

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 2409**

(SENATE AUTHORS: LANG)

DATE  
03/02/2023

D-PG  
1271 Introduction and first reading  
Referred to Education Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to education; providing for distance learning days; amending Minnesota  
1.3 Statutes 2022, sections 120A.41; 120A.414.

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

1.5 Section 1. Minnesota Statutes 2022, section 120A.41, is amended to read:

1.6 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

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

1.16 (b) A school board's annual school calendar may include plans for ~~up to five days of~~  
1.17 ~~instruction provided through online instruction due to inclement weather. The inclement~~  
1.18 ~~weather~~ an unlimited number of days of instruction provided through distance learning due  
1.19 to weather or a health or natural disaster emergency. The distance learning plans must be  
1.20 developed according to section 120A.414.

1.21 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.

2.1 Sec. 2. Minnesota Statutes 2022, section 120A.414, is amended to read:

2.2 **120A.414 E-LEARNING DISTANCE LEARNING DAYS.**

2.3 Subdivision 1. **Days.** "~~E-learning~~ Distance learning day" means a school day where a  
 2.4 school offers full access to online instruction provided by students' individual teachers due  
 2.5 to ~~in~~element weather or a health or natural disaster emergency as determined by the school  
 2.6 board or superintendent. A school district or charter school that chooses to have ~~e-learning~~  
 2.7 distance learning days may have ~~up to five e-learning~~ an unlimited number of distance  
 2.8 learning days in one school year. ~~An e-learning~~ A distance learning day is counted as a day  
 2.9 of instruction and included in the hours of instruction under section 120A.41.

2.10 Subd. 2. **Plan.** A school board may use its 2020-2021 school year distance learning plan  
 2.11 or may adopt an e-learning a distance learning day plan after consulting with the exclusive  
 2.12 representative of the teachers. A charter school may adopt ~~an e-learning~~ a distance learning  
 2.13 day plan after consulting with its teachers. The plan must include accommodations for  
 2.14 students without Internet access at home and for digital device access for families without  
 2.15 the technology or an insufficient amount of technology for the number of children in the  
 2.16 household. A school's ~~e-learning~~ distance learning day plan must provide accessible options  
 2.17 for students with disabilities under chapter 125A.

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

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

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

2.27 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.