voluntary dissolution of a district and its attachment to one or more existing districts pursuant to section 123A.46, the authorization for all referendum revenues previously approved by the voters of all affected districts for those districts pursuant to section 126C.17, subdivision 9, or its predecessor provision, is canceled. However, if all of the territory of any independent district is included in the enlarged district, and if the adjusted net tax capacity of taxable property in that territory comprises 90 percent or more of the adjusted net tax capacity of all taxable property in an enlarged district, the enlarged district's referendum revenue shall be determined as follows:

The referendum revenue shall be the revenue per adjusted pupil unit times the number of adjusted pupil units in the enlarged district. Any new referendum revenue shall be authorized only after approval is granted by the voters of the entire enlarged district in an election pursuant to section 126C.17, subdivision 9.

124D.73 DEFINITIONS.

Subd. 2. American Indian child. "American Indian child" means any child, living on or off a reservation, who is enrolled or eligible for enrollment in a federally recognized tribe.

124E.10 CHARTER CONTRACT.

Subd. 5. Mutual nonrenewal. If the authorizer and the charter school board of directors mutually agree not to renew the contract, or if the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed. The authorizer and the school board must jointly submit a written and signed letter of their intent to the commissioner to mutually not renew the contract. The authorizer that is a party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the school, including unmet contract outcomes and other outstanding contractual obligations. The charter contract between the proposed authorizer and the school must identify and provide a plan to address any outstanding obligations from the previous contract. The proposed authorizer must submit the proposed contract at least 105 business days before the end of the existing charter contract. The commissioner has 30 business days to review and make a determination on the change in authorizer. The proposed authorizer and the school have 15 business days to respond to the determination and address any issues identified by the commissioner. The commissioner must make a final determination no later than 45 business days before the end of the current charter contract. If the commissioner does not approve a change in authorizer, the school and the current authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the commissioner does not approve a change in authorizer and the current authorizer and the school
do not withdraw their letter and enter into a new contract, the school must be dissolved according to applicable law and the terms of the contract.

125A.75 SPECIAL EDUCATION PROGRAMS; APPROVAL; AID PAYMENTS; TRAVEL AID; LITIGATION COSTS.
Subd. 7. Allocation from cooperative centers, service cooperatives, education districts, and intermediate districts. For purposes of this section, a special education cooperative, service cooperative, education district, or an intermediate district must allocate its approved expenditures for special education programs among participating districts. Special education aid for services provided by a cooperative, service cooperative, education district, or intermediate district must be paid to the participating school districts.

125A.76 SPECIAL EDUCATION AID.
Subd. 2b. Cross subsidy reduction aid. For fiscal years 2014 and 2015, the cross subsidy reduction aid for a school district, not including a charter school, equals the lesser of (a) the product of the cross subsidy reduction aid limit and the district's average daily membership served or (b) the sum of the product of the cross subsidy reduction aid percentage, the district's average daily membership served, and the sum of:
   (1) $450; plus
   (2) $400 times the ratio of the sum of the number of pupils enrolled on October 1 who are eligible to receive free lunch plus one-half of the pupils enrolled on October 1 who are eligible to receive reduced-price lunch to the total October 1 enrollment; plus
   (3) .008 times the district's average daily membership served; plus the product of the cross subsidy aid percentage and the sum of:
      (i) $10,100 times the December 1 child count for the primary disability areas of autism spectrum disorders, developmental delay, and severely multiply impaired; plus
      (ii) $17,500 times the December 1 child count for the primary disability areas of deaf and hard-of-hearing and emotional or behavioral disorders; plus
      (iii) $26,000 times the December 1 child count for the primary disability areas of developmentally cognitive mild-moderate, developmentally cognitive severe-profound, physically impaired, visually impaired, and deafblind.

129C.10 PERPICH CENTER FOR ARTS EDUCATION.
Subd. 5a. Interdistrict voluntary integration magnet program. Notwithstanding Minnesota Rules, parts 3535.0110 and 3535.0150, the board may establish and operate an interdistrict integration magnet program according to section 129C.30. For fiscal year 2016 and later, the board must have an approved achievement and integration plan and budget under section 124D.861.

