

CHAPTER 108--H.F.No. 3489

An act relating to education; requiring reporting to licensing boards; establishing the criminal offense of grooming; providing criminal penalties; appropriating money; amending Minnesota Statutes 2024, sections 122A.20, subdivisions 1, 2; 260E.15; 609.352, subdivisions 1, 4, by adding subdivisions; Minnesota Statutes 2025 Supplement, section 260E.065, by adding a subdivision; Laws 2025, First Special Session chapter 10, article 12, section 8.

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

Section 1. Minnesota Statutes 2024, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional Educator Licensing and Standards Board or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

- (1) immoral character or conduct;
- (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) gross inefficiency or willful neglect of duty;
- (4) failure to meet licensure requirements; or
- (5) fraud or misrepresentation in obtaining a license.

The written complaint must specify the nature and character of the charges.

(b) The Professional Educator Licensing and Standards Board or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children, or grooming under section 609.352, interference with privacy under section 609.746 or harassment or stalking under section 609.749 and the victim was a minor, using minors in a sexual performance under section 617.246, possessing pornographic works involving a minor under section 617.247, or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under paragraph (b), may petition the board to reconsider the licensing action if the person's conviction for child abuse or sexual

abuse is reversed by a final decision of the court of appeals or the supreme court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing action. If the board finds that the petitioner is not disqualified from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

(d) For purposes of this subdivision, the Professional Educator Licensing and Standards Board is delegated the authority to suspend or revoke coaching licenses.

Sec. 2. Minnesota Statutes 2024, section 122A.20, subdivision 2, is amended to read:

Subd. 2. **Mandatory reporting.** (a) A school board, superintendent, charter school board, charter school executive director, or charter school authorizer must report to the Professional Educator Licensing and Standards Board, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator is discharged or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7, or after charges are filed that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation is pending under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or chapter 260E; or 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7; or when a teacher or administrator is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7, or chapter 260E. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board, administrator, or authorizer must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board, charter school, authorizer, charter school executive director, or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

(b) The licensing board to which a report is made must transmit to the Attorney General's Office any record or data it receives under this subdivision for the sole purpose of having the Attorney General's Office assist that board in its investigation. When the Attorney General's Office has informed an employee of the appropriate licensing board in writing that grounds exist to suspend or revoke a teacher's license to teach, that licensing board must consider suspending or revoking or decline to suspend or revoke the teacher's or administrator's license within 45 days of receiving a stipulation executed by the teacher or administrator under investigation or a recommendation from an administrative law judge that disciplinary action be taken.

(c) The Professional Educator Licensing and Standards Board and Board of School Administrators must report to the appropriate law enforcement authorities a revocation, suspension, or agreement involving a loss of license, relating to a teacher or administrator's inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement authority" means a police department, county sheriff, or Tribal police department. A report by the Professional Educator Licensing and Standards Board to appropriate law enforcement authorities does not diminish, modify, or otherwise affect the responsibilities of a school board or any person mandated to report abuse under chapter 260E.

(d) A police department or county sheriff must notify the appropriate licensing board when a teacher is criminally charged with an offense listed in subdivision 1, paragraph (b), or is charged with any other offense not listed in this section that requires the person to register as a predatory offender under section 243.166.

EFFECTIVE DATE. This section is effective July 1, 2026.

Sec. 3. Minnesota Statutes 2025 Supplement, section 260E.065, is amended by adding a subdivision to read:

Subd. 4. **Commissioner of children, youth, and families; education-related mandated reporter training module on grooming.** (a) By August 1, 2027, the commissioner of children, youth, and families must update the existing mandated reporter training to include but not be limited to:

(1) the requirement to report allegations of maltreatment of students, including students receiving special education services; and

(2) addressing grooming and threatened sexual abuse, including the duty to report grooming as maltreatment under section 260E.06, how to identify the signs of grooming, and recognizing environments and circumstances that present an increased risk of grooming.

(b) The commissioner must consult with the Minnesota Department of Education while updating the training.

Sec. 4. Minnesota Statutes 2024, section 260E.15, is amended to read:

260E.15 SCREENING GUIDELINES.

(a) Child protection staff, supervisors, and others involved in child protection screening shall follow the guidance provided in the maltreatment screening guidelines issued by the commissioner and, when notified by the commissioner, shall immediately implement updated procedures and protocols.

(b) Any modification to the screening guidelines must be preapproved by the commissioner and must not be less protective of children than is mandated by statute. The county agency must consult with the county attorney before proposing modifications to the commissioner. The guidelines may provide additional protection for children but must not limit reports that are screened in or provide additional limits on consideration of reports that were screened out in making a screening determination.

(c) The screening guidelines issued by the commissioner must not limit an agency's ability to screen in and investigate a report of alleged grooming, as defined in section 609.352, subdivision 2c, that occurred more than three years prior to the date of the report.

