

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 4113

(SENATE AUTHORS: CHAMBERLAIN)

DATE	D-PG	OFFICIAL STATUS
03/17/2022	5385	Introduction and first reading Referred to Education Finance and Policy
04/07/2022	6841a	Comm report: To pass as amended and re-refer to Finance
04/21/2022	6962a	Comm report: To pass as amended
	7378	Second reading
04/28/2022	7709a	Rule 45-amend, subst. General Orders HF4300

1.1 A bill for an act

1.2 relating to education finance; promoting literacy; providing for a statewide reading

1.3 proficiency goal; reorganizing the regional centers of excellence; requiring

1.4 elementary education teacher candidates to receive instruction in the Language

1.5 Essentials for Teachers of Reading and Spelling program; appropriating money;

1.6 amending Minnesota Statutes 2020, sections 120B.11, by adding a subdivision;

1.7 120B.115; 120B.122, by adding a subdivision; 122A.06, subdivision 4; 122A.092,

1.8 subdivision 5; 124E.03, subdivision 2; Laws 2021, First Special Session chapter

1.9 13, article 11, section 4; proposing coding for new law in Minnesota Statutes,

1.10 chapter 120B.

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

1.12 Section 1. Minnesota Statutes 2020, section 120B.11, is amended by adding a subdivision

1.13 to read:

1.14 Subd. 10. **Suspension.** Provisions under this section are suspended from the beginning

1.15 of the 2023-2024 school year through the end of the 2028-2029 school year. A school district

1.16 or school site must continue to fulfill federal reporting requirements under the provisions

1.17 of this section.

1.18 Sec. 2. **[120B.111] READING PROFICIENCY GOAL.**

1.19 Subdivision 1. **Adopting plans and budgets.** (a) For the 2023-2024 school year through

1.20 the 2028-2029 school year, a school board at a public meeting must adopt a comprehensive

1.21 plan to support and improve teaching and learning that is aligned with the goal of having

1.22 90 percent of third grade students achieve grade-level reading proficiency. The plan must

1.23 include:

2.1 (1) clearly defined district and school site goals and benchmarks for instruction and
 2.2 student achievement for all student subgroups identified in section 120B.35, subdivision 3,
 2.3 paragraph (b), clause (2);

2.4 (2) a process to assess and evaluate each student's progress toward meeting state reading
 2.5 standards; and

2.6 (3) strategies for improving instruction, curriculum, and student achievement in reading.

2.7 (b) For the purposes of this section, the following terms have the meanings given:

2.8 (1) "instruction" means methods of providing learning experiences that enable a student
 2.9 to meet state reading standards;

2.10 (2) "curriculum" means programs and written plans adopted by a district or school for
 2.11 providing students with learning experiences that lead to expected knowledge and skills
 2.12 and career and college readiness; and

2.13 (3) "reading proficiency goal" means to have 90 percent of third grade students achieve
 2.14 grade-level reading proficiency and to close the academic achievement gap among all racial
 2.15 and ethnic groups of students and between students living in poverty and students not living
 2.16 in poverty.

2.17 Subd. 2. **Performance measures.** Student performance on the third grade reading
 2.18 proficiency assessment as measured by a statewide or locally adopted reading assessment
 2.19 is the performance measure to determine school district or school site progress toward the
 2.20 goal of 90 percent of third grade students achieving grade-level reading proficiency.

2.21 Subd. 3. **Report.** (a) The school board must hold an annual public meeting to review
 2.22 and revise, where appropriate, student achievement goals, local assessment outcomes, plans,
 2.23 strategies, and practices. The school board must review district success in achieving the
 2.24 previously adopted grade-level reading proficiency goals, related benchmarks, and
 2.25 improvement plans for achieving grade-level reading proficiency goals. The school board
 2.26 must transmit an electronic summary of its report to the commissioner of education in the
 2.27 form and manner determined by the commissioner.

2.28 (b) By January 25 of each year that this section is effective, the commissioner must
 2.29 report to the chairs and ranking minority members of the legislative committees with
 2.30 jurisdiction over kindergarten through grade 12 education:

2.31 (1) a list of school districts that have not submitted the required report to the commissioner
 2.32 under paragraph (a); and

3.1 (2) a list of school districts that have not met the performance goal of 90 percent of third
 3.2 grade students achieving grade-level reading proficiency, as established in the plan under
 3.3 subdivision 1.

