

SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION

S.F. No. 3567

(SENATE AUTHORS: CWODZINSKI and Kunesh)		
DATE	D-PG	OFFICIAL STATUS
02/15/2024		Introduction and first reading Referred to Education Policy
03/25/2024	12684a	Comm report: To pass as amended
	12882	Second reading
04/02/2024	13343a	Special Order: Amended
	13363	Third reading Passed
04/15/2024	13683	Returned from House with amendment
	13684	Senate not concur, conference committee of 3 requested
	13912	Senate conferees Cwodzinski; Maye Quade; Abeler
04/18/2024	13938	House conferees Pryor; Hill; Bennett
05/13/2024	16660c	Conference committee report, delete everything
	16756	Senate adopted CC report and repassed bill
	16756	Third reading
05/17/2024	17275	House adopted SCC report and repassed bill Presentment date 05/16/24 Governor's action Approval 05/17/24

1.1A bill for an act

1.2relating to education; modifying provisions for prekindergarten through grade 12

1.3education including general education, education excellence, teachers, the Read

1.4Act, special education, charter schools, nutrition and libraries, health and safety,

1.5early learning, and education partnerships and compacts; requiring reports;

1.6amending Minnesota Statutes 2022, sections 120A.05, subdivision 10a, by adding

1.7a subdivision; 120A.22, subdivision 12; 120A.35; 120B.022, subdivisions 1a, 1b;

1.8120B.11, as amended; 120B.13, subdivision 4; 120B.21; 121A.22, subdivisions

1.92, 4; 121A.2207, subdivision 1; 121A.41, subdivision 8; 122A.091, subdivision

1.105; 122A.092, by adding a subdivision; 122A.181, by adding a subdivision;

1.11122A.182, by adding a subdivision; 122A.185, subdivision 3; 122A.20, by adding

1.12a subdivision; 122A.33, subdivision 2; 123B.37, subdivision 2; 124D.09,

1.13subdivisions 7, 10, 10b; 124D.12; 124D.151, as amended; 124D.60, subdivision

1.141; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions 2, 3, 5; 124E.07;

1.15124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14, as amended;

1.16124E.17; 124E.26; 125A.02, subdivision 1a, as amended; 125A.27, subdivision

1.178; 125A.56, subdivision 1; 127A.70, subdivision 1; 128C.02, by adding a

1.18subdivision; 260E.14, subdivision 1, as amended; Minnesota Statutes 2023

1.19Supplement, sections 13.32, subdivision 5; 120B.021, subdivision 1; 120B.024,

1.20subdivision 1; 120B.1117; 120B.1118, subdivisions 7, 10, by adding a subdivision;

1.21120B.117, subdivision 4; 120B.12, subdivisions 1, 2, 2a, 3, 4, 4a; 120B.123,

1.22subdivisions 1, 2, 5, 7; 120B.124, subdivision 2, by adding subdivisions; 120B.125;

1.23120B.30, subdivisions 7, 12, by adding a subdivision; 120B.302; 120B.305;

1.24120B.31, subdivision 4; 120B.36, subdivision 1; 121A.041, subdivisions 2, 3;

1.25121A.20, subdivision 2; 121A.642, by adding a subdivision; 122A.18, subdivision

1.261; 122A.181, subdivision 2; 122A.183, subdivision 2; 122A.184, subdivision 1;

1.27122A.185, subdivision 1; 122A.40, subdivision 8; 122A.41, subdivision 5;

1.28122A.631, subdivisions 2, 4; 122A.70, subdivision 2; 124D.09, subdivisions 5,

1.2912; 124D.094, subdivisions 2, 3; 124D.111, subdivision 2a; 124D.165, subdivisions

1.302, 2a; 124D.42, subdivision 8; 124E.02, as amended; 124E.03, subdivisions 2, 9;

1.31124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1; 124E.16,

1.32subdivision 1; 125A.08; 126C.40, subdivision 6; proposing coding for new law

1.33in Minnesota Statutes, chapters 121A; 122A; 123B; 127A; 134; repealing Minnesota

1.34Statutes 2022, sections 120B.31, subdivisions 2, 6; 122A.2451, subdivision 9;

1.35Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4; Laws

1.362017, First Special Session chapter 5, article 8, section 9.

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

## ARTICLE 1

### GENERAL EDUCATION

#### Section 1. [121A.73] SCHOOL CELL PHONE POLICY.

A school district or charter school must adopt a policy on students' possession and use of cell phones in school by March 15, 2025. The Minnesota Elementary School Principals Association and the Minnesota Association of Secondary School Principals must collaborate to make best practices available to schools on a range of different strategies in order to minimize the impact of cell phones on student behavior, mental health, and academic attainment.

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

Sec. 2. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** (a) Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled Tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution.

(b) If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. The institution must notify the pupil's school as soon as practicable if the pupil withdraws from the enrolled course. The institution must also notify the pupil's school as soon as practicable if the pupil has been absent from a course for ten consecutive days on which classes are held, based upon the postsecondary institution's academic calendar, and the pupil is not receiving instruction in their home or hospital or other facility.

(c) If the pupil enrolls in a course for postsecondary credit, the institution must notify:

~~(1) the pupil about payment in the customary manner used by the institution; and~~

~~(2) the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.~~

Sec. 3. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended to read:

Subd. 2. **Digital instruction.** (a) An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled in the cooperating schools.

(b) When online instruction is provided, an online teacher as defined under subdivision 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.

(c) Students receiving online instruction full time shall be reported as enrolled in an online instructional site under subdivision 1, paragraph (g).

(d) Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.

(e) Digital instruction shall be accessible to students under ~~section~~ sections 504 and 508 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

(f) An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction or supplemental online courses may only be used for qualifying expenses as determined by the provider. Nonconsumable materials purchased with public education funds remain the property of the provider. Records for any funds provided must be available for review by the public or the department.

(g) An enrolling district providing digital instruction shall establish and document procedures for determining attendance for membership and keep accurate records of daily attendance under section 120A.21.

Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended to read:

Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and 124D.08 and chapter 124E, procedures for applying to take supplemental online courses other than those offered by the student's enrolling district are as provided in this subdivision.

(b) Any kindergarten through grade 12 student may apply to take a supplemental online course under subdivision 1, paragraph (j). The student, or the student's parent or guardian for a student under age 17, must submit an application for the proposed supplemental online course or courses. A student may:

(1) apply to take an online course from a supplemental online course provider that meets or exceeds the academic standards of the course in the enrolling district they are replacing;

(2) apply to take supplemental online courses for up to 50 percent of the student's scheduled course load; ~~and~~

(3) apply to take supplemental online courses no later than 15 school days after the student's enrolling district's term has begun. An enrolling district may waive the 50 percent course enrollment limit or the 15-day time limit; and

(4) enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

(c) A student taking a supplemental online course must have the same access to the computer hardware and education software available in a school as all other students in the enrolling district.

(d) A supplemental online course provider must have a current, approved application to be listed by the Department of Education as an approved provider. The supplemental online course provider must:

(1) use an application form specified by the Department of Education;

(2) notify the student, the student's guardian if they are age 17 or younger, and enrolling district of the accepted application to take a supplemental online course within ten days of receiving a completed application;

(3) notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;

(4) request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and

(5) track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.

(e) A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.

(f) A supplemental online course provider may request that the Department of Education review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.

(g) A supplemental online course provider must participate in continuous improvement cycles with the Department of Education.

Sec. 5. Minnesota Statutes 2022, section 124D.12, is amended to read:

**124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.**

Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use of flexible learning year programs. It is anticipated that the open selection of the type of flexible learning year operation from a variety of alternatives will allow each district seeking to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester plans, extended learning year plans, and flexible all-year plans. ~~A school district with an approved four-day week plan in the 2014-2015 school year may continue under a four-day week plan through the end of the 2019-2020 school year. Future approvals are contingent upon meeting the school district's performance goals established in the district's plan under section 120B.11~~ The commissioner must establish clear criteria for evaluating a district's application to use a four-day school week plan, at least annually accept district applications to use a four-day school week plan, and determine whether each application meets the criteria. The commissioner must give a school district one school year's notice before revoking approval of its flexible learning year program. Approval of a four-day school week plan may not be revoked for six years from the date it is granted.

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

Sec. 6. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended to read:

**Subd. 6. Lease purchase; installment buys.** (a) Upon application to, and approval by, the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs (a) and (b), a district, as defined in this subdivision, may:

(1) purchase real or personal property under an installment contract or may lease real or personal property with an option to purchase under a lease purchase agreement, by which installment contract or lease purchase agreement title is kept by the seller or vendor or assigned to a third party as security for the purchase price, including interest, if any; and

(2) annually levy the amounts necessary to pay the district's obligations under the installment contract or lease purchase agreement.

(b) The obligation created by the installment contract or the lease purchase agreement must not be included in the calculation of net debt for purposes of section 475.53, and does not constitute debt under other law. An election is not required in connection with the execution of the installment contract or the lease purchase agreement.

(c) The proceeds of the levy authorized by this subdivision must not be used to acquire a facility to be primarily used for athletic or school administration purposes.

(d) For the purposes of this subdivision, "district" means:

(1) Special School District No. 1, Minneapolis, Independent School District No. 625, St. Paul, Independent School District No. 709, Duluth, or Independent School District No. 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been determined by the commissioner to be in compliance with Department of Education rules relating to equality of educational opportunity and where the acquisition, as defined in section 475.51, subdivision 7, of property under this subdivision is ~~determined~~ approved in the form and manner prescribed by the commissioner to contribute to the implementation of the ~~desegregation~~ approved achievement and integration plan; or

(2) other districts eligible for revenue under section 124D.862 if the facility acquired under this subdivision is to be primarily used for a joint program ~~for interdistrict~~ desegregation and the commissioner determines ~~that the joint programs are~~ is being undertaken to implement the districts' ~~desegregation~~ approved achievement and integration plan.

(e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease or rent a district-owned building to itself does not apply to levies otherwise authorized by this subdivision.

(f) For the purposes of this subdivision, any references in subdivision 1 to building or land shall include personal property.

(g) Projects funded under this subdivision are subject to review and comment under section 123B.71, subdivision 8, in the ~~same manner as other school construction projects~~ form and manner prescribed by the commissioner.

Sec. 7. **REVISOR INSTRUCTION.**

The revisor of statutes shall remove the term "state-approved" wherever it appears in Minnesota Statutes, sections 125A.15, 125A.51, and 125A.515, for education in care and treatment facilities.

**ARTICLE 2**

**EDUCATION EXCELLENCE**

Section 1. Minnesota Statutes 2023 Supplement, section 13.32, subdivision 5, is amended to read:

**Subd. 5. Directory information.** (a) Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

(1) this subdivision; and

(2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which were in effect on January 3, 2012.

(b) When conducting the directory information designation and notice process required by federal law, an educational agency or institution shall give parents and students notice of the right to refuse to let the agency or institution designate specified data about the student as directory information. This notice may be given by any means reasonably likely to inform the parents and students of the right.

(c) An educational agency or institution may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this subdivision. This paragraph does not apply to a postsecondary institution.

(d) When requested, educational agencies or institutions must share personal student contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

(e) When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under section 125A.08, paragraph (b), clause (1), whether public or private, with the Department of Employment and Economic Development, as required for coordination of services to students with disabilities under sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

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

Sec. 2. Minnesota Statutes 2022, section 120A.35, is amended to read:

**120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS ~~OBSERVANCE~~ AND CULTURAL OBSERVANCES.**

Reasonable efforts must be made by a school district to accommodate any pupil who wishes to be excused from a curricular activity for a religious observance or American Indian cultural practice, observance, or ceremony. A school board must provide annual notice to parents of the school district's policy relating to a pupil's absence from school ~~for religious observance~~ under this section.

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

Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 1, is amended to read:

Subdivision 1. **Required academic standards.** (a) The following subject areas are required for statewide accountability:

(1) language arts;

(2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent in high school, and to be prepared for the three credits of mathematics in grades 9 through 12, the grade 8 standards include completion of algebra;

(3) science, including earth and space science, life science, and the physical sciences, including chemistry and physics;

(4) social studies, including history, geography, economics, and government and citizenship that includes civics;



9.1 (5) physical education;

9.2 (6) health, for which locally developed academic standards apply; and

9.3 (7) the arts. Public elementary and middle schools must offer at least three and require  
9.4 at least two of the following five arts areas: dance; media arts; music; theater; and visual  
9.5 arts. Public high schools must offer at least three and require at least one of the following  
9.6 five arts areas: media arts; dance; music; theater; and visual arts.

9.7 (b) For purposes of applicable federal law, the academic standards for language arts,  
9.8 mathematics, and science apply to all public school students, except the very few students  
9.9 with extreme cognitive or physical impairments for whom an individualized education  
9.10 program team has determined that the required academic standards are inappropriate. An  
9.11 individualized education program team that makes this determination must establish  
9.12 alternative standards.

9.13 ~~(e) The department may modify SHAPE America (Society of Health and Physical~~  
9.14 ~~Educators) standards and adapt the national standards to accommodate state interest. The~~  
9.15 ~~modification and adaptations must maintain the purpose and integrity of the national~~  
9.16 ~~standards. The department must make available sample assessments, which school districts~~  
9.17 ~~may use as an alternative to local assessments, to assess students' mastery of the physical~~  
9.18 ~~education standards beginning in the 2018-2019 school year.~~

9.19 ~~(d)~~ (c) A school district may include child sexual abuse prevention instruction in a health  
9.20 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention  
9.21 instruction may include age-appropriate instruction on recognizing sexual abuse and assault,  
9.22 boundary violations, and ways offenders groom or desensitize victims, as well as strategies  
9.23 to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may  
9.24 provide instruction under this paragraph in a variety of ways, including at an annual assembly  
9.25 or classroom presentation. A school district may also provide parents information on the  
9.26 warning signs of child sexual abuse and available resources.

9.27 ~~(e)~~ (d) District efforts to develop, implement, or improve instruction or curriculum as a  
9.28 result of the provisions of this section must be consistent with sections 120B.10, 120B.11,  
9.29 and 120B.20.

9.30 Sec. 4. Minnesota Statutes 2022, section 120B.022, subdivision 1a, is amended to read:

9.31 Subd. 1a. **Foreign World language and culture; proficiency certificates.** (a) World  
9.32 languages teachers and other school staff should develop and implement world languages  
9.33 programs that acknowledge and reinforce the language proficiency and cultural awareness

that non-English language speakers already possess, and encourage students' proficiency in multiple world languages. Programs under this section must encompass Indigenous American Indian languages and cultures, among other world languages and cultures. The department shall consult with postsecondary institutions in developing related professional development opportunities for purposes of this section.

(b) Any Minnesota public, charter, or nonpublic school may award Minnesota World Language Proficiency Certificates consistent with this subdivision.

(c) The Minnesota World Language Proficiency Certificate recognizes students who demonstrate ~~listening, speaking, reading, and writing language skills at an overall~~ intermediate-low or intermediate-mid level of proficiency on the American Council on the Teaching of Foreign Languages' Intermediate-Low level ACTFL's scale of levels of proficiency. A student's level of proficiency is derived from assessment in the domains of listening, reading, speaking, and writing on a valid and reliable assessment tool.

Sec. 5. Minnesota Statutes 2022, section 120B.022, subdivision 1b, is amended to read:

Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph (i), and close the academic achievement and opportunity gap under sections 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established to recognize graduating high school students in any school district, charter school, or nonpublic school who demonstrate an Advanced-Low level or an intermediate-high level of functional particular levels of proficiency in one or more languages other than English. The levels of proficiency established under this subdivision are based on the ACTFL's proficiency guidelines. A student is eligible for a seal in a language other than English if the student demonstrates proficiency in listening, speaking, reading, and writing on either assessments derived from assessment in the domains of listening, reading, speaking, and writing on an assessment aligned with American Council on the Teaching of Foreign Languages' (ACTFL) ACTFL proficiency guidelines or on an equivalent valid and reliable assessments in one or more languages in addition to English assessment at a level required under paragraph (c). Indigenous American Indian languages and American Sign Language is a language are languages other than English for purposes of this subdivision and a world language languages for purposes of subdivision 1a.

