

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3239

(SENATE AUTHORS: EICHORN, Coleman, Duckworth, Koran and Mathews)
DATE 02/17/2022 D-PG 5053 OFFICIAL STATUS
Introduction and first reading
Referred to Education Finance and Policy

1.1 A bill for an act
1.2 relating to education; providing for transparency in curriculum and expanding
1.3 parents' rights in schools; amending Minnesota Statutes 2020, sections 120B.20;
1.4 121A.06, subdivision 2; 123B.09, subdivisions 6, 10; 124E.07, subdivision 8;
1.5 proposing coding for new law in Minnesota Statutes, chapter 120B.

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

1.7 Section 1. 120B.1999 PARENT'S RIGHTS.

1.8 Subdivision 1. Legislative findings. (a) The legislature finds that it is a fundamental
1.9 right of a parent to direct the upbringing, education, and care of the parent's minor child.
1.10 The legislature further finds that important information relating to a minor child should not
1.11 be withheld, either inadvertently or purposefully, from the child's parent, including
1.12 information relating to the minor child's health, well-being, and education, while the minor
1.13 child is in the custody of a school district. The legislature further finds it necessary for a
1.14 school to establish a consistent mechanism for a parent to be notified of information relating
1.15 to the health and well-being of the parent's minor child.

1.16 (b) For the purposes of this section, "parent" means a person who has legal custody of
1.17 a minor child as a natural or adoptive parent or a legal guardian.

1.18 Subd. 2. Infringement of parental rights. The state, any of its political subdivisions,
1.19 any other governmental entity, or any other institution must not infringe on the fundamental
1.20 rights of a parent to direct the upbringing, health, well-being, mental health, and education
1.21 of the parent's minor child without demonstrating that the potential infringement of parental
1.22 rights is reasonable and necessary to achieve a compelling state interest, and that the potential

2.1 infringement of parental rights is narrowly tailored and is not otherwise served by a less
 2.2 restrictive means.

2.3 Sec. 2. Minnesota Statutes 2020, section 120B.20, is amended to read:

2.4 **120B.20 PARENTAL CURRICULUM REVIEW.**

2.5 Subdivision 1. **Alternative instruction.** Each school district shall have a procedure for
 2.6 a parent, guardian, or an adult student, 18 years of age or older, to review the content of the
 2.7 instructional materials to be provided to a minor child or to an adult student and, if the
 2.8 parent, guardian, or adult student objects to the content, to make reasonable arrangements
 2.9 with school personnel for alternative instruction. Alternative instruction may be provided
 2.10 by the parent, guardian, or adult student if the alternative instruction, if any, offered by the
 2.11 school board does not meet the concerns of the parent, guardian, or adult student. The school
 2.12 board is not required to pay for the costs of alternative instruction provided by a parent,
 2.13 guardian, or adult student. School personnel may not impose an academic or other penalty
 2.14 upon a student merely for arranging alternative instruction under this section. School
 2.15 personnel may evaluate and assess the quality of the student's work.

2.16 Subd. 2. **Parental review and input.** Each school district must provide a forum for
 2.17 input on curriculum after review by a parent or guardian. Each school board must inform
 2.18 parents and guardians annually of the member and meeting schedule of the district advisory
 2.19 committee under section 120B.11, subdivision 3, and site team under section 120B.11,
 2.20 subdivision 4.

2.21 Sec. 3. Minnesota Statutes 2020, section 121A.06, subdivision 2, is amended to read:

2.22 Subd. 2. **Reports; content.** School districts must electronically report to the commissioner
 2.23 of education incidents involving the use or possession of a dangerous weapon in school
 2.24 zones. The form must include the following information:

2.25 (1) a description of each incident, including a description of the dangerous weapon
 2.26 involved in the incident;

2.27 (2) where, at what time, and under what circumstances the incident occurred;

2.28 (3) information about the offender, other than the offender's name, including the offender's
 2.29 age; whether the offender was a student and, if so, where the offender attended school; and
 2.30 whether the offender was under school expulsion or suspension at the time of the incident;

3.1 (4) information about the victim other than the victim's name, if any, including the
3.2 victim's age; whether the victim was a student and, if so, where the victim attended school;
3.3 and if the victim was not a student, whether the victim was employed at the school;

3.4 (5) the cost of the incident to the school and to the victim; and

3.5 (6) the action taken by the school administration to respond to the incident.

3.6 The commissioner shall provide an electronic reporting format that allows school districts
3.7 to provide aggregate data. The aggregate data must be made available to parents and
3.8 guardians of students in each public school.

3.9 Sec. 4. Minnesota Statutes 2020, section 123B.09, subdivision 6, is amended to read:

3.10 Subd. 6. **Meetings.** (a) A majority of the voting members of the board shall constitute
3.11 a quorum. No contract shall be made or authorized, except at a regular meeting of the board
3.12 or at a special meeting at which all members are present or of which all members have had
3.13 notice. Special meetings may be called by the chair or clerk or any three members upon
3.14 notice mailed to each member at least three days prior thereto.

3.15 (b) The board must not require a person providing testimony at a board meeting to
3.16 disclose the person's address or other contact information.

3.17 **EFFECTIVE DATE.** This section is effective July 1, 2022.

3.18 Sec. 5. Minnesota Statutes 2020, section 123B.09, subdivision 10, is amended to read:

3.19 Subd. 10. **Publishing proceedings.** The board must cause its official proceedings to be
3.20 published once in the official newspaper of the district. Such publication shall be made
3.21 within 30 days of the meeting at which such proceedings occurred. If the board determines
3.22 that publication of a summary of the proceedings would adequately inform the public of
3.23 the substance of the proceedings, the board may direct that only a summary be published,
3.24 conforming to the requirements of section 331A.01, subdivision 10. The board must not
3.25 publish the home address or other contact information of a person providing testimony at
3.26 a board meeting.

3.27 Sec. 6. Minnesota Statutes 2020, section 124E.07, subdivision 8, is amended to read:

3.28 Subd. 8. **Meetings and information.** (a) Board of director meetings must comply with
3.29 chapter 13D governing open meetings.

3.30 (b) A charter school shall publish and maintain on the school's official website: (1) the
3.31 meeting minutes of the board of directors and of members and committees having

4.1 board-delegated authority, for at least 365 days from the date of publication; (2) directory
4.2 information for the board of directors and for the members of committees having
4.3 board-delegated authority; and (3) identifying and contact information for the school's
4.4 authorizer.

4.5 (c) A charter school must include identifying and contact information for the school's
4.6 authorizer in other school materials it makes available to the public.

4.7 (d) A board of directors must not require a person providing testimony at a board meeting
4.8 to disclose the person's address or other contact information.

4.9 **EFFECTIVE DATE.** This section is effective July 1, 2022.