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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **1502**

02/09/2023 Authored by Sencer-Mura; Frazier; Lee, F.; Pérez-Vega; Clardy and others
The bill was read for the first time and referred to the Committee on Education Policy
03/06/2023 Adoption of Report: Amended and re-referred to the Committee on Education Finance

- 1.1 A bill for an act
- 1.2 relating to education; creating an ethnic studies requirement; creating an Ethnic
- 1.3 Studies Working Group; authorizing rulemaking; requiring a report; appropriating
- 1.4 money; amending Minnesota Statutes 2022, sections 120B.021, subdivision 1;
- 1.5 120B.024, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes,
- 1.6 chapter 120B.
- 1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.8 Section 1. Minnesota Statutes 2022, section 120B.021, subdivision 1, is amended to read:
- 1.9 Subdivision 1. **Required academic standards.** (a) The following subject areas are
- 1.10 required for statewide accountability:
- 1.11 (1) language arts;
- 1.12 (2) mathematics;
- 1.13 (3) science;
- 1.14 (4) social studies, including history, geography, economics, ethnic studies, and
- 1.15 government and citizenship that includes civics consistent with section 120B.02, subdivision
- 1.16 3;
- 1.17 (5) physical education;
- 1.18 (6) health, for which locally developed academic standards apply; and
- 1.19 (7) the arts, for which statewide or locally developed academic standards apply, as
- 1.20 determined by the school district. Public elementary and middle schools must offer at least
- 1.21 three and require at least two of the following four arts areas: dance; music; theater; and

2.1 visual arts. Public high schools must offer at least three and require at least one of the
2.2 following five arts areas: media arts; dance; music; theater; and visual arts.

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

2.9 (c) The department must adopt the most recent SHAPE America (Society of Health and
2.10 Physical Educators) kindergarten through grade 12 standards and benchmarks for physical
2.11 education as the required physical education academic standards. The department may
2.12 modify and adapt the national standards to accommodate state interest. The modification
2.13 and adaptations must maintain the purpose and integrity of the national standards. The
2.14 department must make available sample assessments, which school districts may use as an
2.15 alternative to local assessments, to assess students' mastery of the physical education
2.16 standards beginning in the 2018-2019 school year.

2.17 (d) A school district may include child sexual abuse prevention instruction in a health
2.18 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention
2.19 instruction may include age-appropriate instruction on recognizing sexual abuse and assault,
2.20 boundary violations, and ways offenders groom or desensitize victims, as well as strategies
2.21 to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may
2.22 provide instruction under this paragraph in a variety of ways, including at an annual assembly
2.23 or classroom presentation. A school district may also provide parents information on the
2.24 warning signs of child sexual abuse and available resources.

2.25 (e) District efforts to develop, implement, or improve instruction or curriculum as a
2.26 result of the provisions of this section must be consistent with sections 120B.10, 120B.11,
2.27 and 120B.20.

2.28 **EFFECTIVE DATE.** This section is effective for the 2027-2028 school year and later.

2.29 Sec. 2. Minnesota Statutes 2022, section 120B.024, subdivision 1, is amended to read:

2.30 Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the~~
2.31 ~~2011-2012 school year and later~~ must successfully complete the following high school level
2.32 credits for graduation:

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

3.3 (2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient
3.4 to satisfy all of the academic standards in mathematics;

3.5 (3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade
3.6 standards in mathematics;

3.7 (4) three credits of science, including at least one credit of biology, one credit of chemistry
3.8 or physics, and one elective credit of science. The combination of credits under this clause
3.9 must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics
3.10 and (ii) all other academic standards in science;

3.11 (5) three and one-half credits of social studies, encompassing at least United States
3.12 history, geography, government and citizenship, world history, and economics sufficient
3.13 to satisfy all of the academic standards in social studies;

3.14 (6) one credit of the arts sufficient to satisfy all of the state or local academic standards
3.15 in the arts; and

3.16 (7) a minimum of seven elective credits.

