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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3739

03/14/2018 Authored by Erickson, Gruenhagen and Pugh
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; providing for an academic balance policy; amending
1.3 Minnesota Statutes 2017 Supplement, section 124E.03, subdivision 2; proposing
1.4 coding for new law in Minnesota Statutes, chapter 120B.

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

1.6 Section 1. 120B.25 **ACADEMIC BALANCE POLICY.**

1.7 Subdivision 1. **Policy required.** A school board must adopt a written academic balance
1.8 policy that applies to pupils, teachers, administrators, and other school personnel. The policy
1.9 must include reporting procedures and appropriate disciplinary actions for policy violations.
1.10 The disciplinary actions must conform with collective bargaining agreements and sections
1.11 121A.41 to 121A.56. A district must conspicuously post the policy throughout each school
1.12 building, provide a copy to each district employee, and include the policy in the student
1.13 handbook.

1.14 Subd. 2. **Policy components.** The academic balance policy must, at a minimum:

1.15 (1) prohibit school employees, in their official capacity, from requiring students or other
1.16 school employees to express specified social or political viewpoints for the purposes of
1.17 academic credit, extracurricular participation, or as a condition of employment;

1.18 (2) require the school to provide a learning environment, curriculum, and instruction
1.19 with access to a broad range of serious opinions pertaining to the subjects of study, including
1.20 contemporary policy controversies. Public education courses are not for the purpose of
1.21 political, ideological, religious, or antireligious indoctrination;

2.1 (3) require students to be assessed on the basis of reasoned answers and appropriate
 2.2 knowledge of the subjects and disciplines studied and prohibit discrimination on the basis
 2.3 of political, ideological, or religious beliefs; and

2.4 (4) require caution from classroom teachers when expressing personal views in the
 2.5 classroom and prohibit the introduction of controversial matters without a relationship to
 2.6 the subject taught, especially matters in which the classroom teacher does not have special
 2.7 competence or training.

2.8 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

2.9 Sec. 2. Minnesota Statutes 2017 Supplement, section 124E.03, subdivision 2, is amended
 2.10 to read:

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

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

2.15 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
 2.16 123B.34 to 123B.39.

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

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

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

2.22 (g) A charter school must comply with continuing truant notification under section
 2.23 260A.03.

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

2.29 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
 2.30 section 120B.11, to review curriculum, instruction, and student achievement and strive for
 2.31 the world's best workforce.

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

3.3 (k) A charter school must adopt an academic balance policy under section 120B.25.

3.4 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.