(b) In addition to paragraph (a), to be eligible to receive a seal:

~~(1)~~ students must satisfactorily complete all required English language arts credits; ~~and,~~

11.1 ~~(2) students must demonstrate mastery of Minnesota's English language proficiency~~  
11.2 ~~standards.~~

11.3 (c) Consistent with this subdivision, a high school student who demonstrates an overall  
11.4 intermediate high ACTFL level of ~~functional~~ proficiency derived from assessment in the  
11.5 domains of listening, reading, speaking, and writing in one language in addition to English  
11.6 is eligible to receive the state bilingual gold seal. A high school student who demonstrates  
11.7 an overall intermediate high ACTFL level of ~~functional-native~~ proficiency derived from  
11.8 assessment in the domains of listening, reading, speaking, and writing in more than one  
11.9 language in addition to English is eligible to receive the state multilingual gold seal. A high  
11.10 school student who demonstrates an overall advanced-low or above ACTFL level of  
11.11 ~~functional~~ proficiency derived from assessment in the domains of listening, reading, speaking,  
11.12 and writing in one language in addition to English is eligible to receive the state bilingual  
11.13 platinum seal. A high school student who demonstrates an overall advanced-low or above  
11.14 ACTFL level of ~~functional~~ proficiency derived from assessment in the domains of listening,  
11.15 reading, speaking, and writing in more than one language in addition to English is eligible  
11.16 to receive the state multilingual platinum seal.

11.17 (d) School districts and charter schools may give students periodic opportunities to  
11.18 demonstrate their level of proficiency in listening, speaking, reading, and writing in a  
11.19 language in addition to English. Where valid and reliable assessments are unavailable, a  
11.20 school district or charter school may rely on evaluators trained in assessing under ACTFL  
11.21 proficiency guidelines to assess a student's level of ~~foreign, heritage, or Indigenous~~  
11.22 non-English language proficiency under this section. School districts and charter schools  
11.23 must maintain appropriate records to identify high school students eligible to receive the  
11.24 state bilingual or multilingual gold and platinum seals upon graduation. The school district  
11.25 or charter school must ~~affix~~ notate the appropriate seal to the transcript of each high school  
11.26 student who meets the requirements of this subdivision and may affix the seal to the student's  
11.27 diploma. A school district or charter school must not charge the high school student a fee  
11.28 for this seal.

11.29 (e) A school district or charter school may award elective course credits in world  
11.30 languages to a student who demonstrates the requisite proficiency in a language other than  
11.31 English under this section.

11.32 (f) A school district or charter school may award community service credit to a student  
11.33 who demonstrates an overall intermediate high ~~or advanced-low~~ or above ACTFL level of  
11.34 ~~functional~~ proficiency in listening, speaking, reading, and writing derived from assessment  
11.35 in the domains of listening, reading, speaking, and writing in a language other than English

12.1 and who participates in community service activities that are integrated into the curriculum,  
12.2 involve the participation of teachers, and support biliteracy in the school or local community.

12.3 (g) The commissioner must list on the web page ~~those~~ the assessments that are aligned  
12.4 to ACTFL proficiency guidelines, and establish guidelines on interpreting the scores or  
12.5 ratings from approved assessments.

12.6 (h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges  
12.7 and Universities system must establish criteria to translate the seals into college credits  
12.8 based on the world language course equivalencies identified by the Minnesota State Colleges  
12.9 and Universities faculty and staff and, upon request from an enrolled student, the Minnesota  
12.10 State Colleges and Universities may award foreign language credits to a student who ~~receives~~  
12.11 received a Minnesota World Language Proficiency Certificate or Minnesota Bilingual or  
12.12 Multilingual Seals under subdivision 1a. A student who demonstrated the requisite level of  
12.13 language proficiency in grade 10, 11, or 12 to receive a seal or certificate and is enrolled in  
12.14 a Minnesota State Colleges and Universities institution must request college credits for the  
12.15 student's seal or proficiency certificate within three academic years after graduating from  
12.16 high school. The University of Minnesota is encouraged to award students foreign language  
12.17 academic credits consistent with this paragraph.

12.18 Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 1, is amended  
12.19 to read:

12.20 Subdivision 1. **Graduation requirements.** (a) Students must successfully complete the  
12.21 following high school level credits for graduation:

12.22 (1) four credits of language arts sufficient to satisfy all of the academic standards in  
12.23 English language arts;

12.24 (2) three credits of mathematics sufficient to satisfy all of the academic standards in  
12.25 mathematics;

12.26 (3) three credits of science, including one credit to satisfy all the earth and space science  
12.27 standards for grades 9 through 12, one credit to satisfy all the life science standards for  
12.28 grades 9 through 12, and one credit to satisfy all the chemistry or physics standards for  
12.29 grades 9 through 12;

12.30 (4) three and one-half credits of social studies, including credit for a course in government  
12.31 and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~  
12.32 2025-2026 school year and later or an advanced placement, international baccalaureate, or  
12.33 other rigorous course on government and citizenship under section 120B.021, subdivision

13.1 1a, and a combination of other credits encompassing at least United States history, geography,  
 13.2 government and citizenship, world history, and economics sufficient to satisfy all of the  
 13.3 academic standards in social studies;

13.4 (5) one credit of the arts sufficient to satisfy all of the academic standards in the arts;

13.5 (6) ~~credits~~ credit sufficient to satisfy the state standards in physical education; and

13.6 (7) a minimum of seven elective credits.

13.7 (b) Students who begin grade 9 in the 2024-2025 school year and later must successfully  
 13.8 complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal  
 13.9 finance course that satisfies the graduation requirement must have a field license or  
 13.10 out-of-field permission in agricultural education, business, family and consumer science,  
 13.11 social studies, or math.

13.12 **EFFECTIVE DATE.** This section is effective July 1, 2024.

13.13 Sec. 7. Minnesota Statutes 2022, section 120B.11, as amended by Laws 2023, chapter 55,  
 13.14 article 2, sections 9 to 11, is amended to read:

13.15 **120B.11 SCHOOL DISTRICT PROCESS FOR REVIEWING CURRICULUM,**  
 13.16 **INSTRUCTION, AND STUDENT ACHIEVEMENT GOALS; STRIVING FOR THE**  
 13.17 **~~WORLD'S BEST WORKFORCE~~ COMPREHENSIVE ACHIEVEMENT AND CIVIC**  
 13.18 **READINESS.**

13.19 Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the  
 13.20 following terms have the meanings given them.

13.21 (a) "Instruction" means methods of providing learning experiences that enable a student  
 13.22 to meet state and district academic standards and graduation requirements including applied  
 13.23 and experiential learning.

13.24 (b) "Curriculum" means district or school adopted programs and written plans for  
 13.25 providing students with learning experiences that lead to expected knowledge and skills  
 13.26 and career and college readiness.

13.27 (c) ~~"World's best workforce"~~ "Comprehensive achievement and civic readiness" means  
 13.28 striving to: meet school readiness goals; close the academic achievement gap among all  
 13.29 racial and ethnic groups of students and between students living in poverty and students not  
 13.30 living in poverty; have all students attain career and college readiness before graduating  
 13.31 from high school; ~~and~~ have all students graduate from high school; and prepare students to  
 13.32 be lifelong learners.

(d) "Experiential learning" means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

(e) "Ethnic studies" as defined in section 120B.25 has the same meaning for purposes of this section. Ethnic studies curriculum may be integrated in existing curricular opportunities or provided through additional curricular offerings.

(f) "Antiracist" means actively working to identify and eliminate racism in all forms in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.

(g) "Culturally sustaining" means integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through the education system.

(h) "Institutional racism" means structures, policies, and practices within and across institutions that produce outcomes that disadvantage those who are Black, Indigenous, and People of Color.

Subd. 1a. **Performance measures.** Measures to determine school district and school site progress in striving to create the world's best workforce for comprehensive achievement and civic readiness must include at least:

(1) the size of the academic achievement gap, rigorous course taking under section 120B.35, subdivision 3, paragraph (c), clause (2), and enrichment experiences by student subgroup;

(2) student performance on the Minnesota Comprehensive Assessments;

(3) high school graduation rates; and

(4) career and college readiness under section 120B.307.

Subd. 2. **Adopting plans and budgets.** (a) A school board, at a public meeting, must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce comprehensive achievement and civic readiness and includes:

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

(2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to ~~the world's best workforce~~ comprehensive achievement and civic readiness;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

(5) a process to examine the equitable distribution of teachers and strategies to ensure children in low-income families, children in families of People of Color, and children in American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that:

(i) integrate high-quality instruction, technology, and curriculum that is rigorous, accurate, antiracist, and culturally sustaining;

(ii) ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees; and

(iii) provide a collaborative professional culture that seeks to retain qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness;

(7) an annual budget for continuing to implement the district plan; and

(8) identifying a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota.

(b) A school district is not required to include information regarding literacy in a plan or report required under this section, except with regard to the academic achievement of English learners.

**Subd. 3. District advisory committee.** Each school board must establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards, consistent with subdivision 2. A district advisory committee, to the extent possible, must reflect the diversity of the district and its school sites, include teachers, parents, support staff, students, and other community residents, and provide translation to the extent appropriate and practicable. The district advisory committee must pursue community support to accelerate the academic and native literacy and achievement of English learners with varied needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees of the district advisory committee under subdivision 4. The district advisory committee must recommend to the school board: rigorous academic standards; student achievement goals and measures consistent with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district assessments; means to improve students' equitable access to effective and more diverse teachers; strategies to ensure the curriculum is rigorous, accurate, antiracist, culturally sustaining, and reflects the diversity of the student population; strategies to ensure that curriculum and learning and work environments validate, affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic groups; and program evaluations. School sites may expand upon district evaluations of instruction, curriculum, assessments, or programs. Whenever possible, parents and other community residents must comprise at least two-thirds of advisory committee members.

**Subd. 4. Site team.** A school must establish a site team to develop and implement strategies and education effectiveness practices to improve instruction, curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement at the school site, consistent with subdivision 2. The site team must include an equal number of teachers and administrators and at least one parent. The site team advises the board and the advisory committee about developing the annual budget and creates an instruction and curriculum improvement plan to align curriculum, assessment of student progress, and growth in meeting state and district academic standards and instruction.

**Subd. 5. Report.** Consistent with requirements for school performance reports under section 120B.36, subdivision 1, the school board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the district



website. The school board shall hold an annual public meeting to review, and revise where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction and cultural competency, and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and to review district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to ~~the world's best workforce~~ comprehensive achievement and civic readiness. The school board must transmit an electronic summary of its report to the commissioner in the form and manner the commissioner determines.

Subd. 7. **Periodic report.** Each school district shall periodically survey affected constituencies, in their native languages where appropriate and practicable, about their connection to and level of satisfaction with school. The district shall include the results of this evaluation in the summary report required under subdivision 5.

Subd. 9. **Annual evaluation.** (a) The commissioner must identify effective strategies, practices, and use of resources by districts and school sites in striving for ~~the world's best workforce~~ comprehensive achievement and civic readiness. The commissioner must assist districts and sites throughout the state in implementing these effective strategies, practices, and use of resources.

(b) The commissioner must identify those districts in any consecutive three-year period not making sufficient progress toward improving teaching and learning for all students, including English learners with varied needs, consistent with section 124D.59, subdivisions 2 and 2a, and striving for ~~the world's best workforce~~ comprehensive achievement and civic readiness. The commissioner, in collaboration with the identified district, may require the district to use up to two percent of its basic general education revenue per fiscal year during the proximate three school years to implement commissioner-specified strategies and practices, consistent with paragraph (a), to improve and accelerate its progress in realizing its goals under this section. In implementing this section, the commissioner must consider districts' budget constraints and legal obligations.

(c) The commissioner shall report by January 25 of each year to the committees of the legislature having jurisdiction over kindergarten through grade 12 education the list of school districts that have not submitted their report to the commissioner under subdivision 5 and the list of school districts not achieving their performance goals established in their plan under subdivision 2.

18.1 Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.125, is amended to read:

18.2 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO**  
18.3 **POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING**  
18.4 **PLANS.**

18.5 (a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.303,  
18.6 subdivision 1, 125A.08, and other related sections, school districts, beginning in the  
18.7 2013-2014 school year, must assist all students by no later than grade 9 to explore their  
18.8 educational, college, and career interests, aptitudes, and aspirations and develop a plan for  
18.9 a smooth and successful transition to postsecondary education or employment. All students'  
18.10 plans must:

18.11 (1) provide a comprehensive plan to prepare for and complete a career and college ready  
18.12 curriculum by meeting state and local academic standards and developing career and  
18.13 employment-related skills such as team work, collaboration, creativity, communication,  
18.14 critical thinking, and good work habits;

18.15 (2) emphasize academic rigor and high expectations and inform the student, and the  
18.16 student's parent or guardian if the student is a minor, of the student's achievement level  
18.17 score on the Minnesota Comprehensive Assessments that are administered during high  
18.18 school;

18.19 (3) help students identify interests, aptitudes, aspirations, and personal learning styles  
18.20 that may affect their career and college ready goals and postsecondary education and  
18.21 employment choices;

18.22 (4) set appropriate career and college ready goals with timelines that identify effective  
18.23 means for achieving those goals;

18.24 (5) help students access education and career options;

18.25 (6) integrate strong academic content into career-focused courses and applied and  
18.26 experiential learning opportunities and integrate relevant career-focused courses and applied  
18.27 and experiential learning opportunities into strong academic content;

18.28 (7) help identify and access appropriate counseling and other supports and assistance  
18.29 that enable students to complete required coursework, prepare for postsecondary education  
18.30 and careers, and obtain information about postsecondary education costs and eligibility for  
18.31 financial aid and scholarship;

18.32 (8) help identify collaborative partnerships among prekindergarten through grade 12  
18.33 schools, postsecondary institutions, economic development agencies, and local and regional

employers that support students' transition to postsecondary education and employment and provide students with applied and experiential learning opportunities; and

(9) be reviewed and revised at least annually by the student, the student's parent or guardian, and the school or district to ensure that the student's course-taking schedule keeps the student on track for graduation, making adequate progress to meet state and local academic standards and high school graduation requirements and with a reasonable chance to succeed with employment or postsecondary education without the need to first complete remedial course work.

(b) A school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obligates an elementary or secondary student to involuntarily select or pursue a career, career interest, employment goals, or related job training.

(c) Educators must possess the knowledge and skills to effectively teach all English learners in their classrooms. School districts must provide appropriate curriculum, targeted materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college ready.

(d) When assisting students in developing a plan for a smooth and successful transition to postsecondary education and employment, districts must recognize the unique possibilities of each student and ensure that the contents of each student's plan reflect the student's unique talents, skills, and abilities as the student grows, develops, and learns.

(e) If a student with a disability has an individualized education program (IEP) or standardized written plan that meets the plan components of this section, the IEP satisfies the requirement and no additional transition plan is needed.

(f) Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of section 120A.20, subdivision 1, paragraph (c). A student's plan under this section shall continue while the student is enrolled.

Sec. 9. Minnesota Statutes 2022, section 120B.13, subdivision 4, is amended to read:

Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** (a) The commissioner shall submit the following information on rigorous course taking, disaggregated by student subgroup, school district, and postsecondary institution, to the education

20.1 committees of the legislature by July 1, 2025, and each subsequent year by February July  
 20.2 1:

20.3 (1) the number of pupils enrolled in postsecondary enrollment options under section  
 20.4 124D.09, including concurrent enrollment, career and technical education courses offered  
 20.5 as a concurrent enrollment course, advanced placement, and international baccalaureate  
 20.6 courses in each school district;

20.7 (2) the number of teachers in each district attending training programs offered by the  
 20.8 college board, International Baccalaureate North America, Inc., or Minnesota concurrent  
 20.9 enrollment programs;

20.10 (3) the number of teachers in each district participating in support programs;

20.11 (4) recent trends in the field of postsecondary enrollment options under section 124D.09,  
 20.12 including concurrent enrollment, advanced placement, and international baccalaureate  
 20.13 programs;

20.14 (5) expenditures for each category in this section and under sections 124D.09 and  
 20.15 124D.091, including career and technical education courses offered as a concurrent  
 20.16 enrollment course; and

20.17 (6) other recommendations for the state program or the postsecondary enrollment options  
 20.18 under section 124D.09, including concurrent enrollment.

20.19 (b) The commissioner must include data from the 2022-2023 and 2023-2024 school  
 20.20 years in the report due on July 1, 2025.