Sec. 5. Minnesota Statutes 2024, section 609.352, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in this section:

(a) "child" means a person 15 years of age or younger;

(b) "pattern" means two or more instances of conduct;

~~(b)~~ (c) "sexual conduct" means sexual contact of the individual's primary genital area, sexual penetration as defined in section 609.341, or sexual performance as defined in section 617.246; and

~~(c)~~ (d) "solicit" means commanding, entreating, or attempting to persuade a specific person in person, by telephone, by letter, or by computerized or other electronic means.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to crimes committed on or after that date.

Sec. 6. Minnesota Statutes 2024, section 609.352, is amended by adding a subdivision to read:

Subd. 2c. **Grooming.** A person 18 years of age or older commits the felony offense of grooming, and may be sentenced as provided in subdivision 4, if the person:

(1) expresses to a child the desire or intent to engage in sexual conduct with that child; and

(2) engages in a deliberate pattern of conduct to methodically develop a false trusting relationship with the child that is intended to strategically manipulate the child to engage in sexual conduct with the person at a future time, regardless of whether any sexual conduct occurs.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to crimes committed on or after that date.

Sec. 7. Minnesota Statutes 2024, section 609.352, is amended by adding a subdivision to read:

Subd. 2d. **Violations by persons in positions of authority.** A person who commits any of the acts described in subdivisions 2 to 2c is guilty of a felony if:

(1) the person is in a current or recent position of authority, as defined in section 609.341, subdivision 10, over the victim;

(2) the person is more than 36 months older than the victim; and

(3) the victim is under the age of 18 years.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to crimes committed on or after that date.

Sec. 8. Minnesota Statutes 2024, section 609.352, is amended by adding a subdivision to read:

Subd. 2e. **School violations.** A person who commits any of the acts described in subdivisions 2 to 2c is guilty of a felony if:

(1) the person is employed or contracted to provide services for an elementary, middle, or secondary school; and

(2) the victim, regardless of age, is enrolled as a student at the school.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to crimes committed on or after that date.

Sec. 9. Minnesota Statutes 2024, section 609.352, subdivision 4, is amended to read:

Subd. 4. **Penalty.** A person convicted under subdivision 2 ~~or~~, 2a, 2c, 2d, or 2e is guilty of a felony and may be sentenced to imprisonment for not more than five years, or to payment of a fine of not more than \$10,000, or both.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to crimes committed on or after that date.

Sec. 10. Laws 2025, First Special Session chapter 10, article 12, section 8, is amended to read:

Sec. 8. APPROPRIATIONS; DEPARTMENT OF EDUCATION.

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated. Any balance remaining in fiscal year 2026 is available in fiscal year 2027.

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

\$	46,508,000		2026
	41,196,000		
\$	<u>42,647,000</u>		2027

Of these amounts:

- (1) \$405,000 each year is for the Board of School Administrators;
- (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;
- (3) \$720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act (LEAPS) under Laws 2014, chapter 272, article 1, as amended;
- (4) \$480,000 each year is for the Department of Education's mainframe update;
- (5) \$6,000,000 in fiscal year 2026 only is for legal fees and costs associated with: (i) litigation in which the department, commissioner, or department employee operating in their official capacity is the defendant, respondent, appellant, or relator; (ii) litigation initiated by the department, commissioner, or department employee operating in their official capacity to stop payment or recover funds in cases of alleged malfeasance or misuse; (iii) expenses for required administrative legal activities, including data practices operations and appeals from administrative decisions; and (iv) legal staff required for clauses (i), (ii), and (iii);
- (6) \$2,359,000 each year is for modernizing district data submissions;
- (7) \$573,000 each year is for engagement and rulemaking related to Specific Learning Disability;
- (8) \$2,000,000 each year is for the Office of the Inspector General established under Minnesota Statutes, section 127A.21;
- (9) \$800,000 each year is for audit and internal control resources;
- (10) \$175,000 each year is for administrative expenses for unemployment aid, and, in consultation with the Department of Employment and Economic Development, guidance to educational institutions eligible

for reimbursement under Minnesota Statutes 2024, section 124D.995, including written guidance for school employees on eligibility for unemployment benefits between academic terms;

(11) \$550,000 each year is for General Counsel and Inspector General staff and case management and fiscal analysis technology to support program compliance and integrity; ~~and~~

(12) \$572,000 each year is for administration of the Summer Electronic Benefits Transfer Program; and

(13) \$1,451,000 in fiscal year 2027 is for increasing the capacity of the student maltreatment program. The base for the allocation under this clause is \$1,441,000 in fiscal year 2028 and \$1,442,000 in fiscal year 2029 and later.

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

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

(d) The base for fiscal year 2028 ~~and later is \$41,326,000~~ \$42,767,000. The base for fiscal year 2029 and later is \$42,768,000.

Sec. 11. **CONTINGENT APPROPRIATION.**

If the appropriation for this purpose is enacted more than once during the 2026 legislative session, it shall be given effect only once.

Presented to the governor May 20, 2026

Signed by the governor May 27, 2026, 12:20 p.m.