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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1421

02/20/2017 Authored by Drazkowski and Bennett
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education finance; authorizing school boards to adopt policies for certain
1.3 snow days; authorizing e-learning days for school days with inclement weather;
1.4 amending Minnesota Statutes 2016, sections 120A.41; 126C.05, subdivision 8;
1.5 proposing coding for new law in Minnesota Statutes, chapter 120A.

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

1.7 Section 1. Minnesota Statutes 2016, section 120A.41, is amended to read:

1.8 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

1.9 (a) A school board's annual school calendar must include at least 425 hours of instruction
1.10 for a kindergarten student without a disability, 935 hours of instruction for a student in
1.11 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not
1.12 including summer school. The school calendar for all-day kindergarten must include at least
1.13 850 hours of instruction for the school year. The school calendar for a prekindergarten
1.14 student under section 124D.151, if offered by the district, must include at least 350 hours
1.15 of instruction for the school year. A school board's annual calendar must include at least
1.16 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule
1.17 has been approved by the commissioner under section 124D.126.

1.18 (b) A school board's annual school calendar may include plans for up to five days of
1.19 instruction provided through online instruction due to inclement weather. The inclement
1.20 weather plans must be developed according to section 120A.414.

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

2.2 Subdivision 1. **Days.** "E-learning day" means a school day where a school offers full
 2.3 access to online instruction provided by students' individual teachers due to inclement
 2.4 weather. A school district or charter school that chooses to have e-learning days may have
 2.5 up to five e-learning days in one school year. An e-learning day is counted as a day of
 2.6 instruction and included in the hours of instruction under section 120A.41.

2.7 Subd. 2. **Plan.** The school board and the exclusive representative of the teachers for that
 2.8 school must agree to the district's e-learning day plan. A charter school may adopt an
 2.9 e-learning day plan after consulting with its teachers. The plan must include accommodations
 2.10 for students without Internet access at home and for digital device access for families without
 2.11 the technology or an insufficient amount of technology for the number of children in the
 2.12 household. A school's e-learning plan must provide accessible options for students with
 2.13 disabilities.

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

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

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

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

2.22 Sec. 3. Minnesota Statutes 2016, section 126C.05, subdivision 8, is amended to read:

2.23 **Subd. 8. Average daily membership.** (a) Membership for pupils in grades kindergarten
 2.24 through 12 and for prekindergarten pupils with disabilities shall mean the number of pupils
 2.25 on the current roll of the school, counted from the date of entry until withdrawal. The date
 2.26 of withdrawal shall mean the day the pupil permanently leaves the school or the date it is
 2.27 officially known that the pupil has left or has been legally excused. However, a pupil,
 2.28 regardless of age, who has been absent from school for 15 consecutive school days during
 2.29 the regular school year or for five consecutive school days during summer school or
 2.30 intersession classes of flexible school year programs without receiving instruction in the
 2.31 home or hospital shall be dropped from the roll and classified as withdrawn. Nothing in this
 2.32 section shall be construed as waiving the compulsory attendance provisions cited in section
 2.33 120A.22. Average daily membership equals the sum for all pupils of the number of days

- 3.1 of the school year each pupil is enrolled in the district's schools divided by the number of
3.2 days the schools are in session or are providing e-learning days due to inclement weather.
3.3 Days of summer school or intersession classes of flexible school year programs are only
3.4 included in the computation of membership for pupils with a disability not appropriately
3.5 served primarily in the regular classroom. A student must not be counted as more than 1.2
3.6 pupils in average daily membership under this section. When the initial total average daily
3.7 membership exceeds 1.2 for a pupil enrolled in more than one school district during the
3.8 fiscal year, each district's average daily membership must be reduced proportionately.
- 3.9 (b) A student must not be counted as more than one pupil in average daily membership
3.10 except for purposes of section 126C.10, subdivision 2a.