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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5005

03/18/2024 Authored by Kresha, Bennett, Bakeberg, Mueller and Knudsen
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; suspending social studies standards adoption and modifying
1.3 review cycle; repealing ethnic studies requirements; canceling ethnic studies
1.4 appropriations; amending Minnesota Statutes 2023 Supplement, sections 120B.021,
1.5 subdivision 4; 120B.024, subdivision 2; 120B.11, subdivision 1; 124D.861,
1.6 subdivision 2; Laws 2023, chapter 55, article 12, section 17, subdivision 2; repealing
1.7 Minnesota Statutes 2023 Supplement, sections 120B.25; 120B.251; Laws 2023,
1.8 chapter 55, article 2, sections 60; 64, subdivisions 13, 14.

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

1.10 Section 1. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 4, is
1.11 amended to read:

1.12 Subd. 4. Revisions and reviews required. (a) The commissioner of education must
1.13 revise the state's academic standards and graduation requirements and implement a ten-year
1.14 cycle to review and, consistent with the review, revise state academic standards and related
1.15 benchmarks, consistent with this subdivision. During each ten-year review and revision
1.16 cycle, the commissioner also must examine the alignment of each required academic standard
1.17 and related benchmark with the knowledge and skills students need for career and college
1.18 readiness and advanced work in the particular subject area. The commissioner must include
1.19 the contributions of Minnesota American Indian Tribes and communities, including urban
1.20 Indigenous communities, as related to the academic standards during the review and revision
1.21 of the required academic standards. The commissioner must embed Indigenous education
1.22 for all students consistent with recommendations from Tribal Nations and urban Indigenous
1.23 communities in Minnesota regarding the contributions of American Indian Tribes and
1.24 communities in Minnesota into the state's academic standards during the review and revision
1.25 of the required academic standards. The recommendations to embed Indigenous education

2.1 for all students includes but is not limited to American Indian experiences in Minnesota,
2.2 including Tribal histories, Indigenous languages, sovereignty issues, cultures, treaty rights,
2.3 governments, socioeconomic experiences, contemporary issues, and current events.

2.4 (b) The commissioner must ensure that the statewide mathematics assessments
2.5 administered to students in grades 3 through 8 and 11 are aligned with the state academic
2.6 standards in mathematics, consistent with section 120B.302, subdivision 3, paragraph (a).
2.7 The commissioner must implement a review of the academic standards and related
2.8 benchmarks in mathematics beginning in the 2021-2022 school year and every ten years
2.9 thereafter.

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

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

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

2.17 (f) The commissioner must implement a review of the academic standards and related
2.18 benchmarks in social studies beginning in the ~~2020-2021~~ 2030-2031 school year and every
2.19 ten years thereafter.

2.20 (g) The commissioner must implement a review of the academic standards and related
2.21 benchmarks in physical education beginning in the 2026-2027 school year and every ten
2.22 years thereafter.

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

2.29 (i) The commissioner of education must embed technology and information literacy
2.30 standards consistent with recommendations from school media specialists into the state's
2.31 academic standards and graduation requirements.

2.32 ~~(j) The commissioner of education must embed ethnic studies as related to the academic~~
2.33 ~~standards during the review and revision of the required academic standards.~~

3.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 2, is amended
3.2 to read:

3.3 Subd. 2. **Credit equivalencies.** (a) A one-half credit of economics taught in a school's
3.4 agricultural, food, and natural resources education or business education program or
3.5 department may fulfill a one-half credit in social studies under subdivision 1, clause (5), if
3.6 the credit is sufficient to satisfy all of the academic standards in economics.

3.7 (b) An agriculture science or career and technical education credit may fulfill the elective
3.8 science credit required under subdivision 1, clause (4), if the credit meets the state physical
3.9 science, life science, earth and space science, chemistry, or physics academic standards or
3.10 a combination of these academic standards as approved by the district. An agriculture or
3.11 career and technical education credit may fulfill the credit in chemistry or physics required
3.12 under subdivision 1, clause (4), if the credit meets the state chemistry or physics academic
3.13 standards as approved by the district. A student must satisfy either all of the chemistry
3.14 academic standards or all of the physics academic standards prior to graduation. An
3.15 agriculture science or career and technical education credit may not fulfill the required
3.16 biology credit under subdivision 1, clause (4).

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

3.19 (d) An agricultural, food, and natural resources education teacher is not required to meet
3.20 the requirements of Minnesota Rules, part 3505.1150, subpart 2, item B, to meet the credit
3.21 equivalency requirements of paragraph (b) above.