3.17 (b) A school district is encouraged to offer a course for credit in government and
3.18 citizenship to ~~11th or 12th grade~~ students in grade 11 or 12 who begin ~~9th grade~~ 9 in the
3.19 2020-2021 school year and later, that satisfies the government and citizenship requirement
3.20 in paragraph (a), clause (5).

3.21 (c) Students must successfully complete an ethnic studies course for credit to graduate
3.22 from high school in accordance with section 120B.025. A school district is required to offer
3.23 an ethnic studies course that satisfies the requirements under section 120B.025 for credit
3.24 to students in high school who begin grade 9 in the 2025-2026 school year and later.

3.25 **EFFECTIVE DATE.** This section is effective for students beginning grade 9 in the
3.26 2025-2026 school year and later.

3.27 Sec. 3. Minnesota Statutes 2022, section 120B.024, subdivision 2, is amended to read:

3.28 Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a school's
3.29 agriculture education or business department may fulfill a one-half credit in social studies
3.30 under subdivision 1, clause (5), if the credit is sufficient to satisfy all of the academic
3.31 standards in economics.

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

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

4.13 (d) An agriculture education teacher is not required to meet the requirements of Minnesota
4.14 Rules, part 3505.1150, subpart 1, item B, to meet the credit equivalency requirements of
4.15 paragraph (b) above.

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

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

4.21 (g) An ethnic studies credit may fulfill a social studies, language arts, or science credit
4.22 if the credit meets the applicable state academic standards. An ethnic studies credit may
4.23 fulfill an arts credit if the credit meets the local standards, or state standards for a district
4.24 that has adopted the state standards. An ethnic studies credit may fulfill a required elective
4.25 credit if the credit meets applicable local academic standards or other requirements.

4.26 **EFFECTIVE DATE.** This section is effective July 1, 2023.

4.27 Sec. 4. **[120B.025] ETHNIC STUDIES.**

4.28 Subdivision 1. **Definition.** "Ethnic studies" means the critical and interdisciplinary study
4.29 of race, ethnicity, and indigeneity with a focus on the experiences and perspectives of people
4.30 of color within and beyond the United States. Ethnic studies analyzes the ways in which
4.31 race and racism have been and continue to be powerful social, cultural, and political forces,
4.32 and the connection of race to other groups of stratification, including gender, class, sexuality,
4.33 religion, and legal status.

5.1 Subd. 2. **Requirements.** (a) A student beginning grade 9 in the 2025-2026 school year
5.2 and later must successfully complete a semester-long ethnic studies course to graduate from
5.3 high school. The course must meet the minimum requirements of the model curriculum
5.4 under subdivision 6. A district or charter school must offer an ethnic studies course that
5.5 fulfills the requirements of this paragraph without increasing the number of credits required
5.6 for graduation under section 120B.024. An ethnic studies credit may fulfill a social studies,
5.7 language arts, or science credit if the credit meets the applicable state academic standards.
5.8 An ethnic studies credit may fulfill an arts credit if the credit meets the local standards, or
5.9 state standards for a district that has adopted the state standards. An ethnic studies credit
5.10 may fulfill a required elective credit if the credit meets applicable local academic standards
5.11 or other requirements.

5.12 (b) School districts and charter schools must provide ethnic studies instruction in
5.13 elementary schools and middle schools by the 2027-2028 school year in accordance with
5.14 state academic standards.

5.15 (c) Ethnic studies instruction must meet statewide academic standards for ethnic studies
5.16 curriculum.

5.17 (d) An ethnic studies course may focus specifically on a particular group of national or
5.18 ethnic origin, including Hmong, Karen, or Somali people.

5.19 Subd. 3. **Rulemaking.** The commissioner of education must adopt rules for statewide
5.20 academic standards for ethnic studies curriculum to be required for all kindergarten through
5.21 grade 12 students. The rules must include a process for implementing standards statewide.