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

20.22 Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 7, is amended  
 20.23 to read:

20.24 Subd. 7. **Assessments.** A student who demonstrates attainment of required state academic  
 20.25 standards, which include career and college readiness benchmarks, on high school  
 20.26 assessments under ~~subdivision 1a~~ section 120B.302 is academically ready for a career or  
 20.27 college and is encouraged to participate in courses awarding college credit to high school  
 20.28 students. Such courses and programs may include sequential courses of study within broad  
 20.29 career areas and technical skill assessments that extend beyond course grades.

21.1 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 12, is amended  
21.2 to read:

21.3 Subd. 12. **Test administration.** ~~(a) Consistent with applicable federal law, the~~  
21.4 ~~commissioner must include appropriate, technically sound accommodations or alternative~~  
21.5 ~~assessments for the very few students with disabilities for whom statewide assessments are~~  
21.6 ~~inappropriate and for English learners.~~

21.7 ~~(b)~~ (a) The Department of Education shall contract for professional and technical services  
21.8 according to competitive solicitation procedures under chapter 16C for purposes of this  
21.9 section.

21.10 ~~(e)~~ (b) A proposal submitted under this section must include disclosures containing:

21.11 (1) comprehensive information regarding test administration monitoring practices; and

21.12 (2) data privacy safeguards for student information to be transmitted to or used by the  
21.13 proposing entity.

21.14 ~~(d)~~ (c) Information provided in the proposal is not security information or trade secret  
21.15 information for purposes of section 13.37.

21.16 Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.30, is amended by adding a  
21.17 subdivision to read:

21.18 Subd. 17. **Retaliation prohibited.** An employee who discloses information to the  
21.19 commissioner or a parent or guardian about service disruptions or technical interruptions  
21.20 related to administering assessments under this section is protected under section 181.932,  
21.21 governing disclosure of information by employees.

21.22 Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.302, is amended to read:

21.23 **120B.302 GENERAL REQUIREMENTS; TEST DESIGN.**

21.24 Subdivision 1. **Definitions** **Developing assessments.** For purposes of conforming with  
21.25 existing federal educational accountability requirements, the commissioner must develop  
21.26 and implement computer-adaptive reading and mathematics assessments for grades 3 through  
21.27 8, state-developed high school reading and mathematics tests aligned with state academic  
21.28 standards, a high school writing test aligned with state standards when it becomes available,  
21.29 and science assessments ~~under clause (2)~~ that districts and sites must use to monitor student  
21.30 growth toward achieving those standards. The commissioner must:

22.1 (1) not develop statewide assessments for academic standards in social studies, health  
22.2 and physical education, and the arts. ~~The commissioner must require; and~~

22.3 ~~(1) annual computer-adaptive reading and mathematics assessments in grades 3 through~~  
22.4 ~~8, and high school reading, writing, and mathematics tests; and~~

22.5 (2) require annual science assessments in one grade in the grades 3 through 5 span, the  
22.6 grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span,  
22.7 and the commissioner must not require students to achieve a passing score on high school  
22.8 science assessments as a condition of receiving a high school diploma.

22.9 Subd. 2. **Comprehensive assessment system.** The commissioner, with advice from  
22.10 experts with appropriate technical qualifications and experience and stakeholders, ~~consistent~~  
22.11 ~~with subdivision 1a,~~ must include state-developed tests in the comprehensive assessment  
22.12 system, ~~for each grade level to be tested, state-constructed tests developed as~~  
22.13 ~~computer-adaptive reading and mathematics assessments for students that are aligned with~~  
22.14 ~~the state's required academic standards under section 120B.021, include multiple choice~~  
22.15 ~~questions, and are administered annually to all students in grades 3 through 8. State-developed~~  
22.16 ~~high school tests aligned with the state's required academic standards under section 120B.021~~  
22.17 ~~and administered to all high school students in a subject other than writing must include~~  
22.18 ~~multiple choice questions. The commissioner must establish a testing period as late as~~  
22.19 ~~possible each school year during which schools must administer the Minnesota~~  
22.20 ~~Comprehensive Assessments to students. The commissioner must publish the testing schedule~~  
22.21 ~~at least two years before the beginning of the testing period.~~

22.22 Subd. 3. **Aligned to academic standards.** (a) The state assessment system must be  
22.23 aligned to the most recent revision of academic standards ~~as described in section 120B.023 in~~  
22.24 ~~the following manner:~~

22.25 ~~(1) mathematics;~~

22.26 ~~(i) grades 3 through 8 beginning in the 2010-2011 school year; and~~

22.27 ~~(ii) high school level beginning in the 2013-2014 school year;~~

22.28 ~~(2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012~~  
22.29 ~~school year; and~~

22.30 ~~(3) language arts and reading; grades 3 through 8 and high school level beginning in the~~  
22.31 ~~2012-2013 school year.~~

22.32 ~~(b) The grades 3 through 8 computer-adaptive assessments and high school tests must~~  
22.33 ~~be aligned with state academic standards. The commissioner must determine the testing~~

23.1 ~~process and the order of administration. The statewide results must be aggregated at the site~~  
 23.2 ~~and district level, consistent with subdivision 1a.~~

23.3 ~~(c) The commissioner must ensure that for annual computer adaptive assessments:~~

23.4 ~~(1) individual student performance data and achievement reports are available within~~  
 23.5 ~~three school days of when students take an assessment except in a year when an assessment~~  
 23.6 ~~reflects new performance standards;~~

23.7 ~~(2) growth information is available for each student from the student's first assessment~~  
 23.8 ~~to each proximate assessment using a constant measurement scale;~~

23.9 ~~(3) parents, teachers, and school administrators are able to use elementary and middle~~  
 23.10 ~~school student performance data to project students' secondary and postsecondary~~  
 23.11 ~~achievement; and~~

23.12 ~~(4) useful diagnostic information about areas of students' academic strengths and~~  
 23.13 ~~weaknesses is available to teachers and school administrators for improving student~~  
 23.14 ~~instruction and indicating the specific skills and concepts that should be introduced and~~  
 23.15 ~~developed for students at given performance levels, organized by strands within subject~~  
 23.16 ~~areas, and aligned to state academic standards.~~

23.17 ~~(d)~~ (b) The commissioner must ensure that all state tests administered to elementary and  
 23.18 secondary students measure students' academic knowledge and skills and not students'  
 23.19 values, attitudes, and beliefs.

23.20 Subd. 4. Use of assessments. A school, school district, and charter school must administer  
 23.21 statewide assessments under this section as the assessments become available to evaluate  
 23.22 student progress toward career and college readiness in the context of the state's academic  
 23.23 standards. A school, school district, or charter school may use a student's performance on  
 23.24 a statewide assessment as one of multiple criteria to determine grade promotion or retention.  
 23.25 A school, school district, or charter school may use a high school student's performance on  
 23.26 a statewide assessment as a percentage of the student's final grade in a course or place a  
 23.27 student's assessment score on the student's transcript.

23.28 Sec. 14. Minnesota Statutes 2023 Supplement, section 120B.305, is amended to read:

23.29 **120B.305 ASSESSMENT REPORTING REQUIREMENTS.**

23.30 ~~Subdivision 1. Reporting requirements. A school, school district, and charter school~~  
 23.31 ~~must administer statewide assessments under this section, as the assessments become~~  
 23.32 ~~available, to evaluate student progress toward career and college readiness in the context~~

~~of the state's academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.~~

Subd. 2. **Computer adaptive assessments** Reporting requirements. (a) Reporting of state assessment results must:

(1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;

(2) include a growth indicator of student achievement; and

(3) determine whether students have met the state's academic standards.

~~(b) The 3rd through 8th grade computer adaptive assessment results and high school test results must be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must ensure that for annual computer-adaptive assessments:~~

(1) individual student performance data and achievement reports are available within three school days of when students take an assessment except in a year when an assessment reflects new performance standards;

(2) growth information is available for each student from the student's first assessment to each proximate assessment using a constant measurement scale;

(3) parents, teachers, and school administrators are able to use elementary and middle school student performance data to project students' secondary and postsecondary achievement; and

(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.

(c) The commissioner, in consultation with the chancellor of the Minnesota State Colleges and Universities, must establish empirically derived benchmarks on the high school tests that reveal a trajectory toward career and college readiness consistent with section 136F.302, subdivision 1a. The commissioner must disseminate to the public the computer-adaptive assessments and high school test results upon receiving those results.



(d) A school, school district, or charter school may provide a student's parent access to the student's individual student performance data and achievement report that is made available under paragraph (b), clause (1), when the performance data and report is available to the school, school district, or charter school.

Subd. 3. **Public reporting.** (a) The commissioner must include the following components in the statewide public reporting system:

(1) uniform statewide computer-adaptive assessments of all students in grades 3 through 8 and testing at the high school levels that provides appropriate, technically sound accommodations or alternate assessments;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including consistent attendance, high school graduation rates, and high school drop-out rates by age and grade level;

(3) state results on the ACT test; ~~and~~

(4) state results from participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement; and

(5) comparison of statewide assessment results among school sites and school districts.

(b) The commissioner shall report test results publicly and to stakeholders, including the performance achievement levels developed from students' unweighted test scores in each tested subject and a listing of demographic factors that strongly correlate with student performance, including student homelessness, as data are available, among other factors. The test results must not include personally identifiable information as defined in Code of Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that compares performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools and school districts a more comprehensive report containing testing information that meets local needs for evaluating instruction and curriculum. The commissioner shall disseminate to charter school authorizers a more comprehensive report containing testing information that contains anonymized data where cell count data are sufficient to protect student identity and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

~~(c) The grades 3 through 8 computer-adaptive assessments and high school tests must be aligned with state academic standards. The commissioner must determine the testing~~

26.1 ~~process and the order of administration. The statewide results must be aggregated at the site~~  
26.2 ~~and district level, consistent with subdivision 1a.~~

26.3 Sec. 15. Minnesota Statutes 2023 Supplement, section 120B.31, subdivision 4, is amended  
26.4 to read:

26.5 Subd. 4. **Student performance data.** In developing policies and assessment processes  
26.6 to hold schools and districts accountable for high levels of academic standards under section  
26.7 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to~~  
26.8 ~~report summary student performance and growth levels and, under section 120B.11,~~  
26.9 ~~subdivision 2, clause (2), student learning and outcome data measured at the school, school~~  
26.10 ~~district, and statewide level. The commissioner shall use the student categories identified~~  
26.11 under the federal Elementary and Secondary Education Act, as most recently reauthorized,  
26.12 and student categories of:

26.13 (1) homelessness;

26.14 (2) ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2);

26.15 (3) race under section 120B.35, subdivision 3, paragraph (a), clause (2);

26.16 (4) home language;

26.17 (5) English learners under section 124D.59;

26.18 (6) free or reduced-price meals; and

26.19 (7) other categories designated by federal law to organize and report the data so that  
26.20 state and local policy makers can understand the educational implications of changes in  
26.21 districts' demographic profiles over time as data are available.

26.22 Any report the commissioner disseminates containing summary data on student performance  
26.23 must integrate student performance and the demographic factors that strongly correlate with  
26.24 that performance.

26.25 Sec. 16. Minnesota Statutes 2023 Supplement, section 120B.36, subdivision 1, is amended  
26.26 to read:

26.27 Subdivision 1. **School performance reports and public reporting.** (a) The commissioner  
26.28 shall report:

26.29 (1) student academic performance data under section 120B.35, subdivisions 2 and 3;

26.30 (2) academic progress consistent with federal expectations;

- 27.1 (3) school safety and student engagement and connection under section 120B.35,  
27.2 subdivision 3, paragraph (d);
- 27.3 (4) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);
- 27.4 (5) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause  
27.5 (2), whose progress and performance levels are meeting career and college readiness  
27.6 benchmarks under sections 120B.307 and 120B.35, subdivision 3, paragraph (e);
- 27.7 (6) longitudinal data on the progress of eligible districts in reducing disparities in students'  
27.8 academic achievement and realizing racial and economic integration under section 124D.861;
- 27.9 (7) the acquisition of English, and where practicable, native language academic literacy,  
27.10 including oral academic language, and the academic progress of all English learners enrolled  
27.11 in a Minnesota public school course or program who are currently or were previously counted  
27.12 as English learners under section 124D.59;
- 27.13 (8) two separate student-to-teacher ratios that clearly indicate the definition of teacher  
27.14 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;
- 27.15 (9) staff characteristics excluding salaries;
- 27.16 (10) student enrollment demographics;
- 27.17 (11) foster care status, including all students enrolled in a Minnesota public school course  
27.18 or program who are currently or were previously in foster care, student homelessness, and  
27.19 district mobility; and
- 27.20 (12) extracurricular activities.
- 27.21 (b) The school performance report for a school site and a school district must include  
27.22 school performance reporting information and calculate proficiency rates as required by the  
27.23 most recently reauthorized Elementary and Secondary Education Act.
- 27.24 (c) The commissioner shall develop, annually update, and post on the department website  
27.25 school performance reports consistent with paragraph (a) and section 120B.11.
- 27.26 (d) The commissioner must make available performance reports by the beginning of  
27.27 each school year.
- 27.28 (e) A school or district may appeal its results in a form and manner determined by the  
27.29 commissioner and consistent with federal law. The commissioner's decision to uphold or  
27.30 deny an appeal is final.

(f) School performance data are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly releases the data. The commissioner shall annually post school performance reports to the department's public website no later than September 1, except ~~that~~ in years when the reports reflect new performance standards<sub>5</sub>. The commissioner shall post the school performance reports no later than October 1 in years with new performance standards for academic standards-based assessments, and no later than November 1 in years with new performance standards adopted under Minnesota Rules, part 3501.1200, for English language proficiency assessments.

Sec. 17. Minnesota Statutes 2023 Supplement, section 121A.041, subdivision 2, is amended to read:

**Subd. 2. Prohibition on American Indian mascots.** (a) Starting September 1, ~~2025~~ 2026, a public school may not have or adopt a name, symbol, or image that depicts or refers to an American Indian Tribe, individual, custom, or tradition to be used as a mascot, nickname, logo, letterhead, or team name of the school, district, or school within the district, unless the school has obtained an exemption under subdivision 3.

(b) The prohibition in paragraph (a) does not apply to a public school located within the reservation of a federally recognized Tribal Nation in Minnesota, where at least 95 percent of students meet the state definition of American Indian student.

(c) A school district with a prohibited American Indian mascot according to paragraph (a), that has not received an exemption according to subdivision 3, must report to the chairs and ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education policy by February 14, 2025, and again by February 1, 2026, on the district's progress to comply with this section; and the district must submit copies of the reports to the Legislative Reference Library. The reports must include the following:

(1) confirmation that the district has removed the American Indian mascot, nickname, logo, letterhead, or team name from the district website;

(2) confirmation that the board of the district has approved a new mascot, nickname, logo, letterhead, or team name;

(3) a summary of the district's progress on removing the American Indian mascot, nickname, logo, letterhead, or team name from uniforms, equipment, signs, elements of facilities, and other district items; and

(4) a summary of resources necessary to comply with the prohibition in paragraph (a) and the district's plan to raise and allocate any necessary funds.

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

Sec. 18. Minnesota Statutes 2023 Supplement, section 121A.041, subdivision 3, is amended to read:

Subd. 3. **Exemption.** A public school may seek an exemption to subdivision 2 by submitting a request in writing to all 11 federally recognized Tribal Nations in Minnesota and to the Tribal Nations Education Committee by September 1, 2023. The exemption is denied if any of the 11 Tribal Nations or the Tribal Nations Education Committee oppose the exemption by December 15, 2023. A public school whose request for an exemption is denied must comply with subdivision 2 by September 1, ~~2025~~ 2026.

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

Sec. 19. **[121A.08] SMUDGING PERMITTED.**

An American Indian student or staff member may use tobacco, sage, sweetgrass, and cedar to conduct individual or group smudging in a public school. The process for conducting smudging is determined by the building or site administrator. Smudging must be conducted under the direct supervision of an appropriate staff member, as determined by the building or site administrator.

Sec. 20. Minnesota Statutes 2023 Supplement, section 121A.642, is amended by adding a subdivision to read:

Subd. 3. **Consultation.** A school district or charter school must consult the exclusive representative for employees receiving this training before creating or planning the training required under this section.