129C.30 CROSSWINDS INTEGRATION MAGNET SCHOOL.
Subdivision 1. Definitions. (a) The following terms have the meanings given them for this chapter.
   (b) "Board" means the board of directors of the Perpich Center for Arts Education.
   (c) "Crosswinds school" means the Crosswinds school in Woodbury operated during the 2012-2013 school year by Joint Powers District No. 6067, East Metro Integration District.
Subd. 2. Board to operate the Crosswinds school. The board may operate the Crosswinds school with the powers and duties granted to it under this chapter. A student may apply to the Crosswinds school under section 124D.03 and the Crosswinds school may accept students under that section.
Subd. 3. General education funding. General education revenue must be paid to the Crosswinds school as though it were a district. The general education revenue for each adjusted pupil unit is the state average general education revenue per pupil unit, plus the referendum equalization aid allowance in the pupil's district of residence, minus an amount equal to the product of the formula allowance according to section 126C.10, subdivision 2, times .0466, calculated without declining enrollment, basic skills revenue, extended time revenue, pension adjustment revenue, transition revenue, and transportation sparsity revenue, plus declining enrollment, basic skills revenue, extended time revenue, pension adjustment revenue, and transition revenue as though the school were a school district. The general education revenue for each extended time pupil unit equals $4,794.
Subd. 4. **Special education funding.** Special education aid must be paid to the Crosswinds school according to sections 125A.76 and 125A.79, as though it were a school district. The special education aid paid to the Crosswinds school shall be adjusted as follows:

1. if the Crosswinds school does not receive general education revenue on behalf of the student according to subdivision 3, the aid shall be adjusted as provided in section 125A.11; or

2. if the Crosswinds school receives general education revenue on behalf of the student according to subdivision 3, the aid shall be adjusted as provided in section 127A.47, subdivision 7, paragraphs (b) to (d).

Subd. 5. **Pupil transportation.** (a) For fiscal year 2015 only, a member district of Joint Powers District No. 6067, East Metro Integration District, must transport pupils enrolled at the Crosswinds school in the same manner as they were transported in fiscal year 2014.

(b) Pupil transportation expenses under this section are reimbursable under section 124D.87.

Subd. 6. **Achievement and integration aid.** For fiscal year 2016 and later, the Crosswinds school is eligible for achievement and integration aid under section 124D.862 as if it were a school district.

Subd. 7. **Other aids, grants, revenue.** (a) The Crosswinds school is eligible to receive other aids, grants, and revenue according to chapters 120A to 129C as though it were a district.

(b) Notwithstanding paragraph (a), the Crosswinds school may not receive aid, a grant, or revenue if a levy is required to obtain the money, or if the aid, grant, or revenue replaces levy revenue that is not general education revenue, except as otherwise provided in this section.

(c) Federal aid received by the state must be paid to the school if it qualifies for the aid as though it were a school district.

(d) In the year-end report to the commissioner of education, the Crosswinds school shall report the total amount of funds received from grants and other outside sources.

Subd. 8. **Year-round programming.** The Crosswinds school may operate as a flexible learning year program under sections 124D.12 to 124D.127.

Subd. 9. **Data requirements.** The commissioner of education shall require the Crosswinds school to follow the budget and accounting procedures required for school districts and the Crosswinds school shall report all data to the Department of Education in the form and manner required by the commissioner.
3500.3100 ISSUANCE OF GENERAL EDUCATIONAL DEVELOPMENT (GED) DIPLOMA.

Subp. 4. General Educational Development (GED) diploma. The commissioner of education may issue a General Educational Development (GED) diploma to a Minnesota resident 19 years of age or over who has not earned a high school diploma and who has not previously been issued a GED if:

A. the person makes written application through any of the approved GED testing centers located in Minnesota; and

B. the person obtains a minimum standard score of 410 on each of the five GED tests and an average standard score of at least 450 on all five tests or the minimum standard scores required by the GED testing service, whichever is greater.

GED tests must be administered only by official agencies established by the American Council on Education and approved by the commissioner of education.

The commissioner of education may waive the minimum age requirement if supportive evidence is provided by an employer or a recognized education or rehabilitation provider.