3.4 Subd. 4. **Annual evaluation.** The commissioner must identify effective strategies,
 3.5 practices, and resources available to schools and districts to achieve the goal of 90 percent
 3.6 of third grade students achieving grade-level reading proficiency. The commissioner must
 3.7 assist schools and districts throughout the state in implementing effective strategies, practices,
 3.8 and use of resources.

3.9 Sec. 3. Minnesota Statutes 2020, section 120B.115, is amended to read:

3.10 **120B.115 REGIONAL CENTERS OF EXCELLENCE.**

3.11 Subdivision 1. **Establishment.** (a) Regional centers of excellence are established to
 3.12 assist and support school boards, school districts, school sites, and charter schools in
 3.13 implementing research-based interventions and practices to increase the students' achievement
 3.14 within a region. The centers must develop partnerships with local and regional service
 3.15 cooperatives, postsecondary institutions, integrated school districts, the department, children's
 3.16 mental health providers, or other local or regional entities interested in providing a cohesive
 3.17 and consistent regional delivery system that serves all schools equitably. Centers must assist
 3.18 school districts, school sites, and charter schools in developing similar partnerships. Center
 3.19 support may include assisting school districts, school sites, and charter schools with common
 3.20 principles of effective practice, including:

3.21 (1) defining measurable education goals under sections 120B.022, subdivisions 1a and
 3.22 1b, and 120B.11, subdivision 2;

3.23 (2) implementing evidence-based practices, including applied and experiential learning,
 3.24 contextualized learning, competency-based curricula and assessments, and other
 3.25 nontraditional learning opportunities, among other practices;

3.26 (3) engaging in data-driven decision-making;

3.27 (4) providing multilayered levels of support;

3.28 (5) supporting culturally responsive teaching and learning aligning the development of
 3.29 academic English proficiency, state and local academic standards, and career and college
 3.30 readiness benchmarks;

4.1 (6) engaging parents, families, youth, and local community members in programs and
 4.2 activities at the school district, school site, or charter school that foster collaboration and
 4.3 shared accountability for the achievement of all students; and

4.4 (7) translating district forms and other information such as a multilingual glossary of
 4.5 commonly used education terms and phrases.

4.6 Centers must work with school site leadership teams to build the expertise and experience
 4.7 to implement programs that close the achievement gap, provide effective and differentiated
 4.8 programs and instruction for different types of English learners, including English learners
 4.9 with limited or interrupted formal schooling and long-term English learners under section
 4.10 124D.59, subdivisions 2 and 2a, increase students' progress and growth toward career and
 4.11 college readiness, and increase student graduation rates.

4.12 (b) The department must assist the regional centers of excellence to meet staff, facilities,
 4.13 and technical needs, provide the centers with programmatic support, and work with the
 4.14 centers to establish a coherent statewide system of regional support, including consulting,
 4.15 training, and technical support, to help school boards, school districts, school sites, and
 4.16 charter schools effectively and efficiently implement the world's best workforce goals under
 4.17 section 120B.11 and other state and federal education initiatives, including secondary and
 4.18 postsecondary career pathways and technical education.

4.19 Subd. 2. **Reading focus.** Regional centers of excellence must prioritize reading using
 4.20 scientifically based research that includes fluency, phonemic awareness, phonics, reading
 4.21 comprehension, vocabulary development, and Language Essentials for Teachers of Reading
 4.22 and Spelling (LETRS) training.

4.23 Subd. 3. **Leadership.** Regional centers of excellence must be led by LETRS-certified
 4.24 reading professionals, including at least: (1) two literacy specialists; and (2) a dyslexia
 4.25 specialist under section 120B.122 who is employed by the Department of Education.

4.26 Subd. 4. **Regional literacy support directors.** Regional centers of excellence must
 4.27 work with LETRS-certified regional literacy support directors to assist schools with
 4.28 improving low reading scores. A director is an independent contractor and not an employee
 4.29 of the Department of Education. A regional literacy support director must:

4.30 (1) effectively monitor student reading growth and achievement data;

4.31 (2) assist with districtwide and schoolwide professional development and planning to
 4.32 establish scientifically based practices among school administrators and instructional
 4.33 personnel; and

5.1 (3) evaluate implementation of scientifically based practices.

5.2 Sec. 4. Minnesota Statutes 2020, section 120B.122, is amended by adding a subdivision
5.3 to read:

5.4 Subd. 4. **Leadership.** A dyslexia specialist must help provide leadership for the regional
5.5 centers of excellence under section 120B.115.