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

Sec. 21. **[121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "School-sponsored media" means material that is:

(1) prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in a school district or charter school;

30.1 (2) distributed or generally made available to students in the school; and

30.2 (3) prepared by a student journalist under the supervision of a student media adviser.

30.3 School-sponsored media does not include material prepared solely for distribution or  
30.4 transmission in the classroom in which the material is produced, or a yearbook.

30.5 (c) "School official" means a school principal under section 123B.147 or other person  
30.6 having administrative control or supervision of a school.

30.7 (d) "Student journalist" means a school district or charter school student in grades 6  
30.8 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares  
30.9 information for dissemination in school-sponsored media.

30.10 (e) "Student media adviser" means a qualified teacher, as defined in section 122A.16,  
30.11 that a school district or charter school employs, appoints, or designates to supervise student  
30.12 journalists or provide instruction relating to school-sponsored media.

30.13 Subd. 2. **Student journalists; protected conduct.** (a) Except as provided in subdivision  
30.14 3, a student journalist has the right to exercise freedom of speech and freedom of the press  
30.15 in school-sponsored media regardless of whether the school-sponsored media receives  
30.16 financial support from the school or district, uses school equipment or facilities in its  
30.17 production, or is produced as part of a class or course in which the student journalist is  
30.18 enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent  
30.19 with subdivision 3, a student journalist has the right to determine the news, opinion, feature,  
30.20 and advertising content of school-sponsored media. A school district or charter school must  
30.21 not discipline a student journalist for exercising rights or freedoms under this paragraph or  
30.22 the First Amendment of the United States Constitution.

30.23 (b) A school district or charter school must not retaliate or take adverse employment  
30.24 action against a student media adviser for supporting a student journalist exercising rights  
30.25 or freedoms under paragraph (a) or the First Amendment of the United States Constitution.

30.26 (c) Notwithstanding the rights or freedoms of this subdivision or the First Amendment  
30.27 of the United States Constitution, nothing in this section inhibits a student media adviser  
30.28 from teaching professional standards of English and journalism to student journalists.

30.29 Subd. 3. **Unprotected expression.** (a) This section does not authorize or protect student  
30.30 expression that:

30.31 (1) is defamatory;

30.32 (2) is profane, harassing, threatening, or intimidating;

31.1 (3) constitutes an unwarranted invasion of privacy;

31.2 (4) violates federal or state law;

31.3 (5) causes a material and substantial disruption of school activities; or

31.4 (6) is directed to inciting or producing imminent lawless action on school premises or

31.5 the violation of lawful school policies or rules, including a policy adopted in accordance

31.6 with section 121A.03 or 121A.031.

31.7 (b) Nothing in this section authorizes the publication of an advertisement by

31.8 school-sponsored media that promotes the purchase of a product or service that is unlawful

31.9 for purchase or use by minors.

31.10 (c) A school or district must not authorize any prior restraint of school-sponsored media

31.11 except under this subdivision.

31.12 Subd. 4. **Student journalist policy.** School districts and charter schools must adopt and

31.13 post on the district or charter school website a student journalist policy consistent with this

31.14 section.

31.15 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.

31.16 Sec. 22. **[123B.32] LANGUAGE ACCESS PLAN.**

31.17 Subdivision 1. **Language access plan required.** Starting in the 2025-2026 school year,

31.18 during a regularly scheduled public board hearing, a school board must adopt a language

31.19 access plan that specifies the district's process and procedures to render effective language

31.20 assistance to students and adults who communicate in a language other than English. The

31.21 language access plan must be available to the public and included in the school's handbook.

31.22 Subd. 2. **Plan requirements.** The language access plan must include how the district

31.23 and its schools will use trained or certified spoken language interpreters for communication

31.24 related to academic outcomes, progress, determinations, and placement of students in

31.25 specialized programs and services; and how families and communities will be notified of

31.26 their rights under this plan.

31.27 Subd. 3. **Regular review.** The board must review the plan every two years and update

31.28 the plan as appropriate.

31.29 Sec. 23. Minnesota Statutes 2022, section 123B.37, subdivision 2, is amended to read:

31.30 Subd. 2. **Boards shall not withhold grades or diplomas for nonpayment of student**

31.31 **fees.** No pupil's rights or privileges, including the receipt of grades or diplomas may be

32.1 denied or abridged for nonpayment of fees; but this provision does not prohibit a district  
32.2 from maintaining any action provided by law for the collection of fees authorized by sections  
32.3 123B.36 and 123B.38. This provision applies to all Minnesota district school boards, charter  
32.4 school boards, and Tribal contract schools.

32.5 Sec. 24. Minnesota Statutes 2022, section 124D.09, subdivision 7, is amended to read:

32.6 Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier  
32.7 of (1) three weeks prior to the date by which a student must register for district courses for  
32.8 the following school year, or (2) March 1 of each year, a district must provide up-to-date  
32.9 information on the district's website and in materials that are distributed to parents and  
32.10 students about the program, including information about enrollment requirements and the  
32.11 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the  
32.12 district in planning, a pupil must inform the district by October 30 or May 30 of each year  
32.13 of the pupil's intent to enroll in postsecondary courses during the following ~~school year~~  
32.14 academic term. A pupil is bound by notifying or not notifying the district by October 30 or  
32.15 May 30.

32.16 Sec. 25. Minnesota Statutes 2022, section 124D.09, subdivision 10, is amended to read:

32.17 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to  
32.18 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a  
32.19 postsecondary faculty member and offered at a secondary school, or another location,  
32.20 according to an agreement between a public school board and the governing body of an  
32.21 eligible public postsecondary system or an eligible private postsecondary institution, as  
32.22 defined in subdivision 3. All provisions of this section apply to a pupil, public school board,  
32.23 district, and the governing body of a postsecondary institution, except as otherwise provided.  
32.24 A secondary school and a postsecondary institution that enrolls eligible pupils in courses  
32.25 according to agreements must annually report to the commissioner the participation rates  
32.26 of pupils enrolled in courses according to agreements, including the number of pupils  
32.27 enrolled and the number of courses taken for postsecondary or dual credit.

32.28 (b) To encourage students, especially American Indian students and students of color,  
32.29 to consider teaching as a profession, participating schools, school districts, and postsecondary  
32.30 institutions are encouraged to develop and offer an "Introduction to Teaching" or  
32.31 "Introduction to Education" course under this subdivision. For the purpose of applying for  
32.32 grants under this paragraph, "eligible institution" includes schools and districts that partner  
32.33 with an accredited college or university in addition to postsecondary institutions identified



in subdivision 3, paragraph (a). Grant recipients under this paragraph must annually report to the commissioner in a form and manner determined by the commissioner on the participation rates of students in courses under this paragraph, including the number of students who apply for admission to colleges or universities with teacher preparation programs and the number of students of color and American Indian students who earned postsecondary credit. Grant recipients must also describe recruiting efforts intended to ensure that the percentage of participating students who are of color or American Indian meets or exceeds the overall percentage of students of color or American Indian students in the school.

Sec. 26. Minnesota Statutes 2022, section 124D.09, subdivision 10b, is amended to read:

**Subd. 10b. Concurrent Enrollment Advisory Board; membership; duties.** (a) A postsecondary institution offering courses taught by the secondary teacher according to subdivision 10 must establish an advisory board. The purpose of the advisory board is to engage stakeholders in concurrent enrollment decisions. The duties of the board must include the following:

(1) providing strategic advice and input relating to concurrent enrollment issues;

(2) recommend and review proposals for concurrent enrollment course offerings;

(3) serve as a coordinating entity between secondary education and postsecondary institutions; and

(4) increase the understanding and collaboration among concurrent enrollment partners, stakeholders, the legislature, and the public.

(b) The advisory board at each institution must consist of 16 members in addition to a concurrent enrollment faculty coordinator who shall serve as the chair and convene the meetings. A postsecondary institution may elect to have an advisory board of less than 16 members if the institution determines that the extent of its concurrent program warrants a smaller board. Except for the original members, advisory board members must serve three-year staggered terms. Advisory board members, appointed by the postsecondary institution, must be balanced based on geography and school size, and include, if practical, representatives from the following:

(1) postsecondary faculty members;

(2) school superintendents;

(3) secondary and postsecondary students;

34.1 ~~(3)~~ (4) high school principals;

34.2 ~~(4)~~ (5) concurrent enrollment teachers;

34.3 ~~(5)~~ (6) high school counselors;

34.4 ~~(6)~~ (7) charter school administrators;

34.5 ~~(7)~~ (8) school board members;

34.6 ~~(8)~~ (9) secondary academic administrators;

34.7 ~~(9)~~ (10) parents; and

34.8 ~~(10)~~ (11) other local organizations.

34.9 (c) Members of the board serve without compensation.

34.10 (d) The board shall report to the postsecondary institution periodically as requested by  
34.11 the postsecondary institution to provide advice and proposals described in paragraph (a).

34.12 (e) The postsecondary institution shall provide administrative services and meeting space  
34.13 for the board to do its work.

34.14 (f) A board established under this section expires when the postsecondary institution no  
34.15 longer offers concurrent enrollment course offerings.

34.16 (g) The postsecondary institution shall appoint the first members to the advisory board  
34.17 by October 31, 2015, or by October 15 following the year it establishes a concurrent  
34.18 enrollment program. The postsecondary institution shall designate the terms of the first  
34.19 members so that an approximately equal number serve terms of two, three, and four years.

34.20 Sec. 27. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 12, is amended  
34.21 to read:

34.22 Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit  
34.23 a course under this section.

34.24 (b) A district must grant academic credit to a pupil enrolled in a course for secondary  
34.25 credit if the pupil successfully completes the course. Seven quarter or four semester college  
34.26 credits equal at least one full year of high school credit. Fewer college credits may be  
34.27 prorated. A district must also grant academic credit to a pupil enrolled in a course for  
34.28 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is  
34.29 offered by the district, the district must, as soon as possible, notify the commissioner, who  
34.30 must determine the number of credits that must be granted to a pupil who successfully  
34.31 completes a course. If a comparable course is offered by the district, the school board must

grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits is final.

(c) A school board must adopt a policy regarding weighted grade point averages for any high school or dual enrollment course. A school board must adopt an identical policy regarding weighted grade point averages for credits earned via postsecondary coursework as it gives to credits earned via concurrent enrollment coursework. The policy must state whether the district offers weighted grades. A school board must annually publish on its website a list of courses for which a student may earn a weighted grade.

(d) The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil must provide the school with a copy of the pupil's grades in each course taken for secondary credit under this section, including interim or nonfinal grades earned during the academic term. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

(e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

(f) The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a

goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

Sec. 28. Minnesota Statutes 2022, section 124D.60, subdivision 1, is amended to read:

Subdivision 1. **Notice.** Within ~~ten~~ 30 calendar days after the ~~enrollment of any pupil in an instructional program for English learners~~ beginning of the school year, the district or charter school in which the ~~pupil resides~~ English learner identified for participation in an instructional program for English learners is enrolled must notify the ~~parent by mail~~ parents. For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during that school year, the district or charter school shall notify the children's parents during the first two weeks of the child being placed in a language instruction educational program. This notice must:

(1) be in writing in English and in the primary language of the pupil's parents;

(2) inform the parents that their child has been enrolled in an instructional program for English learners;

(3) contain a simple, nontechnical description of the purposes, method and content of the program;

(4) inform the parents that they have the right to visit the educational program for English learners in which their child is enrolled;

(5) inform the parents of the time and manner in which to request and receive a conference for the purpose of explaining the nature and purpose of the program; and

(6) inform the parents of their rights to withdraw their child from an educational program for English learners and the time and manner in which to do so.

The department shall, at the request of the district, prepare the notice in the primary language of the parent.

Sec. 29. Minnesota Statutes 2022, section 124D.61, is amended to read:

**124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

A district that enrolls one or more English learners must implement an educational program that includes at a minimum the following requirements:

(1) identification and reclassification criteria for English learners and program entrance and exit criteria for English learners must be documented by the district, applied uniformly to English learners, and made available to parents and other stakeholders upon request;

(2) language development instruction that is designed to effectively increase the language proficiency of English learners and that addresses Minnesota's English language development standards under Minnesota Rules, parts 3501.1200 and 3501.1210;

~~(2)~~ (3) a written plan of services that describes programming by English proficiency level made available to parents upon request. The plan must articulate the amount and scope of service offered to English learners through an educational program for English learners;

~~(3)~~ (4) professional development opportunities for ESL, bilingual education, mainstream, and all staff working with English learners which are: (i) coordinated with the district's professional development activities; (ii) related to the needs of English learners; and (iii) ongoing;

~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of the school day; and

~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education, permit English learners to participate fully and on an equal basis with their contemporaries in public school classes provided for these subjects. To the extent possible, the district must assure to pupils enrolled in a program for English learners an equal and meaningful opportunity to participate fully with other pupils in all extracurricular activities.

Sec. 30. **ALTERNATIVE TO PUBLISHING.**

Notwithstanding any law to the contrary, the following school districts may publish their official proceedings on their websites instead of publishing them in a newspaper: Independent School District No. 720, Shakopee; Independent School District No. 717, Jordan; Independent School District No. 719, Prior Lake-Savage; and Independent School District No. 112, Eastern Carver County. This section expires August 1, 2026.

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

Sec. 31. **REVISOR INSTRUCTION.**

In Minnesota Statutes, the revisor of statutes must substitute the term "comprehensive achievement and civic readiness" for "world's best workforce" wherever the term refers to Minnesota Statutes, section 120B.11. The revisor shall also make grammatical changes related to the change in terms.

Sec. 32. **REPEALER.**

Minnesota Statutes 2022, section 120B.31, subdivisions 2 and 6, are repealed.

**ARTICLE 3****TEACHERS**

Section 1. Minnesota Statutes 2023 Supplement, section 120B.117, subdivision 4, is amended to read:

Subd. 4. **Reporting.** ~~Beginning in 2024 and every even-numbered year thereafter,~~ The Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to publish a summary report of each of the programs they administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The report must include programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09, 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must, in coordination with the Office of Higher Education and Department of Education, provide policy and funding recommendations related to state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must include recommendations for state policy and funding needed to achieve the goals of this section, plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The ~~2024~~ initial report must also include a recommendation of whether a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of such an advisory council would be if established. The board must consult with the Indian Affairs Council and other ethnic councils along with other community partners, including students of color and American Indian students, in developing the report. ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance by November 3, 2025, for the initial report, and by November 3 each even-numbered year thereafter. The report must be available to the public on the board's website.

Sec. 2. Minnesota Statutes 2022, section 122A.091, subdivision 5, is amended to read:

Subd. 5. ~~Survey of districts~~ **Supply and demand report.** ~~(a) The Professional Educator Licensing and Standards Board must survey the state's school districts and teacher preparation~~

~~programs and~~ submit a report to the education committees of the legislature by February 1,  
~~2019, and each odd-numbered~~ November 1, 2025, and November 1 of each even-numbered  
 year thereafter, on the ~~status of teacher early~~ supply and demand of teachers. The report  
must be made available on the board's website. The report must include data regarding:

(1) retirement patterns,~~the access to effective and more diverse teachers who reflect the~~  
~~students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district~~  
~~or school;~~

(2) teacher licensure;

(3) teacher diversity, including whether the state's teacher workforce reflects the diversity  
of the state's student population;

(4) the teacher shortage, and the substitute teacher shortage, including patterns and  
shortages in licensure field areas and the economic development regions of the state;

(5) survey data from school districts and teacher preparation programs; and

~~(b) The report must also include:~~

~~(1) aggregate data on teachers' self-reported race and ethnicity;~~

~~(2) data on how~~ (6) whether districts are making progress in hiring teachers and substitute  
teachers in the areas of shortage; and.

~~(3) a five-year projection of teacher demand for each district, taking into account the~~  
~~students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll~~  
~~in the district during that five-year period.~~

Sec. 3. Minnesota Statutes 2022, section 122A.092, is amended by adding a subdivision  
 to read:

Subd. 9. **Ableism and disability justice.** A teacher preparation program is encouraged  
to include instruction for teacher candidates on ableism and disability justice, provided by  
a person with a disability and expertise related to ableism and disability justice.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 4. Minnesota Statutes 2023 Supplement, section 122A.18, subdivision 1, is amended to read:

Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and Standards Board must issue the following teacher licenses to applicants who meet the qualifications prescribed by this chapter:

(1) Tier 1 license under section 122A.181;

(2) Tier 2 license under section 122A.182;

(3) Tier 3 license under section 122A.183; and

(4) Tier 4 license under section 122A.184.