5.22 Subd. 4. **School needs assessment.** (a) A school district or charter school must conduct
5.23 an ethnic studies school needs assessment with students, parents or guardians, and community
5.24 members to determine the priorities for course selection, implementation, and timeline. The
5.25 ethnic studies school needs assessment must include qualitative and quantitative components.
5.26 Qualitative priorities must include written and in-person feedback opportunities for students,
5.27 parents or guardians, and community members. Quantitative priorities must include a school
5.28 survey.

5.29 (b) A school district or charter school must annually evaluate the implementation of
5.30 ethnic studies instruction by seeking feedback from students, parents or guardians, and
5.31 community members. A school district or charter school must report to the commissioner
5.32 of education in the form and manner determined by the commissioner on plans to modify
5.33 implementation based on the annual evaluation.

6.1 Subd. 5. **Department of Education.** (a) The Department of Education must hire dedicated
6.2 ethnic studies staff sufficient to fulfill the following department duties:

6.3 (1) monitor school district and charter school implementation of ethnic studies courses
6.4 that fulfill ethnic studies standards;

6.5 (2) support school districts and charter schools in providing training for teachers and
6.6 school district staff to successfully implement ethnic studies standards;

6.7 (3) require each school district or charter school to annually evaluate the implementation
6.8 of the ethnic studies requirements by seeking feedback from students, parents or guardians,
6.9 and community members;

6.10 (4) encourage school districts and charter schools to hire a dedicated coordinator for
6.11 ethnic studies implementation with support from the Department of Education; and

6.12 (5) make available to school districts and charter schools the following:

6.13 (i) an ethnic studies school survey for each school district and charter school to use as
6.14 part of a school needs assessment;

6.15 (ii) a list of recommended materials, resources, sample curricula, and pedagogical skills
6.16 for use in kindergarten through grade 12 that accurately reflect the diversity of the state of
6.17 Minnesota;

6.18 (iii) training materials for teachers and district and school staff, including an ethnic
6.19 studies coordinator, to implement ethnic studies requirements, including a school needs
6.20 assessment; and

6.21 (iv) other resources to assist districts and charter schools in successfully implementing
6.22 ethnic studies standards.

6.23 (b) The commissioner must review and revise the ethnic studies standards, once adopted,
6.24 every ten years. Review and revision of the state standards must include robust community
6.25 engagement and consultation with stakeholders.

6.26 Subd. 6. **Model curriculum.** (a) The Department of Education must support school
6.27 districts and charter schools in using the model curriculum identified by the Ethnic Studies
6.28 Working Group and materials developed by members of the community that is the subject
6.29 of the course. The model curriculum must:

6.30 (1) use various forms of pedagogy to meet all students' needs, including participatory
6.31 or research-based models for real-world connections to the current society;

7.1 (2) include a power, race, class, and gender analysis as part of the course via literature,
7.2 discussion, classwork, and homework as the analysis relates to ethnic studies courses; and

7.3 (3) include an intersectional analysis of climate, health, food, housing, education, and
7.4 policy.

7.5 (b) The model ethnic studies curriculum must include the following topics:

7.6 (1) Latinx studies;

7.7 (2) African American studies;

7.8 (3) Asian American studies;

7.9 (4) Indigenous or First Nation studies; or

7.10 (5) introduction to ethnic studies.

7.11 **EFFECTIVE DATE.** This section is effective July 1, 2023, except subdivision 3, which
7.12 is effective the day following final enactment.

7.13 Sec. 5. **ETHNIC STUDIES WORKING GROUP.**

7.14 Subdivision 1. **Working group established.** (a) The Ethnic Studies Working Group is
7.15 established to advise the commissioner of education on ethnic studies standards, curriculum,
7.16 and resources necessary to implement ethnic studies requirements under Minnesota Statutes,
7.17 section 120B.025. The commissioner must appoint members of the working group by July
7.18 1, 2023, with input from the Minnesota Ethnic Studies Coalition.