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

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

3.27 ~~(g) An ethnic studies course may fulfill a social studies, language arts, arts, math, or~~
3.28 ~~science credit if the course meets the applicable state academic standards. An ethnic studies~~
3.29 ~~course may fulfill an elective credit if the course meets applicable local standards or other~~
3.30 ~~requirements.~~

4.1 Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 1, is amended
4.2 to read:

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

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

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

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

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

4.20 ~~(e) "Ethnic studies" as defined in section 120B.25 has the same meaning for purposes~~
4.21 ~~of this section. Ethnic studies curriculum may be integrated in existing curricular~~
4.22 ~~opportunities or provided through additional curricular offerings.~~

4.23 ~~(f)~~ (e) "Antiracist" means actively working to identify and eliminate racism in all forms
4.24 in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.

4.25 ~~(g)~~ (f) "Culturally sustaining" means integrating content and practices that infuse the
4.26 culture and language of Black, Indigenous, and People of Color communities who have
4.27 been and continue to be harmed and erased through the education system.

4.28 ~~(h)~~ (g) "Institutional racism" means structures, policies, and practices within and across
4.29 institutions that produce outcomes that disadvantage those who are Black, Indigenous, and
4.30 People of Color.

5.1 Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.861, subdivision 2, is amended
5.2 to read:

5.3 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible
5.4 district must formally develop and implement a long-term plan under this section. The plan
5.5 must be incorporated into the district's comprehensive strategic plan under section 120B.11.

5.6 (b) The plan must contain goals for:

5.7 (1) reducing the disparities in academic achievement and in equitable access to effective
5.8 and more diverse teachers among all students and specific categories of students under
5.9 section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender,
5.10 disability, and English learners; and

5.11 (2) increasing racial and economic diversity and integration in schools and districts.

5.12 (c) The plan must include strategies to validate, affirm, embrace, and integrate cultural
5.13 and community strengths of all students, families, and employees in the district's curriculum
5.14 as well as learning and work environments. The plan must address issues of institutional
5.15 racism as defined in section 120B.11, subdivision 1, in schools that create opportunity and
5.16 achievement gaps for students, families, and staff who are of color or who are American
5.17 Indian. Examples of institutional racism experienced by students who are of color or who
5.18 are American Indian include policies and practices that intentionally or unintentionally
5.19 result in disparate discipline referrals and suspension, inequitable access to advanced
5.20 coursework, overrepresentation in lower-level coursework, inequitable participation in
5.21 cocurricular activities, inequitable parent involvement, and lack of equitable access to
5.22 racially and ethnically diverse teachers who reflect the racial or ethnic diversity of students
5.23 because it has not been a priority to hire or retain such teachers.

5.24 (d) School districts must use local data, to the extent practicable, to develop plan
5.25 components and strategies. Plans may include:

5.26 (1) innovative and integrated prekindergarten through grade 12 learning environments
5.27 that offer students school enrollment choices;

5.28 (2) family engagement initiatives that involve families in their students' academic life
5.29 and success and improve relations between home and school;

5.30 (3) opportunities for students, families, staff, and community members who are of color
5.31 or American Indian to share their experiences in the school setting with school staff and
5.32 administration and to inform the development of specific proposals for making school

6.1 environments more validating, affirming, embracing, and integrating of their cultural and
6.2 community strengths;

6.3 (4) professional development opportunities for teachers and administrators focused on
6.4 improving the academic achievement of all students, including knowledge, skills, and
6.5 dispositions needed to be antiracist and culturally sustaining as defined in section 120B.11,
6.6 subdivision 1, for serving students who are from racially and ethnically diverse backgrounds;

6.7 (5) recruitment and retention of teachers, administrators, cultural and family liaisons,
6.8 paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented
6.9 in the student population to strengthen relationships with all students, families, and other
6.10 members of the community;

6.11 (6) collection, examination, and evaluation of academic and discipline data for
6.12 institutional racism as defined in section 120B.11, subdivision 1, in structures, policies, and
6.13 practices that result in the education disparities, in order to propose antiracist changes as
6.14 defined in section 120B.11, subdivision 1, that increase access, meaningful participation,
6.15 representation, and positive outcomes for students of color and American Indian students;

6.16 (7) increased programmatic opportunities and effective and more diverse instructors
6.17 focused on rigor and college and career readiness for students who are impacted by racial,
6.18 gender, linguistic, and economic disparities, including students enrolled in area learning
6.19 centers or alternative learning programs under section 123A.05, state-approved alternative
6.20 programs under section 126C.05, subdivision 15, and contract alternative programs under
6.21 section 124D.69, among other underserved students; or