(b) The Board of School Administrators must license supervisory personnel as defined in section 122A.15, subdivision 2, except for athletic coaches.

(c) The Professional Educator Licensing and Standards Board and the Department of Education must enter into a data sharing agreement to share:

(1) educational data at the E-12 level for the limited purpose of program approval and improvement for teacher education programs. The program approval process must include targeted redesign of teacher preparation programs to address identified E-12 student areas of concern; and

(2) data in the staff automated reporting system for the limited purpose of managing and processing funding to school districts and other entities. The board has authority to collect and retain nonlicensed staff data on behalf of the Department of Education. The board must share licensed and nonlicensed staff data with the department as outlined in the data sharing agreement required under section 122A.18, subdivision 1, paragraph (d). The department may access and use the data as required under federal or state law and for the purposes outlined in the data sharing agreement.

(d) The Board of School Administrators and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for education administration programs. The program approval process must include targeted redesign of education administration preparation programs to address identified E-12 student areas of concern.

(e) For purposes of the data sharing agreements under paragraphs (c) and (d), the Professional Educator Licensing and Standards Board, Board of School Administrators, and Department of Education may share private data, as defined in section 13.02, subdivision



12, on teachers and school administrators. The data sharing agreements must not include educational data, as defined in section 13.32, subdivision 1, but may include summary data, as defined in section 13.02, subdivision 19, derived from educational data.

Sec. 5. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision to read:

Subd. 1a. **Special education requirements.** (a) The Professional Educator Licensing and Standards Board must approve an application for a Tier 1 license in a special education field if:

(1) the application meets all the requirements under subdivision 1;

(2) the district or charter school affirms that the applicant will receive high-quality professional development that is sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(3) the district or charter school affirms that the applicant will participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and

(4) the applicant demonstrates satisfactory progress toward professional licensure.

(b) A teacher with a Tier 1 license in a special education field may assume the functions as a teacher for a period of time not to exceed three years.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 6. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 2, is amended to read:

~~Subd. 2. **Professional requirements.** (a) An applicant for a Tier 1 license must have a bachelor's degree to teach a class or course outside a career and technical education or career pathways course of study, unless the applicant meets an exemption identified in subdivision 2a.~~

~~(b) An applicant for a Tier 1 license must have one of the following credentials in a relevant content area to teach a class in a career and technical education or career pathways course of study:~~

~~(1) an associate's degree;~~

~~(2) a professional certification; or~~

42.1 ~~(3) five years of relevant work experience.~~

42.2 Sec. 7. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision  
42.3 to read:

42.4 Subd. 1a. **Special education requirements.** The Professional Educator Licensing and  
42.5 Standards Board must approve an application for a Tier 2 license in a special education  
42.6 field if:

42.7 (1) the application meets all the requirements under subdivision 1;

42.8 (2) the district or charter school affirms that the applicant will receive high-quality  
42.9 professional development that is sustained, intensive, and classroom focused in order to  
42.10 have a positive and lasting impact on classroom instruction, before and while teaching;

42.11 (3) the district or charter school affirms that the applicant will participate in a program  
42.12 of intensive supervision that consists of structured guidance and regular ongoing support  
42.13 for teachers or a teacher mentoring program; and

42.14 (4) the applicant demonstrates satisfactory progress toward professional licensure.

42.15 **EFFECTIVE DATE.** This section is effective July 1, 2024.

42.16 Sec. 8. Minnesota Statutes 2023 Supplement, section 122A.183, subdivision 2, is amended  
42.17 to read:

42.18 Subd. 2. **Coursework.** An applicant for a Tier 3 license must meet the coursework  
42.19 requirement by demonstrating one of the following:

42.20 (1) completion of a Minnesota-approved teacher preparation program;

42.21 (2) completion of a state-approved teacher preparation program that includes field-specific  
42.22 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher  
42.23 preparation programs. The field-specific student teaching requirement does not apply to an  
42.24 applicant that has two years of field-specific teaching experience;

42.25 ~~(3) submission of a content-specific~~ a recommendation for licensure through the licensure  
42.26 via portfolio process;

42.27 (4) a professional teaching license from another state, evidence that the applicant's license  
42.28 is in good standing, and two years of field-specific teaching experience; or

42.29 (5) three years of teaching experience under a Tier 2 license and evidence of summative  
42.30 teacher evaluations that did not result in placing or otherwise keeping the teacher on an

43.1 improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision  
43.2 5.

43.3 Sec. 9. Minnesota Statutes 2023 Supplement, section 122A.184, subdivision 1, is amended  
43.4 to read:

43.5 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
43.6 Board must issue a Tier 4 license to an applicant who provides information sufficient to  
43.7 demonstrate all of the following:

43.8 (1) the applicant meets all requirements for a Tier 3 license under section 122A.183,  
43.9 and: (i) has completed a teacher preparation program under section 122A.183, subdivision  
43.10 2, clause (1) or (2); (ii) obtained licensure through the licensure via portfolio process under  
43.11 section 122A.183, subdivision 2, clause (3); or (iii) holds national board certification from  
43.12 the National Board for Professional Teaching Standards;

43.13 (2) the applicant has at least three years of field-specific teaching experience as a teacher  
43.14 of record;

43.15 (3) the applicant has obtained a passing score on all required licensure exams under  
43.16 section 122A.185; and

43.17 (4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant  
43.18 has completed the renewal requirements in section 122A.187.

43.19 Sec. 10. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended  
43.20 to read:

43.21 Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and  
43.22 Tier 4 licenses to pass an examination or performance assessment of general pedagogical  
43.23 knowledge and examinations or assessments of licensure field specific content. An applicant  
43.24 is exempt from the examination requirements if the applicant ~~completed~~:

43.25 (1) completed a board-approved teacher preparation program;

43.26 (2) completed licensure via portfolio pursuant to section 122A.18, subdivision 10, and  
43.27 the portfolio has been ~~approved~~ recommended; ~~or~~

43.28 (3) obtained national board certification from the National Board for Professional  
43.29 Teaching Standards; or

(3) (4) completed a state-approved teacher preparation program in another state and passed licensure examinations in that state, if applicable. The content examination requirement does not apply if no relevant content exam exists.

(b) All testing centers in the state must provide monthly opportunities for untimed content and pedagogy examinations. These opportunities must be advertised on the test registration website. The board must require the exam vendor to provide other equitable opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify for federal grants; (2) providing free, multiple, full-length practice tests for each exam and free, comprehensive study guides on the test registration website; (3) making content and pedagogy exams available in languages other than English for teachers seeking licensure to teach in language immersion programs; and (4) providing free, detailed exam results analysis by test objective to assist applicants who do not pass an exam in identifying areas for improvement. Any applicant who has not passed a required exam after two attempts must be allowed to retake the exam, including new versions of the exam, without being charged an additional fee.

Sec. 11. Minnesota Statutes 2022, section 122A.185, subdivision 3, is amended to read:

Subd. 3. **Testing accommodations.** The board and the entity administering the content, and pedagogy,~~and skills~~ examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, and pedagogy,~~and skills~~ examinations that the applicant received during the applicant's secondary or postsecondary education.

Sec. 12. Minnesota Statutes 2022, section 122A.20, is amended by adding a subdivision to read:

Subd. 4. **Prohibition on teaching assignment.** A school district or charter school may not place a teacher in a teaching assignment if the teacher has been criminally charged in state or federal court with any of the offenses 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, or a crime under a similar law of another state or the United States.

Sec. 13. Minnesota Statutes 2022, section 122A.33, subdivision 2, is amended to read:

Subd. 2. **Annual contract.** (a) Notwithstanding section 122A.58, a person employed as a head varsity coach has an annual contract as a coach that the school board may or may not renew as the board sees fit.

(b) A school board must provide written notice to a coach whose contract the school board declines to renew for the following school year no more than 60 days after the end of the regular season for the activity, as established by the high school league under chapter 128C. The notice requirement of this paragraph does not apply if the school board declines to renew the contract based on the coach's misconduct or failure to perform duties, or the district's financial limitations.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 14. Minnesota Statutes 2023 Supplement, section 122A.40, subdivision 8, is amended to read:

Subd. 8. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement. If a school board and the exclusive representative of the teachers do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices, improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 5;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school

administrator. For the years when a tenured teacher is not evaluated by a qualified and trained evaluator, the teacher must be evaluated by a peer review;

(3) must include a rubric of performance standards for teacher practice that: (i) is based on ~~professional teaching standards established in rule~~ the standards of effective practice in Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and (iii) provides common descriptions of effectiveness using at least three levels of performance;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

(9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

(10) must use longitudinal data on student engagement and connection, and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners;

(11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

(12) must give teachers not meeting professional teaching standards under clauses (3) to (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 5.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant

48.1 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area  
48.2 and grade.

48.3 All data created and used under this paragraph retains its classification under chapter 13.

48.4 **EFFECTIVE DATE.** This section is effective July 1, 2025.

48.5 Sec. 15. Minnesota Statutes 2023 Supplement, section 122A.41, subdivision 5, is amended  
48.6 to read:

48.7 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**  
48.8 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
48.9 representative of the teachers in the district, consistent with paragraph (b), may develop an  
48.10 annual teacher evaluation and peer review process for probationary and nonprobationary  
48.11 teachers through joint agreement. If a school board and the exclusive representative of the  
48.12 teachers in the district do not agree to an annual teacher evaluation and peer review process,  
48.13 then the school board and the exclusive representative of the teachers must implement the  
48.14 state teacher evaluation plan developed under paragraph (c). The process must include  
48.15 having trained observers serve as peer coaches or having teachers participate in professional  
48.16 learning communities, consistent with paragraph (b).

48.17 (b) To develop, improve, and support qualified teachers and effective teaching practices  
48.18 and improve student learning and success, and provide all enrolled students in a district or  
48.19 school with improved and equitable access to more effective and diverse teachers, the annual  
48.20 evaluation process for teachers:

48.21 (1) must, for probationary teachers, provide for all evaluations required under subdivision  
48.22 2;

48.23 (2) must establish a three-year professional review cycle for each teacher that includes  
48.24 an individual growth and development plan, a peer review process, and at least one  
48.25 summative evaluation performed by a qualified and trained evaluator such as a school  
48.26 administrator;

48.27 (3) must include a rubric of performance standards for teacher practice that: (i) is based  
48.28 ~~on professional teaching standards established in rule~~ the standards of effective practice in  
48.29 Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and  
48.30 (iii) provides common descriptions of effectiveness using at least three levels of performance;

48.31 (4) must coordinate staff development activities under sections 122A.60 and 122A.61  
48.32 with this evaluation process and teachers' evaluation outcomes;



(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

(9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

(10) must use longitudinal data on student engagement and connection and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of English learners;

(11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

(12) must give teachers not meeting professional teaching standards under clauses (3) to (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 2.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

51.1 Sec. 16. **[122A.615] ABLEISM AND DISABILITY JUSTICE.**

51.2 A school district or charter school is encouraged to include training on ableism and  
51.3 disability justice provided by a person with a disability and expertise related to ableism and  
51.4 disability justice in its professional development activities for teachers and paraprofessionals,  
51.5 Title I aides, and other instructional support staff.

51.6 **EFFECTIVE DATE.** This section is effective July 1, 2024.

51.7 Sec. 17. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 2, is amended  
51.8 to read:

51.9 Subd. 2. **Definition.** "Heritage language and culture ~~teachers~~ teacher" means ~~teachers a~~  
51.10 teacher with a familial connection to a their community's language and culture, who ~~use~~ is  
51.11 proficient in the language and engaged in the culture, and uses this connection to support  
51.12 students as they learn academic content or, become proficient in the language, and engage  
51.13 with the culture of that particular community. For the purposes of this section, a heritage  
51.14 language and culture teacher of American Sign Language is a teacher with a childhood  
51.15 connection to American Sign Language and whose primary language is American Sign  
51.16 Language.

51.17 Sec. 18. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 4, is amended  
51.18 to read:

51.19 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The  
51.20 Professional Educator Licensing and Standards Board shall develop a program to support  
51.21 initial and additional licensure for heritage language and culture teachers. The board may  
51.22 prioritize the participation of heritage language and culture teachers whose own heritage  
51.23 language is within the most common languages spoken by Minnesota students, as indicated  
51.24 by the Department of Education report on primary home languages, and for which there are  
51.25 fewer teacher preparation programs for that licensure area or fewer teachers that hold a  
51.26 license in that area. The program must include:

51.27 (1) a yearlong mentorship program;

51.28 (2) monthly meetings where applicants receive guidance on completing the portfolio  
51.29 process from a portfolio liaison, dedicated specifically to facilitating this program;

51.30 (3) a stipend to cover substitute teachers when meetings take place during the school  
51.31 day;

51.32 (4) a waiver for all portfolio and licensure testing fees; and

52.1 (5) a portfolio review committee created by the board.

52.2 (b) For applicants seeking an initial license in a world language and culture, the applicant  
52.3 must demonstrate meeting the standards of effective practice in Minnesota Rules, part  
52.4 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,  
52.5 through the portfolio process.

52.6 (c) For applicants seeking a dual license, the applicant must demonstrate meeting the  
52.7 standards of effective practice in Minnesota Rules, part 8710.2000, content-specific  
52.8 pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen  
52.9 dual license through the portfolio process.

52.10 (d) For applicants seeking an additional license in a world language and culture, the  
52.11 applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota  
52.12 Rules, part 8710.4950.

52.13 Sec. 19. Minnesota Statutes 2023 Supplement, section 122A.70, subdivision 2, is amended  
52.14 to read:

52.15 Subd. 2. **Board grants.** (a) The Professional Educator Licensing and Standards Board  
52.16 must make grant application forms available to sites interested in developing, sustaining,  
52.17 or expanding a mentorship program.

52.18 (b) The following applicants are eligible for a program grant:

52.19 (1) a school district or group of school districts, a school or coalition of schools, or a  
52.20 coalition of teachers may apply for a program grant, charter school, or cooperative unit,  
52.21 on behalf of its participating schools sites;

52.22 (2) a Tribal contract school;

52.23 (3) a coalition of teachers; and

52.24 (4) a coalition of two or more applicants that are individually eligible for a grant.

52.25 A higher education institution or nonprofit organization may partner with a an eligible grant  
52.26 applicant but is not eligible as a sole applicant for grant funds.

52.27 (c) The Professional Educator Licensing and Standards Board, in consultation with the  
52.28 teacher mentoring task force, must approve or disapprove the applications. To the extent  
52.29 possible, the approved applications must reflect effective mentoring, professional  
52.30 development, and retention components, and be geographically distributed throughout the  
52.31 state. The Professional Educator Licensing and Standards Board must encourage the selected  
52.32 sites to consider the use of its assessment procedures.

53.1 Sec. 20. **REPEALER.**

53.2 (a) Minnesota Statutes 2022, section 122A.2451, subdivision 9, is repealed.

53.3 (b) Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4, is repealed.

53.4 **ARTICLE 4**

53.5 **THE READ ACT**

53.6 Section 1. Minnesota Statutes 2023 Supplement, section 120B.1117, is amended to read:

53.7 **120B.1117 TITLE; THE READ ACT.**

53.8 Sections ~~120B.1117~~ 120B.118 to 120B.124 may be cited as the "Reading to Ensure  
53.9 Academic Development Act" or the "Read Act."

53.10 **EFFECTIVE DATE.** This section is effective July 1, 2024.

53.11 Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding  
53.12 a subdivision to read:

53.13 Subd. 2a. **Certified trained facilitator.** "Certified trained facilitator" means a person  
53.14 employed by a district or regional literacy network who has completed professional  
53.15 development approved by the Department of Education in structured literacy, completed  
53.16 the vendor's certification prerequisites and facilitator training requirements, completed the  
53.17 vendor's annual recertification requirements, remains in good standing with the sponsoring  
53.18 agency and vendor, uses the vendor's training materials with fidelity, and participates in  
53.19 mentoring or coaching provided by CAREI and the Department of Education on facilitating  
53.20 literacy training. A literacy lead who meets the requirements under this subdivision may be  
53.21 a certified trained facilitator.

53.22 **EFFECTIVE DATE.** This section is effective July 1, 2024.