5.6 Sec. 5. Minnesota Statutes 2020, section 122A.06, subdivision 4, is amended to read:

5.7 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive,
5.8 scientifically based reading instruction" includes a program or collection of instructional
5.9 practices that is based on valid, replicable evidence showing that when these programs or
5.10 practices are used, students can be expected to achieve, at a minimum, satisfactory reading
5.11 progress. The program or collection of practices must include, at a minimum, effective,
5.12 ~~balanced~~ instruction in all five areas of reading: phonemic awareness, phonics, fluency,
5.13 vocabulary development, and reading comprehension.

5.14 Comprehensive, scientifically based reading instruction also includes and integrates
5.15 instructional strategies for continuously assessing, evaluating, and communicating the
5.16 student's reading progress and needs in order to design and implement ongoing interventions
5.17 so that students of all ages and proficiency levels can read and comprehend text, write, and
5.18 apply higher level thinking skills. For English learners developing literacy skills, districts
5.19 are encouraged to use strategies that teach reading and writing in the students' native language
5.20 and English at the same time.

5.21 (b) "Fluency" is the ability of students to read text with speed, accuracy, and proper
5.22 expression.

5.23 (c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate
5.24 individual sounds in spoken syllables and words.

5.25 (d) "Phonics" is the understanding that there are systematic and predictable relationships
5.26 between written letters and spoken words. Phonics instruction is a way of teaching reading
5.27 that stresses learning how letters correspond to sounds and how to apply this knowledge in
5.28 reading and spelling.

5.29 (e) "Reading comprehension" is an active process that requires intentional thinking
5.30 during which meaning is constructed through interactions between text and reader.
5.31 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and

6.1 implementing specific cognitive strategies to help beginning readers derive meaning through
6.2 intentional, problem-solving thinking processes.

6.3 (f) "Vocabulary development" is the process of teaching vocabulary both directly and
6.4 indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich
6.5 contexts, incidental learning, and use of computer technology enhance the acquiring of
6.6 vocabulary.

6.7 (g) Nothing in this subdivision limits the authority of a school district to select a school's
6.8 reading program or curriculum.

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

6.10 Sec. 6. Minnesota Statutes 2020, section 122A.092, subdivision 5, is amended to read:

6.11 Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the
6.12 Professional Educator Licensing and Standards Board to prepare persons for classroom
6.13 teacher licensure must include in its teacher preparation programs research-based best
6.14 practices in reading, consistent with section 122A.06, subdivision 4, that enable the licensure
6.15 candidate to teach reading in the candidate's content areas. Teacher candidates must be
6.16 instructed in using students' native languages as a resource in creating effective differentiated
6.17 instructional strategies for English learners developing literacy skills. A teacher preparation
6.18 provider also must prepare early childhood and elementary teacher candidates for Tier 3
6.19 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the
6.20 portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering
6.21 assessment of reading instruction.

6.22 (b) Board-approved teacher preparation programs for teachers of elementary education
6.23 must require instruction in applying comprehensive, scientifically based or evidence-based,
6.24 and structured reading instruction programs that:

6.25 (1) teach students to read using foundational knowledge, practices, and strategies
6.26 consistent with section 122A.06, subdivision 4, so that all students achieve continuous
6.27 progress in reading; ~~and~~

6.28 (2) teach specialized instruction in reading strategies, interventions, and remediations
6.29 that enable students of all ages and proficiency levels to become proficient readers; and

6.30 (3) beginning February 1, 2026, require teacher candidates to receive instruction using
6.31 the Language Essentials for Teachers of Reading and Spelling program.

7.1 (c) Board-approved teacher preparation programs for teachers of elementary education,
7.2 early childhood education, special education, and reading intervention must include
7.3 instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation
7.4 programs may consult with the Department of Education, including the dyslexia specialist
7.5 under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia
7.6 must be modeled on practice standards of the International Dyslexia Association, and must
7.7 address:

7.8 (1) the nature and symptoms of dyslexia;

7.9 (2) resources available for students who show characteristics of dyslexia;

7.10 (3) evidence-based instructional strategies for students who show characteristics of
7.11 dyslexia, including the structured literacy approach; and

7.12 (4) outcomes of intervention and lack of intervention for students who show
7.13 characteristics of dyslexia.

7.14 (d) Nothing in this section limits the authority of a school district to select a school's
7.15 reading program or curriculum.