6.22 ~~(8) instruction in ethnic studies, as defined in section 120B.25, to provide all students~~
6.23 ~~with opportunities to learn about their own and others' cultures and historical experiences;~~
6.24 ~~or~~

6.25 ~~(9)~~ (8) examination and revision of district curricula in all subjects to be inclusive of
6.26 diverse racial and ethnic groups while meeting state academic standards and being culturally
6.27 sustaining as defined in section 120B.11, subdivision 1, ensuring content being studied
6.28 about any group is accurate and based in knowledge from that group.

6.29 (e) Among other requirements, an eligible district must implement effective,
6.30 research-based interventions that include multiple measures of assessment and engagement
6.31 in order to eliminate academic disparities for students impacted by racial, gender, linguistic,
6.32 and economic inequities as aligned with section 120B.11.

7.1 (f) Eligible districts must create efficiencies and eliminate duplicative programs and
 7.2 services under this section, which may include forming collaborations or a single,
 7.3 seven-county metropolitan areawide partnership of eligible districts for this purpose.

7.4 Sec. 5. Laws 2023, chapter 55, article 12, section 17, subdivision 2, is amended to read:

7.5 Subd. 2. **Department.** (a) For the Department of Education:

7.6		47,005,000		
7.7	\$	<u>46,855,000</u>	2024
7.8		39,922,000		
7.9	\$	<u>39,772,000</u>	2025

7.10 Of these amounts:

7.11 (1) \$405,000 each year is for the Board of School Administrators;

7.12 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
 7.13 section 120B.115;

7.14 (3) \$720,000 each year is for implementing Minnesota's Learning for English Academic
 7.15 Proficiency and Success Act (LEAPS) under Laws 2014, chapter 272, article 1, as amended;

7.16 (4) \$480,000 each year is for the Department of Education's mainframe update;

7.17 (5) \$7,500,000 in fiscal year 2024 only is for legal fees and costs associated with
 7.18 litigation;

7.19 (6) \$595,000 in fiscal year 2024 and \$2,609,000 in fiscal year 2025 are for modernizing
 7.20 district data submissions. The base for fiscal year 2026 and later is \$2,359,000;

7.21 (7) \$573,000 each year is for engagement and rulemaking related to Specific Learning
 7.22 Disability;

7.23 ~~(8) \$150,000 each year is for an ethnic studies specialist in the academic standards~~
 7.24 ~~division to provide support to the ethnic studies working group and to school districts seeking~~
 7.25 ~~to establish or strengthen ethnic studies courses;~~

7.26 ~~(9)~~ (8) \$150,000 each year is for the comprehensive school mental health services lead
 7.27 under Minnesota Statutes, section 127A.215;

7.28 ~~(10)~~ (9) \$150,000 each year is for a school health services specialist under Minnesota
 7.29 Statutes, section 121A.20;

7.30 ~~(11)~~ (10) \$2,000,000 each year is for the Office of the Inspector General established
 7.31 under Minnesota Statutes, section 127A.21;

8.1 ~~(12)~~ (11) \$800,000 each year is for audit and internal control resources;

8.2 ~~(13)~~ (12) \$2,000,000 in fiscal year 2024 only is for information technology infrastructure
8.3 and portfolio resources;

8.4 ~~(14)~~ (13) \$2,000,000 each year is for staffing the Equity, Diversity and Inclusion (EDI)
8.5 Center at the Department of Education; and

8.6 ~~(15)~~ (14) \$275,000 in fiscal year 2024 and \$175,000 in fiscal year 2025 are for
8.7 administrative expenses for unemployment aid.

8.8 (b) None of the amounts appropriated under this subdivision may be used for Minnesota's
8.9 Washington, D.C., office.

8.10 (c) The expenditures of federal grants and aids as shown in the biennial budget document
8.11 and its supplements are approved and appropriated and must be spent as indicated.

8.12 (d) The base for fiscal year 2026 and later is ~~\$39,667,000~~ \$39,517,000.

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

8.14 Sec. 6. **SOCIAL STUDIES STANDARDS SUSPENSION.**

8.15 The commissioner of education must suspend adoption and implementation of revised
8.16 social studies standards and benchmarks. School districts and charter schools must continue
8.17 to provide instruction in social studies aligned with the standards and benchmarks adopted
8.18 in 2012 until the commissioner adopts revised standards and benchmarks following the
8.19 review and revision of social studies standards beginning in the 2030-2031 school year.