53.23 Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 7, is amended  
53.24 to read:

53.25 Subd. 7. **Literacy specialist.** "Literacy specialist" means a person licensed by the  
53.26 Professional Educator Licensing and Standards Board as a teacher of reading, a special  
53.27 education teacher, or a kindergarten through grade 6 teacher, who has completed professional  
53.28 development approved by the Department of Education in structured literacy. A literacy  
53.29 specialist employed by the department under section 120B.123, subdivision 7, or by a district  
53.30 as a literacy lead, is not required to complete the approved training before August 30, 2025.

54.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

54.2 Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 10, is  
54.3 amended to read:

54.4 Subd. 10. **Oral language.** "Oral language," also called "spoken language," includes  
54.5 speaking and listening, and consists of five components: phonology, morphology, syntax,  
54.6 semantics, and pragmatics. Oral language also includes sign language, in which speaking  
54.7 and listening skills are defined as expressive and receptive skills, and consists of phonology,  
54.8 including sign language phonological awareness, morphology, syntax, semantics, and  
54.9 pragmatics.

54.10 **EFFECTIVE DATE.** This section is effective July 1, 2024.

54.11 Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 1, is amended  
54.12 to read:

54.13 Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at  
54.14 or above grade level every year, beginning in kindergarten, and to support multilingual  
54.15 learners and students receiving special education services in achieving their individualized  
54.16 reading goals in order to meet grade-level proficiency. By the 2026-2027 school year,  
54.17 districts must provide evidence-based reading instruction through a focus on student mastery  
54.18 of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as  
54.19 the development of oral language, vocabulary, and reading comprehension skills. Students  
54.20 must receive evidence-based instruction that is proven to effectively teach children to read,  
54.21 consistent with sections ~~120B.1117~~ 120B.118 to 120B.124.

54.22 (b) To meet this goal, each district must provide teachers and instructional support staff  
54.23 with responsibility for teaching reading with training on evidence-based reading instruction  
54.24 that is approved by the Department of Education by the deadlines provided in ~~this subdivision~~  
54.25 section 120B.123, subdivision 5. ~~The commissioner may grant a district an extension to the~~  
54.26 ~~deadlines in this paragraph. Beginning July 1, 2024, a district must provide access to the~~  
54.27 ~~training required under section 120B.123, subdivision 5, to:~~

54.28 ~~(1) intervention teachers working with students in kindergarten through grade 12;~~

54.29 ~~(2) all classroom teachers of students in kindergarten through grade 3 and children in~~  
54.30 ~~prekindergarten programs;~~

54.31 ~~(3) special education teachers;~~

54.32 ~~(4) curriculum directors;~~

55.1 ~~(5) instructional support staff who provide reading instruction; and~~

55.2 ~~(6) employees who select literacy instructional materials for a district.~~

55.3 ~~(e) All other teachers and instructional staff required to receive training under the Read~~  
55.4 ~~Act must complete the training no later than July 1, 2027.~~

55.5 ~~(d)~~ (c) Districts are strongly encouraged to adopt a MTSS framework. The framework  
55.6 should include a process for monitoring student progress, evaluating program fidelity, and  
55.7 analyzing student outcomes and needs in order to design and implement ongoing  
55.8 evidenced-based instruction and interventions.

55.9 **EFFECTIVE DATE.** This section is effective July 1, 2024.

55.10 Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 2, is amended  
55.11 to read:

55.12 Subd. 2. **Identification; report.** (a) ~~Twice per year,~~ Each school district must screen  
55.13 every student enrolled in kindergarten, grade 1, grade 2, and grade 3 using a screening tool  
55.14 approved by the Department of Education three times each school year: (1) within the first  
55.15 six weeks of the school year; (2) by February 15 each year; and (3) within the last six weeks  
55.16 of the school year. Students enrolled in kindergarten, grade 1, grade 2, and grade 3, including  
55.17 multilingual learners and students receiving special education services, must be universally  
55.18 screened for mastery of foundational reading skills, including phonemic awareness, phonics,  
55.19 decoding, fluency, oral language, and for characteristics of dyslexia as measured by a  
55.20 screening tool approved by the Department of Education. The screening for characteristics  
55.21 of dyslexia may be integrated with universal screening for mastery of foundational skills  
55.22 and oral language. A district must submit data on student performance in kindergarten,  
55.23 grade 1, grade 2, and grade 3 on foundational reading skills, including phonemic awareness,  
55.24 phonics, decoding, fluency, and oral language to the Department of Education in the annual  
55.25 local literacy plan submission due on June 15.

55.26 (b) Students in grades 4 and above, including multilingual learners and students receiving  
55.27 special education services, who do not demonstrate mastery of foundational reading skills,  
55.28 including phonemic awareness, phonics, decoding, fluency, and oral language, must be  
55.29 screened using a screening tool approved by the Department of Education for characteristics  
55.30 of dyslexia, and must continue to receive evidence-based instruction, interventions, and  
55.31 progress monitoring until the students achieve grade-level proficiency. A parent, in  
55.32 consultation with a teacher, may opt a student out of the literacy screener if the parent and  
55.33 teacher decide that continuing to screen would not be beneficial to the student. In such

56.1 limited cases, the student must continue to receive progress monitoring and literacy  
56.2 interventions.

56.3 (c) Reading screeners in English, and in the predominant languages of district students  
56.4 where practicable, must identify and evaluate students' areas of academic need related to  
56.5 literacy. The district also must monitor the progress and provide reading instruction  
56.6 appropriate to the specific needs of multilingual learners. The district must use an approved,  
56.7 developmentally appropriate, and culturally responsive screener and annually report summary  
56.8 screener results to the commissioner by June 15 in the form and manner determined by the  
56.9 commissioner.

56.10 (d) The district also must include in its literacy plan under subdivision 4a, a summary  
56.11 of the district's efforts to screen, identify, and provide interventions to students who  
56.12 demonstrate characteristics of dyslexia as measured by a screening tool approved by the  
56.13 Department of Education. Districts are strongly encouraged to use ~~the~~ a MTSS framework.  
56.14 With respect to students screened or identified under paragraph (a), the report must include:

56.15 (1) a summary of the district's efforts to screen for dyslexia;

56.16 (2) the number of students universally screened for that reporting year;

56.17 (3) the number of students demonstrating characteristics of dyslexia for that year; and

56.18 (4) an explanation of how students identified under this subdivision are provided with  
56.19 alternate instruction and interventions under section 125A.56, subdivision 1.

56.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

56.21 Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 2a, is amended  
56.22 to read:

56.23 Subd. 2a. **Parent notification and involvement.** A district must administer ~~a~~ an approved  
56.24 reading screener to students in kindergarten through grade 3 within the first six weeks of  
56.25 the school year, by February 15 each year, and again within the last six weeks of the school  
56.26 year. Schools, ~~at least biannually~~ after administering each screener, must give the parent of  
56.27 each student who is not reading at or above grade level timely information about:

56.28 (1) the student's reading proficiency as measured by a screener approved by the  
56.29 Department of Education;

56.30 (2) reading-related services currently being provided to the student and the student's  
56.31 progress; and



(3) strategies for parents to use at home in helping their student succeed in becoming grade-level proficient in reading in English and in their native language.

A district may not use this section to deny a student's right to a special education evaluation.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 3, is amended to read:

Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. A district is encouraged to provide reading intervention through a MTSS framework. If a student does not read at or above grade level by the end of the current school year, the district must continue to provide reading intervention until the student reads at grade level. District intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs that specialize in evidence-based instructional practices and measure mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language. ~~By the 2025-2026 school year, intervention programs must be taught by an intervention teacher or special education teacher who has successfully completed training in evidence-based reading instruction approved by the Department of Education.~~ Intervention may include but is not limited to requiring student attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended-day programs, or programs that strengthen students' cultural connections.

(b) A district or charter school is strongly encouraged to provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3 or a screener identified by the Department of Education under section 120B.123. The district or charter school must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the student's parent or guardian. The personal learning plan must include targeted instruction that is evidence-based and ongoing progress monitoring, and address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, group interventions, periodic assessments or screeners,

and reasonable timelines. The personal learning plan may include grade retention, if it is in the student's best interest; a student may not be retained solely due to delays in literacy or not demonstrating grade-level proficiency. A school must maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

(c) Starting in the 2025-2026 school year, a district must use only evidence-based literacy interventions. Districts are strongly encouraged to use intervention materials approved by the Department of Education under the Read Act.

(d) Starting in the 2026-2027 school year, to provide a Tier 2 literacy intervention, a paraprofessional or other unlicensed person, including a volunteer, must be supervised by a licensed teacher who has completed training in evidence-based reading instruction approved by the Department of Education, and has completed evidence-based training developed under the Read Act by CAREI or the regional literacy networks under section 120B.124, subdivision 4, or a training that the department has determined meets or exceeds the requirements of section 120B.124, subdivision 4.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4, is amended to read:

Subd. 4. **Staff development.** (a) A district must provide training on evidence-based ~~reading~~ structured literacy instruction to teachers and instructional staff in accordance with subdivision 1, ~~paragraph~~ paragraphs (b) and (c). The training must include teaching in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, reading comprehension, and culturally and linguistically responsive pedagogy.

(b) Each district shall use the data under subdivision 2 to identify the staff development needs so that:

(1) elementary teachers are able to implement explicit, systematic, evidence-based instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension with emphasis on mastery of foundational reading skills as defined in section ~~120B.1118~~ 120B.119 and other literacy-related areas including writing until the student achieves grade-level reading and writing proficiency;

(2) elementary teachers ~~have sufficient~~ receive training to provide students with evidence-based reading and oral language instruction that meets students' developmental,

59.1 linguistic, and literacy needs using the intervention methods or programs selected by the  
59.2 district for the identified students;

59.3 (3) licensed teachers employed by the district have ~~regular~~ opportunities to improve  
59.4 reading and writing instruction through approved professional development identified in  
59.5 the local literacy plan;

59.6 (4) licensed teachers recognize students' diverse needs in cross-cultural settings and are  
59.7 able to serve the oral language and linguistic needs of students who are multilingual learners  
59.8 by maximizing strengths in their native languages in order to cultivate students' English  
59.9 language development, including oral academic language development, and build academic  
59.10 literacy; and

59.11 (5) licensed teachers are ~~well~~ trained in culturally responsive pedagogy that enables  
59.12 students to master content, develop skills to access content, and build relationships.

59.13 (c) A district that offers early childhood programs, including voluntary prekindergarten  
59.14 for eligible four-year-old children, early childhood special education, and school readiness  
59.15 programs, must provide staff classroom teachers in early childhood programs sufficient  
59.16 training approved by the Department of Education to provide children in early childhood  
59.17 programs with explicit, systematic instruction in phonological and phonemic awareness;  
59.18 oral language, including listening comprehension; vocabulary; and letter-sound  
59.19 correspondence.

59.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

59.21 Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4a, is amended  
59.22 to read:

59.23 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must  
59.24 adopt a local literacy plan to have every child reading at or above grade level every year  
59.25 beginning in kindergarten and to support multilingual learners and students receiving special  
59.26 education services in achieving their individualized reading goals. A district must update  
59.27 and submit the plan to the commissioner by June 15 each year. The plan must be consistent  
59.28 with the Read Act, and include the following:

59.29 (1) a process to assess students' foundational reading skills, oral language, and level of  
59.30 reading proficiency and the approved screeners used, by school site and grade level, under  
59.31 section 120B.123;

59.32 (2) a process to notify and involve parents;

(3) a description of how schools in the district will determine the targeted reading instruction that is evidence-based and includes an intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

(4) evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention;

(5) identification of staff development needs, including a plan to meet those needs;

(6) the curricula used by school site and grade level and, if applicable, the district plan and timeline for adopting approved curricula and materials starting in the 2025-2026 school year;

(7) a statement of whether the district has adopted a MTSS framework;

(8) student data using the measures of foundational literacy skills and mastery identified by the Department of Education for the following students:

(i) students in kindergarten through grade 3;

(ii) students who demonstrate characteristics of dyslexia; and

(iii) students in grades 4 to 12 who are identified as not reading at grade level; ~~and~~

(9) the number of teachers and other staff ~~that~~ who have completed training approved by the department;

(10) the number of teachers and other staff proposed for training in structured literacy;  
and

(11) how the district used funding provided under the Read Act to implement the requirements of the Read Act.

(b) The district must post its literacy plan on the official school district website and submit it to the commissioner of education using the template developed by the commissioner of education beginning June 15, 2024.

(c) By March 1, 2024, the commissioner of education must develop a streamlined template for local literacy plans that meets the requirements of this subdivision and requires all reading instruction and teacher training in reading instruction to be evidence-based. The template must require a district to report information using the student categories required in the commissioner's report under paragraph (d). The template must focus district resources

61.1 on improving students' foundational reading skills while reducing paperwork requirements  
61.2 for teachers.

61.3 (d) By December 1, 2025, the commissioner of education must submit a report to the  
61.4 legislative committees with jurisdiction over prekindergarten through grade 12 education  
61.5 summarizing the local literacy plans submitted to the commissioner. The summary must  
61.6 include the following information:

61.7 (1) the number of teachers and other staff ~~that~~ who have completed training approved  
61.8 by the Department of Education;

61.9 (2) the number of teachers and other staff required to complete the training under section  
61.10 120B.123, subdivision 5, who have not completed the training;

61.11 (3) the number of teachers exempt under section 120B.123, subdivision 5, from  
61.12 completing training approved by the Department of Education;

61.13 ~~(2)~~ (4) by school site and grade, the approved screeners ~~used at the beginning and end~~  
61.14 ~~of the school year~~ and the reading curriculum used; and

61.15 ~~(3)~~ (5) by school site and grade, using the measurements of foundational literacy skills  
61.16 and mastery identified by the department, both aggregated data and disaggregated data on  
61.17 student performance on the approved screeners using the student categories under section  
61.18 120B.35, subdivision 3, paragraph (a), clause (2).

61.19 (e) By December 1, 2026, and December 1, 2027, the commissioner of education must  
61.20 submit updated reports containing the information required under paragraph (d) to the  
61.21 legislative committees with jurisdiction over prekindergarten through grade 12 education.

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

61.23 Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 1, is amended  
61.24 to read:

61.25 Subdivision 1. **Approved screeners.** (a) A district must administer an approved  
61.26 evidence-based reading screener to students in kindergarten through grade 3 within the first  
61.27 six weeks of the school year, by February 15 each year, and again within the last six weeks  
61.28 of the school year. The screener must be one of the screening tools approved by the  
61.29 Department of Education. A district must identify any screener it uses in the district's annual  
61.30 literacy plan, and submit screening data with the annual literacy plan by June 15.

61.31 (b) Starting in the 2024-2025 school year, district staff, contractors, and volunteers may  
61.32 only use screeners that have been approved by the Department of Education.

62.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

62.2 Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 2, is amended  
62.3 to read:

62.4 Subd. 2. **Progress monitoring.** A district must implement progress monitoring, as  
62.5 defined in section ~~120B.1118~~ 120B.119, for a student not reading at grade level.

62.6 **EFFECTIVE DATE.** This section is effective July 1, 2024.

62.7 Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 5, is amended  
62.8 to read:

62.9 Subd. 5. **Professional development.** (a) A district must provide training from a menu  
62.10 of approved evidence-based training programs to ~~all~~ the following teachers and staff by  
62.11 July 1, 2026:

62.12 (1) reading intervention teachers, literacy specialists, and other teachers and staff  
62.13 identified in section 120B.12, subdivision 1, paragraph (b), by July 1, 2025; and by July 1,  
62.14 2027, to other teachers in the district, prioritizing teachers who work with students with  
62.15 disabilities, English learners, and students who qualify for the graduation incentives program  
62.16 under section 124D.68; working with students in kindergarten through grade 12;

62.17 (2) all classroom teachers of students in kindergarten through grade 3 and children in  
62.18 prekindergarten programs;

62.19 (3) special education teachers;

62.20 (4) curriculum directors;

62.21 (5) instructional support staff, contractors, and volunteers who assist in providing Tier  
62.22 2 interventions;

62.23 (6) employees who select literacy instructional materials for a district; and

62.24 (7) teachers licensed to teach English to multilingual learners.