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

7.17 Sec. 7. Minnesota Statutes 2020, section 124E.03, subdivision 2, is amended to read:

7.18 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
7.19 meet all federal, state, and local health and safety requirements applicable to school districts.

7.20 (b) A school must comply with statewide accountability requirements governing standards
7.21 and assessments in chapter 120B.

7.22 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
7.23 123B.34 to 123B.39.

7.24 (d) A charter school is a district for the purposes of tort liability under chapter 466.

7.25 (e) A charter school must comply with the Pledge of Allegiance requirement under
7.26 section 121A.11, subdivision 3.

7.27 (f) A charter school and charter school board of directors must comply with chapter 181
7.28 governing requirements for employment.

7.29 (g) A charter school must comply with continuing truant notification under section
7.30 260A.03.

8.1 (h) A charter school must develop and implement a teacher evaluation and peer review
 8.2 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
 8.3 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
 8.4 The teacher evaluation process in this paragraph does not create any additional employment
 8.5 rights for teachers.

8.6 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
 8.7 section 120B.11, to review curriculum, instruction, and student achievement and strive for
 8.8 the world's best workforce. For the 2023-2024 school year through the end of the 2028-2029
 8.9 school year, a charter school must adopt a policy, plan, budget, and process consistent with
 8.10 section 120B.111 to review curriculum, instruction, and student achievement that is aligned
 8.11 with the goal of having 90 percent of third grade students achieve grade-level reading
 8.12 proficiency.

8.13 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
 8.14 sections 121A.40 to 121A.56.

8.15 Sec. 8. Laws 2021, First Special Session chapter 13, article 11, section 4, is amended to
 8.16 read:

8.17 Sec. 4. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

8.18 Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated
 8.19 in this section are appropriated from the general fund to the Department of Education for
 8.20 the fiscal years designated. Any balance in the first year does not cancel but is available in
 8.21 the second year.

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

8.23 \$ 30,837,000 2022

8.24 ~~26,287,000~~

8.25 \$ 26,987,000 2023

8.26 Of these amounts:

8.27 (1) \$319,000 each year is for the Board of School Administrators;

8.28 (2) \$1,000,000 ~~each~~ in fiscal year 2022 and \$1,700,000 in fiscal year 2023 are for
 8.29 regional centers of excellence under Minnesota Statutes, section 120B.115;. Of the amount
 8.30 in fiscal year 2023, \$700,000 is for providing grants to each regional center of excellence
 8.31 to contract with one full-time equivalent regional literacy support director;

9.1 (3) \$250,000 each year is for the School Finance Division to enhance financial data
9.2 analysis;

9.3 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
9.4 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

9.5 (5) \$123,000 each year is for a dyslexia specialist;

9.6 (6) \$480,000 each year is for the Department of Education's mainframe update;

9.7 (7) \$4,500,000 in fiscal year 2022 only is for legal fees and costs associated with
9.8 litigation; and

9.9 (8) \$340,000 in fiscal years 2022 and 2023 only are for voluntary prekindergarten
9.10 programs.

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

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

9.15 (d) This appropriation includes funds for information technology project services and
9.16 support subject to the provisions of Minnesota Statutes, section 16E.21. Any ongoing
9.17 information technology costs will be incorporated into the service level agreement and will
9.18 be paid to the Office of MN.IT Services by the Department of Education under the rates
9.19 and mechanisms specified in that agreement.

9.20 (e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
9.21 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2024 and later
9.22 is ~~\$25,965,000~~ \$26,665,000.

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

9.24 **Sec. 9. APPROPRIATION; LANGUAGE ESSENTIALS FOR TEACHERS OF**
9.25 **READING AND SPELLING.**

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

9.29 **Subd. 2. Language Essentials for Teachers of Reading and Spelling.** (a) To provide
9.30 **the Language Essentials for Teachers of Reading and Spelling (LETRS) program to licensed**
9.31 **teachers, with priority given to those who teach in kindergarten through grade five:**

10.1 \$ 30,000,000 2023

10.2 (b) The commissioner may partner with the regional centers of excellence to administer
10.3 the program.

10.4 (c) This appropriation is available until June 30, 2025. For teachers who have enrolled
10.5 but not yet completed LETRS training as of June 30, 2025, funds may be encumbered and
10.6 expended until June 30, 2027, for those teachers to complete LETRS training.

10.7 (d) The base for fiscal year 2024 and later is \$0.