7.19 (b) The Ethnic Studies Working Group must have 25 members with a demonstrated
7.20 commitment to ethnic studies, as follows:

7.21 (1) five community members with a demonstrated commitment to ethnic studies;

7.22 (2) three public school students in grades 9 to 12;

7.23 (3) two public school students in grades 6 to 8;

7.24 (4) three parents or guardians of public kindergarten through grade 12 students;

7.25 (5) three Minnesota-based, college-level faculty experts in ethnic studies;

7.26 (6) three ethnic studies high school teachers;

7.27 (7) four teachers with experience teaching ethnic studies to students in kindergarten to
7.28 grade 8; and

7.29 (8) two school administrators.

8.1 (c) Demographics of the working group must be inclusive and represent the diversity
8.2 of the state, including racial, ethnic, and geographic diversity, and diversity related to gender
8.3 and sexual orientation, immigrant status, disability status, and religious and linguistic
8.4 background.

8.5 Subd. 2. **Duties.** (a) The working group must review available ethnic studies curricula
8.6 and instructional resources in order to:

8.7 (1) develop ethnic studies standards to propose to the commissioner for adoption;

8.8 (2) recommend professional learning requirements for educators and staff to facilitate
8.9 the successful implementation of ethnic studies courses;

8.10 (3) recommend resources and materials school districts and charter schools may use to
8.11 implement ethnic studies standards; and

8.12 (4) identify or develop model ethnic studies curricula that school districts and charter
8.13 schools may use in accordance with section 120B.025.

8.14 (b) The working group must provide to the commissioner of education the ethnic studies
8.15 standards and recommendations by October 31, 2024, and the model ethnic studies curriculum
8.16 by July 1, 2025.

8.17 Subd. 3. **Meetings and compensation.** (a) The working group must convene on at least
8.18 a bimonthly basis and must hold the first meeting no later than October 15, 2023.

8.19 (b) Members of the working group shall receive a stipend of \$250 per month for their
8.20 time, work, and expertise.

8.21 Subd. 4. **Administration.** The commissioner must provide meeting space and technical
8.22 assistance for the working group.

8.23 Subd. 5. **Statewide academic standards.** The commissioner must adopt the academic
8.24 standards for ethnic studies curricula developed by the working group using the expedited
8.25 rulemaking process in Minnesota Statutes, section 14.389.

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

8.27 Sec. 6. **APPROPRIATIONS.**

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

8.31 Subd. 2. **Ethnic Studies Working Group.** For the Ethnic Studies Working Group:

9.1 \$ 2024

9.2 \$ 2025

9.3 Subd. 3. **Ethnic studies implementation.** (a) To implement statewide academic standards
9.4 for ethnic studies curricula:

9.5 \$ 2024

9.6 \$ 2025

9.7 (b) Of this amount, \$..... is for two ethnic studies specialists at the Department of
9.8 Education to provide support to school districts seeking to establish or strengthen ethnic
9.9 studies courses.

9.10 (c) The base for fiscal year 2026 is \$.....

9.11 Subd. 4. **Ethnic studies community consultation.** (a) To consult with community
9.12 members throughout Minnesota on the development of ethnic studies curricula, resources,
9.13 and implementation support:

9.14 \$ 2024

9.15 \$ 2025

9.16 (b) The base for fiscal year 2026 is \$.....

9.17 Subd. 5. **Ethnic studies school grants.** (a) For competitive grants to school districts
9.18 and charter schools to develop and implement ethnic studies courses:

9.19 \$ 2024

9.20 \$ 2025

9.21 (b) The commissioner must consult with the Ethnic Studies Working Group to develop
9.22 criteria for the grants.

9.23 (c) The base for fiscal year 2024 is \$.....

9.24 **EFFECTIVE DATE.** This section is effective July 1, 2023.