62.25 (b) A district must provide training from a menu of approved evidence-based training  
62.26 programs to the following teachers by July 1, 2027:

62.27 (1) teachers who provide reading instruction to students in grades 4 to 12; and

62.28 (2) teachers who provide instruction to students in a state-approved alternative program.

62.29 (c) The commissioner of education may grant a district an extension to the deadlines in  
62.30 this subdivision.

(d) Training provided by a department-approved certified trained facilitator may satisfy the professional development requirements under this subdivision.

(e) For the 2024-2025 school year only, the hours of instruction requirement under section 120A.41 for students in an elementary school, as defined in section 120A.05, subdivision 9, is reduced by 5-1/2 hours for a district that enters into an agreement with the exclusive representative of the teachers that requires teachers to receive at least 5-1/2 hours of approved evidence-based training required under this subdivision, on a day when other students in the district receive instruction. If a charter school's teachers are not represented by an exclusive representative, the charter school may reduce the number of instructional hours for students in an elementary school, as defined in section 120A.05, subdivision 9, by 5-1/2 hours after consulting with its teachers in order to provide teachers with at least 5-1/2 hours of evidence-based training required under this subdivision on a day when other students receive instruction.

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

Sec. 14. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 7, is amended to read:

Subd. 7. **Department of Education.** (a) By July 1, 2023, the department must make available to districts a list of approved evidence-based screeners in accordance with section 120B.12. A district must use an approved screener to assess students' mastery of foundational reading skills in accordance with section 120B.12.

(b) The Department of Education must partner with CAREI as required under section 120B.124 to approve professional development programs, subject to final determination by the department. After the implementation partnership under section 120B.124 ends, the department must continue to regularly provide districts with information about professional development opportunities available throughout the state on reading instruction that is evidence-based.

(c) The department and CAREI must identify training required for a literacy lead and literacy specialist employed by a district or Minnesota service cooperatives.

(d) The department must employ a one or more literacy ~~specialist~~ specialists to provide support to districts implementing the Read Act and coordinate duties assigned to the department under the Read Act. The literacy specialist must work on state efforts to improve literacy tracking and implementation.

(e) The department must develop a template for a local literacy plan in accordance with section 120B.12, subdivision 4a.

(f) The department must partner with CAREI as required under section 120B.124 to approve literacy intervention models, subject to final determination by the department. The department must make a list of the 15 approved evidence-based intervention models available to districts as they are approved by CAREI, starting November 1, 2025. Upon approval of the evidence-based intervention models, the department must ensure the models are reviewed by a contracted third party for culturally responsive guidance and materials, and make those findings available to districts once the review process is complete. The department must notify districts of the two-step review process for all materials approved under the Read Act for effectiveness as evidence-based structured literacy, and for cultural responsiveness.

(g) The department and CAREI must provide ongoing coaching, mentoring, and support to certified trained facilitators.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 15. Minnesota Statutes 2023 Supplement, section 120B.124, subdivision 2, is amended to read:

Subd. 2. **Reconsideration.** (a) The department and CAREI must provide districts an opportunity to request that the department and CAREI add to the list of curricula or professional development programs a specific curriculum or professional development program. The department must publish the request for reconsideration procedure on the department website. A request for reconsideration must demonstrate that the curriculum or professional development program meets the requirements of the Read Act, is evidence-based, and has structured literacy components;~~or that the screener accurately measures literacy growth, monitors progress, and accurately assesses effective reading, including phonemic awareness, phonics, fluency, vocabulary, and comprehension.~~ The department and CAREI must review the request for reconsideration and approve or deny the request within 60 days.

(b) The department and CAREI must conduct a final curriculum review of previously submitted curriculum by March 3, 2025, to review curriculum that is available to districts at no cost.

**EFFECTIVE DATE.** This section is effective July 1, 2024.



Sec. 16. Minnesota Statutes 2023 Supplement, section 120B.124, is amended by adding a subdivision to read:

**Subd. 5. Ongoing review of literacy materials.** The department may partner with one or more institutions of higher education to conduct independent and objective reviews of curriculum and intervention materials. The department must determine whether it will partner with an institution of higher education to conduct ongoing reviews of literacy materials by June 1, 2026. A publisher may submit curriculum or intervention materials for review. The publisher is responsible for paying the cost of the review directly to the institution of higher education. The review must use the rubric used to approve curriculum under subdivision 1. The department and institution of higher education may approve the curriculum or intervention materials if they determine that the curriculum or intervention materials are evidence-based, focused on structured literacy, culturally and linguistically responsive, and reflect diverse populations. The department must add the approved curriculum or intervention materials to the list of curricula and materials approved under the Read Act.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 17. Minnesota Statutes 2023 Supplement, section 120B.124, is amended by adding a subdivision to read:

**Subd. 6. Comprehensive review of literacy materials.** Starting in 2033, the department and an institution of higher education may partner to conduct a comprehensive review of curriculum and intervention materials to identify literacy curriculum and supporting materials, and intervention materials that are evidence-based, focused on structured literacy, culturally and linguistically responsive, and reflect diverse populations. The department must revise the list of approved curriculum and supporting materials, and intervention materials based on the findings of the review.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 18. Minnesota Statutes 2023 Supplement, section 124D.42, subdivision 8, is amended to read:

**Subd. 8. Minnesota reading corps program.** (a) A Minnesota reading corps program is established to provide ServeMinnesota AmeriCorps members with a data-based problem-solving model of literacy instruction to use in helping to train local Head Start program providers, other prekindergarten program providers, and staff in schools with students in kindergarten through grade 3 to evaluate and teach early literacy skills, including

66.1 evidence-based literacy instruction under sections 120B.1117 to 120B.124, to children age  
66.2 3 to grade 3 and interventions for children in kindergarten to grade ~~12~~ 3.

66.3 (b) Literacy programs under this subdivision must comply with the provisions governing  
66.4 literacy program goals and data use under section 119A.50, subdivision 3, paragraph (b).

66.5 (c) Literacy programs under this subdivision must use evidence-based reading instruction  
66.6 and interventions focused on structured literacy. ServeMinnesota must demonstrate to the  
66.7 department that the training AmeriCorps members receive meets or exceeds the requirements  
66.8 of section 120B.124, subdivision 4, for volunteers. Minnesota Reading Corps AmeriCorps  
66.9 members are not required to complete the training under section 120B.24, subdivision 4.

66.10 ~~(e)~~ (d) The commission must submit a biennial report to the committees of the legislature  
66.11 with jurisdiction over kindergarten through grade 12 education that records and evaluates  
66.12 program data to determine the efficacy of the programs under this subdivision.

66.13 **EFFECTIVE DATE.** This section is effective July 1, 2024.

66.14 Sec. 19. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**  
66.15 **READING AUDIT REPORT.**

66.16 (a) The Professional Educator Licensing and Standards Board must conduct an audit  
66.17 that evaluates whether and how approved teacher training programs for candidates for the  
66.18 following licensure areas meet subject matter standards for reading:

66.19 (1) early childhood education in accordance with Minnesota Rules, part 8710.3000;

66.20 (2) elementary education in accordance with Minnesota Rules, part 8710.3200; and

66.21 (3) special education in accordance with Minnesota Rules, part 8710.5000.

66.22 (b) The board must submit an initial report with its findings to the legislative committees  
66.23 with jurisdiction over kindergarten through grade 12 and higher education by January 15,  
66.24 2025, and a final report by August 1, 2026. Each report must:

66.25 (1) identify the reading standards for each licensure area; identify how they are aligned  
66.26 to the requirements of the Read Act, including requirements on evidence-based instruction,  
66.27 phonemic awareness, phonics, vocabulary development, reading fluency, and reading  
66.28 comprehension; and identify how they are aligned to the requirements of Minnesota Statutes,  
66.29 section 122A.092, subdivision 5;

66.30 (2) describe how the board conducted the audit;

66.31 (3) identify the results of the audit; and

(4) summarize the program effectiveness reports for continuing approval related to reading standards reviewed by the board, including the board determinations under Minnesota Rules, part 8705.2200.

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

Sec. 20. **REVISOR INSTRUCTION.**

The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering. The revisor shall also make any technical and other changes necessitated by the renumbering and cross-reference changes in this act.

<u>Column A</u>	<u>Column B</u>
<u>120B.1117</u>	<u>120B.118</u>
<u>120B.1118</u>	<u>120B.119</u>

**EFFECTIVE DATE.** This section is effective July 1, 2024.

**ARTICLE 5**  
**SPECIAL EDUCATION**

Section 1. Minnesota Statutes 2022, section 125A.02, subdivision 1a, as amended by Laws 2024, chapter 80, article 4, section 18, is amended to read:

Subd. 1a. ~~Children from birth through age seven~~ six ~~experiencing developmental delays.~~ In addition to subdivision 1, every child under age three; and, at local district discretion, every child from age three ~~to~~ through age ~~seven~~, six who needs special instruction and services, as determined by the rules of the commissioner of children, youth, and families for children ~~from birth through~~ under age ~~two~~ three and by the rules of the commissioner of education for children ages three through ~~seven~~ six, because the child has a substantial delay or ~~has an identifiable~~ a diagnosed physical or mental condition ~~known to hinder normal development~~ or disorder with a high probability of resulting in developmental delay is a child with a disability.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 2. Minnesota Statutes 2023 Supplement, section 125A.08, is amended to read:

**125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

Subdivision 1. Individualized education programs. (a) At the beginning of each school year, each school district shall have in effect, for each child with a disability, an individualized education program.

(b) As defined in this section, every district must ensure the following:

(1) all students with disabilities are provided the special instruction and services which are appropriate to their needs. Where the individualized education program team has determined appropriate goals and objectives based on the student's needs, including the extent to which the student can be included in the least restrictive environment, and where there are essentially equivalent and effective instruction, related services, or assistive technology devices available to meet the student's needs, cost to the district may be among the factors considered by the team in choosing how to provide the appropriate services, instruction, or devices that are to be made part of the student's individualized education program. The individualized education program team shall consider and may authorize services covered by medical assistance according to section 256B.0625, subdivision 26. Before a school district evaluation team makes a determination of other health disability under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation team must seek written documentation of the student's medically diagnosed chronic or acute health condition signed by a licensed physician or a licensed health care provider acting within the scope of the provider's practice. The student's needs and the special education instruction and services to be provided must be agreed upon through the development of an individualized education program. The program must address the student's need to develop skills to live and work as independently as possible within the community. The individualized education program team must consider positive behavioral interventions, strategies, and supports that address behavior needs for children. During grade 9, the program must address the student's needs for transition from secondary services to postsecondary education and training, employment, community participation, recreation, and leisure and home living. In developing the program, districts must inform parents of the full range of transitional goals and related services that should be considered. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded. If the individualized education program meets the plan components in section 120B.125, the individualized education program satisfies the requirement and no additional transition plan is needed;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial evaluation or reevaluation, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and

(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

**Subd. 2. Paraprofessionals.** (e) For all paraprofessionals employed to work in programs whose role in part is to provide direct support to students with disabilities, the school board in each district shall ensure that:

(1) before or beginning at the time of employment, each paraprofessional must develop sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs, especially disability-specific and behavioral needs, of the students with whom the paraprofessional works;

(2) within five days of beginning to work alone with an individual student with a disability, the assigned paraprofessional must be either given paid time, or time during the school day, to review a student's individualized education program or be briefed on the student's specific needs by appropriate staff;

(3) annual training opportunities are required to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities; and

(4) a districtwide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher and, where appropriate and possible, the supervision of a school nurse.

**Subd. 3. Functional behavior assessment.** ~~(d)~~ A school district may conduct a functional behavior assessment as defined in Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of the parent's or guardian's student.

**Subd. 4. Developmental adapted physical education assessment.** A school district may conduct an assessment for developmental adapted physical education, as defined in Minnesota Rules, part 3525.1352, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of the parent's or guardian's student.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 3. Minnesota Statutes 2022, section 125A.27, subdivision 8, is amended to read:

**Subd. 8. Eligibility for Part C.** "Eligibility for Part C" means eligibility for infant and toddler intervention services under section 125A.02 and Minnesota Rules, part 3525.1350.

Sec. 4. Minnesota Statutes 2022, section 125A.56, subdivision 1, is amended to read:

**Subdivision 1. Requirement.** (a) Before a pupil in kindergarten through grade 12 is referred for a special education evaluation, the district must conduct and document at least two instructional strategies, alternatives, or interventions using a system of scientific, research-based instruction and intervention in academics or behavior, based on the pupil's needs, while the pupil is in the regular classroom. The pupil's teacher must document the results. A special education evaluation team may waive this requirement when it determines

71.1 the pupil's need for the evaluation is urgent. This section may not be used to deny a pupil's  
71.2 right to a special education evaluation.

71.3 (b) A school district shall use alternative intervention services, including the assurance  
71.4 of mastery program under section 124D.66, or an early intervening services program under  
71.5 subdivision 2 to serve at-risk pupils who demonstrate a need for alternative instructional  
71.6 strategies or interventions.

71.7 (c) A student identified as being unable to read at grade level under section 120B.12,  
71.8 subdivision 2, paragraph (a), must be provided with alternate instruction under this  
71.9 subdivision that is multisensory, systematic, sequential, cumulative, and explicit.

71.10 Sec. 5. **SPECIAL EDUCATION LICENSURE RECIPROCITY WORKING GROUP.**

71.11 Subdivision 1. **Working group established.** The Professional Educator Licensing and  
71.12 Standards Board must establish a working group on special education licensure reciprocity.

71.13 Subd. 2. **Members.** (a) The board must consult with the organizations identified in  
71.14 paragraph (b) before naming appointed members to the working group.

71.15 (b) By July 1, 2024, the board must appoint the following members to the working group:

71.16 (1) the executive director of the board or the executive director's designee;

71.17 (2) one representative from the board;

71.18 (3) two representatives from Minnesota Administrators for Special Education, consisting  
71.19 of one member from the seven-county metropolitan area and one member from outside the  
71.20 metropolitan area;

71.21 (4) two representatives from the Minnesota Association of School Administrators,  
71.22 consisting of one member from the seven-county metropolitan area and one member from  
71.23 outside the metropolitan area;

71.24 (5) two representatives from the Minnesota School Boards Association, consisting of  
71.25 one member from the seven-county metropolitan area and one member from outside the  
71.26 metropolitan area;

71.27 (6) two representatives from Education Minnesota, consisting of one member from the  
71.28 seven-county metropolitan area and one member from outside the metropolitan area;

71.29 (7) four licensed special education teachers, consisting of two members from the  
71.30 seven-county metropolitan area and two members from outside the metropolitan area;

72.1 (8) two representatives from the Minnesota Association of Colleges for Teacher  
72.2 Education;

72.3 (9) two representatives from alternative teacher preparation programs; and

72.4 (10) one representative from the Minnesota Association of Charter Schools.

72.5 Subd. 3. **Duties.** The working group must meet on a regular basis and review current  
72.6 statutory and rule requirements for persons with a special education license from another  
72.7 state to qualify for a special education license in Minnesota, and make recommendations  
72.8 on statutory or rule changes necessary to streamline requirements for out-of-state applicants.  
72.9 The working group must submit its recommendations to the board for consideration for  
72.10 inclusion in the board's legislative priorities, and by February 1, 2025, must submit a report  
72.11 to the legislative committees with jurisdiction over kindergarten through grade 12 education.

72.12 Subd. 4. **Administrative provisions.** (a) The executive director of the board, or the  
72.13 director's designee, must convene the initial meeting of the working group. Upon request  
72.14 of the working group, the board must provide meeting space and administrative services  
72.15 for the group.

72.16 (b) Members of the working group serve without compensation or payment of expenses.

72.17 (c) The working group expires February 1, 2025, or upon submission of the report to  
72.18 the legislature required under subdivision 3, whichever is earlier.

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

## 72.20 **ARTICLE 6**

### 72.21 **CHARTER SCHOOLS**

72.22 Section 1. Minnesota Statutes 2022, section 124E.01, subdivision 1, is amended to read:

72.23 Subdivision 1. **Purposes.** (a) The primary purpose of mission-driven charter schools is  
72.24 to improve all-pupil the learning and all-student, achievement, and success of all students.  
72.25 ~~Additional purposes include to~~ The additional purposes of charter schools are to:

72.26 (1) increase quality learning opportunities for all ~~pupils~~ students;

72.27 (2) encourage the use of different and innovative teaching methods;

72.28 (3) measure learning outcomes and create different and innovative forms of measuring  
72.29 outcomes;

72.30 (4) establish new forms of accountability for schools; or



(5) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

(b) A charter school must identify the purposes it will address in the charter contract and document the implementation of those purposes in the school's annual report. Documentation of the implementation of those purposes shall be a component of the authorizer's performance review of the school.