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

8.21 Sec. 7. **REPEALER.**

8.22 (a) Minnesota Statutes 2023 Supplement, sections 120B.25; and 120B.251, are repealed.

8.23 (b) Laws 2023, chapter 55, article 2, sections 60; and 64, subdivisions 13, and 14, are
8.24 repealed.

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

120B.25 ETHNIC STUDIES.

"Ethnic studies" means the interdisciplinary study of race, ethnicity, and indigeneity with a focus on the experiences and perspectives of people of color within and beyond the United States. Ethnic studies analyzes the ways in which race and racism have been and continue to be social, cultural, and political forces, and the connection of race to the stratification of other groups, including stratification based on the protected classes under section 363A.13.

120B.251 ETHNIC STUDIES REQUIREMENTS.

Subdivision 1. **Definition.** "Ethnic studies" has the meaning provided in section 120B.25.

Subd. 2. **Requirements.** (a) Starting in the 2026-2027 school year, a district or charter school high school must offer an ethnic studies course that fulfills the requirements of this paragraph. Nothing in this section increases or otherwise affects the number of credits required for graduation under section 120B.024. An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local academic standards or other requirements.

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

(c) Ethnic studies instruction must meet statewide ethnic studies academic standards.

(d) An ethnic studies course may focus specifically on a particular group of national or ethnic origin.

Subd. 3. **Department of Education.** The Department of Education must hire dedicated ethnic studies staff sufficient to fulfill the following department duties:

(1) support school district and charter school implementation of ethnic studies courses that fulfill ethnic studies standards through activities such as assistance with increased completion of the Minnesota Common Course Catalog, hosting an annual implementation support symposium, and regular updates and lessons learned;

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

(3) support and provide tools for each school district or charter school to annually evaluate the implementation of the ethnic studies requirements by seeking feedback from students, parents or guardians, and community members;

(4) provide resources and examples of how a dedicated coordinator for ethnic studies can facilitate higher quality implementation of ethnic studies; and

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

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

(ii) a list of recommended examples of implementation supports for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota;

(iii) training materials for teachers and district and school staff, including an ethnic studies coordinator, to implement ethnic studies requirements; and

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

Laws 2023, chapter 55, article 2, section 60

Sec. 60. **ETHNIC STUDIES WORKING GROUP.**

Subdivision 1. Working group established. (a) The Ethnic Studies Working Group is established to advise the commissioner of education on an ethnic studies framework and resources necessary to implement ethnic studies requirements under Minnesota Statutes, section 120B.251. The commissioner must appoint members of the working group by April 1, 2024, with input from the Minnesota Ethnic Studies Coalition.

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

(1) five community members with a demonstrated commitment to ethnic studies or education about Minnesota's racial, ethnic, religious, national origin, gender, sexual orientation, or cultural diversity;

(2) four public school students in grades 11 and 12;

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

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

(5) three ethnic studies high school teachers;

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

(7) three school board members or school administrators.

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

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

(1) develop an ethnic studies framework with advisory guidelines for ethnic studies courses required under Minnesota Statutes, section 120B.251;

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

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

(4) identify or develop instructional resources that school districts and charter schools may use in accordance with Minnesota Statutes, section 120B.251; and

(5) complete other tasks the working group considers pertinent to supporting the ability of teachers and school district staff to facilitate the successful implementation of the ethnic studies requirements under Minnesota Statutes, section 120B.251.

(b) By October 31, 2024, the working group must provide the ethnic studies framework and other recommendations related to ethnic studies to the commissioner of education.

Subd. 3. Meetings. The working group must convene on at least a bimonthly basis and must hold the first meeting no later than May 1, 2024.

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

EFFECTIVE DATE. This section is effective the day following final enactment.
Laws 2023, chapter 55, article 2, section 64 Subdivisions 13, 14,

Sec. 64. **APPROPRIATIONS.**

Subd. 13. Ethnic studies community consultation. To consult with community members throughout Minnesota on the development of ethnic studies curricula, resources, and implementation support:

APPENDIX
Repealed Minnesota Session Laws: 24-07325

\$ 150,000 2024

\$ 150,000 2025

Subd. 14. **Ethnic studies school grants.** (a) For competitive grants to school districts and charter schools to develop, evaluate, and implement ethnic studies courses:

\$ 700,000 2024

\$ 700,000 2025

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

(c) Up to five percent of the appropriation is available for grant administration.