Sec. 2. Minnesota Statutes 2023 Supplement, section 124E.02, as amended by Laws 2024, chapter 85, section 22, is amended to read:

**124E.02 DEFINITIONS.**

(a) For purposes of this chapter, the terms defined in this section have the meanings given them.

(b) "Affidavit" means a written statement the authorizer submits to the commissioner for approval to establish a charter school under section 124E.06, subdivision 4, attesting to its review and approval process before chartering a school.

(c) "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person.

(d) "Charter management organization" or "CMO" means ~~any a nonprofit or for-profit entity or organization that contracts with a charter school board of directors to provide, manage, or oversee~~ operates or manages a charter school or a network of charter schools or can control all or substantially all of a school's education program or a school's administrative, financial, business, or operational functions.

(e) "Control" means the ability to affect the management, operations, or policy actions or decisions of a person, whether by owning voting securities, by contract, or otherwise.

(f) "Educational management organization" or "EMO" means a ~~nonprofit or for-profit entity or organization that provides, manages or oversees~~ operates or manages a charter school or a network of charter schools or can control all or substantially all of ~~the~~ a school's education program, or ~~the~~ a school's administrative, financial, business, or operational functions.

(g) "Immediate family member" means ~~an individual whose~~ any relationship by blood, marriage, adoption, or partnership ~~is no more remote than first cousin~~ of spouses, parents, grandparents, siblings, children, first cousins, aunts, uncles, grandchildren, nieces, and nephews.

74.1 (h) "Market need and demand study" means a study that includes the following for the  
74.2 proposed locations of the school or additional site:

74.3 (1) current and projected demographic information;

74.4 (2) student enrollment patterns;

74.5 (3) information on existing schools and types of educational programs currently available;

74.6 (4) characteristics of proposed students and families;

74.7 (5) availability of properly zoned and classified facilities; and

74.8 (6) quantification of existing demand for the school or site.

74.9 (i) "Person" means an individual or entity of any kind.

74.10 (j) "Related party" means an affiliate or immediate family member of the other interested  
74.11 party, an affiliate of an immediate family member who is the other interested party, or an  
74.12 immediate family member of an affiliate who is the other interested party.

74.13 (k) For purposes of this chapter, the terms defined in section 120A.05 have the same  
74.14 meanings.

74.15 Sec. 3. Minnesota Statutes 2023 Supplement, section 124E.03, subdivision 2, is amended  
74.16 to read:

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

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

74.21 (c) A charter school must comply with the Minnesota Public School Fee Law, sections  
74.22 123B.34 to 123B.39.

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

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

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

74.28 (g) A charter school must comply with continuing truant notification under section  
74.29 260A.03.

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

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

(j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56 and 121A.575, 121A.60, 121A.61, and 121A.65.

Sec. 4. Minnesota Statutes 2023 Supplement, section 124E.03, subdivision 9, is amended to read:

Subd. 9. **English learners.** (a) A charter school is subject to and must comply with the Education for English Learners Act under sections 124D.58 to 124D.64 as though the charter school were a district.

(b) A charter school must adopt and review a language access plan under section 123B.32 as though the charter school were a district.

Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 2, is amended to read:

Subd. 2. **Roles, responsibilities, and requirements for of authorizers.** ~~The authorizer must participate in department-approved training.~~ (a) The role of an authorizer is to ensure that a school it authorizes has the autonomy granted by statute, fulfills the purposes of a charter school, and is accountable to the agreed upon terms of the charter school contract in order to safeguard quality educational opportunities for students and maintain public trust and confidence.

(b) An authorizer has the following responsibilities:

(1) to review applications for new schools, determine whether a new school is ready to open, review applications for grade and site expansions, review applications for change in authorizers, and determine whether to approve or deny an application based on the authorizer's approved criteria;

(2) to negotiate and execute the performance charter contracts with the schools it authorizes;

(3) to conduct ongoing monitoring, oversight, and evaluation of the school's academic, operational, and financial performance during the term of the charter contract;

(4) to evaluate the academic, operational, and financial performance of the school as defined in the charter contract prior to the end of the contract to determine the renewal, nonrenewal, or termination of the contract; and

(5) to comply with authorizer requirements in chapter 124E.

(c) An authorizer must document in the authorizer annual report under section 124E.16, subdivision 2, paragraph (b), the annual successful completion of training of its staff members during the previous year relative to chartering and an authorizer's role and responsibilities.

(d) An authorizer must participate in department-approved training.

Sec. 6. Minnesota Statutes 2022, section 124E.05, subdivision 3, is amended to read:

**Subd. 3. Application process.** (a) An eligible ~~authorizer~~ authorizer organization under this section must apply to the commissioner for approval as an authorizer before submitting any affidavit to the commissioner to charter a school. The application for approval as a charter school authorizer must show the applicant's ability to implement the procedures and satisfy the criteria for chartering a school under this chapter. The commissioner must approve or disapprove the application within 45 business days of the deadline for that application period. If the commissioner disapproves the application, the commissioner must notify the applicant of the specific deficiencies in writing and the applicant then has 20 business days to address the deficiencies to the commissioner's satisfaction. After the 20 business days expire, the commissioner has 15 business days to make a final decision to approve or disapprove the application. Failing to address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to be an authorizer. The commissioner, in establishing criteria to approve an authorizer, consistent with subdivision 4, must consider the applicant's:

(1) infrastructure and capacity to serve as an authorizer;

(2) application criteria and process;

(3) contracting process;

(4) ongoing oversight and evaluation processes; and

(5) renewal criteria and processes.

(b) A disapproved applicant under this section may resubmit an application during a future application period.

77.1 Sec. 7. Minnesota Statutes 2022, section 124E.05, subdivision 5, is amended to read:

77.2 Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's  
77.3 performance every five years in a manner and form determined by the commissioner, subject  
77.4 to paragraphs (b) and (c), and may review an authorizer's performance more frequently at  
77.5 the commissioner's own initiative or at the request of a charter school ~~operator~~ chief  
77.6 administrator, charter school board ~~member~~ of directors, or other interested party. The  
77.7 commissioner, after completing the review, shall transmit a report with findings to the  
77.8 authorizer and the schools authorized by the authorizer.

77.9 (b) Consistent with this subdivision, the commissioner must:

77.10 ~~(1) use criteria appropriate to the authorizer and the schools it charters to review the~~  
77.11 ~~authorizer's performance; and~~

77.12 ~~(2) consult with authorizers, charter school operators, and other charter school~~  
77.13 ~~stakeholders in developing review criteria under this paragraph.~~

77.14 ~~(c) The commissioner's form must use existing department data on the authorizer to~~  
77.15 ~~minimize duplicate reporting to the extent practicable. When reviewing an authorizer's~~  
77.16 ~~performance under this subdivision, the commissioner must not:~~

77.17 ~~(1) fail to credit;~~

77.18 ~~(2) withhold points; or~~

77.19 ~~(3) otherwise penalize an authorizer for failing to charter additional schools or for the~~  
77.20 ~~absence of complaints against the authorizer's current portfolio of charter schools.~~

77.21 (1) develop the criteria and process of the performance review system in consultation  
77.22 with authorizers, school administrators, charter school boards of directors, and other charter  
77.23 school stakeholders;

77.24 (2) publish the authorizer performance review criteria and process at least 12 months  
77.25 before any change or process takes effect, except for changes required to take effect earlier  
77.26 in accordance with state or federal law or to make technical changes;

77.27 (3) evaluate the authorizer's performance on adherence and implementation of the  
77.28 authorizer's policies, procedures, and processes that are subject to section 124E.05,  
77.29 subdivision 2, paragraph (b);

77.30 (4) solicit feedback from the authorizer, charter school administrators, and charter school  
77.31 boards of directors; and

78.1 (5) use existing department data on the authorizer to minimize duplicate reporting to the  
78.2 extent practicable.

78.3 (c) Consistent with this subdivision the commissioner must not penalize in any way an  
78.4 authorizer for not chartering additional schools or for the absence of complaints against an  
78.5 authorizer or an authorizer's portfolio of schools.

78.6 Sec. 8. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 1, is amended  
78.7 to read:

78.8 Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an  
78.9 application from a charter school developer, may charter either a licensed teacher under  
78.10 section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed  
78.11 teachers under section 122A.18, subdivision 1, to operate a school subject to the  
78.12 commissioner's approval of the authorizer's affidavit under subdivision 4.

78.13 (b) "Application" under this section means the charter school business plan a charter  
78.14 school developer submits to an authorizer for approval to establish a charter school. This  
78.15 application must include:

78.16 (1) the proposed school's:

78.17 (i) mission and vision statements;

78.18 (ii) purposes and goals;

78.19 (iii) educational program design and how the program will improve student learning,  
78.20 success, and achievement;

78.21 (iv) plan to address the social and emotional learning needs of students and student  
78.22 support services;

78.23 (v) plan to provide special education management and services;

78.24 (vi) plan for staffing the school with appropriately qualified and licensed personnel;

78.25 (vii) financial plan;

78.26 (viii) governance and management structure and plan;

78.27 (ix) market need and demand study; and

78.28 (x) plan for ongoing outreach and dissemination of information about the school's  
78.29 offerings and enrollment procedure to families that reflect the diversity of Minnesota's  
78.30 population and targeted groups under section 124E.17, subdivision 1, paragraph (a);

79.1 (2) the school developer's experience and background, including criminal history and  
79.2 bankruptcy background checks; and

79.3 (3) any other information the authorizer requests; and.

79.4 ~~(4) a "statement of assurances" of legal compliance prescribed by the commissioner.~~

79.5 (c) An authorizer shall not approve an application submitted by a charter school developer  
79.6 under paragraph (a) if the application does not comply with subdivision 3, paragraph (e),  
79.7 and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit  
79.8 submitted by an authorizer under subdivision 4 if the affidavit does not comply with  
79.9 subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

79.10 Sec. 9. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 4, is amended  
79.11 to read:

79.12 Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish  
79.13 and operate a school, the authorizer must file an affidavit with the commissioner stating its  
79.14 intent to charter a school. An authorizer must file a separate affidavit for each school it  
79.15 intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of  
79.16 the year the new charter school plans to serve students. The affidavit must state:

79.17 ~~(1) the terms and conditions under which the authorizer would charter a school, including~~  
79.18 ~~a market need and demand study; and~~

79.19 ~~(2) how the authorizer intends to oversee:~~

79.20 ~~(i) the fiscal and student performance of the charter school; and~~

79.21 ~~(ii) compliance with the terms of the written contract between the authorizer and the~~  
79.22 ~~charter school board of directors under section 124E.10, subdivision 1.~~

79.23 (b) The commissioner must approve or disapprove the authorizer's affidavit within 60  
79.24 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the  
79.25 commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer  
79.26 then has 20 business days to address the deficiencies. The commissioner must notify the  
79.27 authorizer of the commissioner's final approval or final disapproval within 15 business days  
79.28 after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer  
79.29 does not address deficiencies to the commissioner's satisfaction, the commissioner's  
79.30 disapproval is final. An authorizer who fails to obtain the commissioner's approval is  
79.31 precluded from chartering the school that is the subject of this affidavit.

80.1 (c) The grades and number of primary enrollment sites in an approved affidavit may  
80.2 only be modified under subdivision 5.

80.3 Sec. 10. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 5, is amended  
80.4 to read:

80.5 Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to  
80.6 amend the school charter to add grades or primary enrollment sites beyond those defined  
80.7 in the original affidavit approved by the commissioner. After approving the school's  
80.8 application, the authorizer shall submit a supplemental affidavit in the form and manner  
80.9 prescribed by the commissioner. The authorizer must file a supplemental affidavit to the  
80.10 commissioner by October 1 to be eligible to add grades or sites in the next school year. The  
80.11 supplemental affidavit must document ~~to the authorizer's satisfaction:~~

80.12 ~~(1) the need for the additional grades or sites with supporting long-range enrollment~~  
80.13 ~~projections~~ for site expansion, a market need and demand study with long-range enrollment  
80.14 projections;

80.15 ~~(2) a longitudinal record of student academic performance and growth on statewide~~  
80.16 ~~assessments under chapter 120B or on other academic assessments that measure longitudinal~~  
80.17 ~~student performance and growth approved by the charter school's board of directors and~~  
80.18 ~~agreed upon with the authorizer~~ for grade expansion, the need for the additional grades with  
80.19 supporting long-range enrollment projections;

80.20 ~~(3) a history of sound school finances and a plan to add grades or sites that sustains the~~  
80.21 ~~school's finances~~ a longitudinal record of at least the three most recent years of student  
80.22 academic proficiency and growth on statewide assessments under chapter 120B or on other  
80.23 academic assessments that measure at least the three most recent years of longitudinal  
80.24 student proficiency and growth approved by the charter school's board of directors and  
80.25 agreed upon with the authorizer;

80.26 ~~(4) board capacity to administer and manage the additional grades or sites~~ at least three  
80.27 years of sound school finances and a plan to add grades or sites that sustains the school's  
80.28 finances; and

80.29 ~~(5) for site expansion, a market need and demand study~~ board capacity to administer  
80.30 and manage the additional grades or sites.

80.31 (b) The commissioner shall have 30 business days to review and comment on the  
80.32 supplemental affidavit. The commissioner shall notify the authorizer in writing of any  
80.33 deficiencies in the supplemental affidavit and the authorizer then has 20 business days to



address any deficiencies in the supplemental affidavit to the commissioner's satisfaction.

The commissioner must notify the authorizer of final approval or final disapproval within 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.

The school may not add grades or sites until the commissioner has approved the supplemental affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

Sec. 11. Minnesota Statutes 2022, section 124E.07, is amended to read:

**124E.07 BOARD OF DIRECTORS.**

Subdivision 1. **Initial board of directors.** Before entering into a contract or other agreement for professional or other services, goods, or facilities, the operators authorized to organize and operate a school must establish a board of directors composed of at least five members ~~who are not related parties.~~ The initial board members must not be related parties. The initial board continues to serve until a timely election for members of the ongoing charter school board of directors is held according to the school's articles and bylaws under subdivision 4. The initial board of directors and school developers must comply with the training requirements in subdivision 7 upon the incorporation of the school.

Subd. 2. **Ongoing board of directors.** ~~The ongoing board must be elected before the school completes its third year of operation.~~ The initial board must begin the transition to the ongoing board structure by the end of the first year of operation and complete the transition by the end of the second year of operation. The terms of board members shall begin on July 1. Terms shall be no less than two years. The bylaws shall set the number of terms an individual may serve on the board and as an officer of the board. Board elections must be held during the school year but may not be conducted on days when the school is closed.

Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall have at least five ~~nonrelated~~ members ~~and include:~~ The board members must not be related parties. The ongoing board must include: (1) at least one licensed teacher ~~who is employed as a teacher at the school or provides instruction under contract between the charter school and a cooperative;~~ (2) at least one parent or legal guardian of a student enrolled in the charter school who is not an employee of the charter school; and (3) at least one interested community member ~~who resides in Minnesota, is not employed by the charter school, and does not have a child enrolled in the school.~~ A community member serving on the board must reside in Minnesota, must not have a child enrolled in the school, and must not be an employee of the charter school.

(b) To serve as a licensed teacher on a charter school board, an individual must:

82.1 (1) be employed by the school or provide at least 720 hours of service under a contract  
 82.2 between the charter school and a teacher cooperative;

82.3 (2) be a qualified teacher as defined under section 122A.16, either serving as a teacher  
 82.4 of record in a field in which the individual has a field license, or providing services to  
 82.5 students the individual is licensed to provide; and

82.6 (3) not serve in an administrative or supervisory capacity for more than 240 hours in a  
 82.7 school calendar year.

82.8 (c) The board structure must be defined in the bylaws. The board structure may include  
 82.9 (1) be a majority of teachers under this paragraph or (b), (2) be a majority of parents or, (3)  
 82.10 be a majority of community members, or it may (4) have no clear majority.

82.11 (d) The chief financial officer and the chief administrator may only serve as an ex-officio  
 82.12 nonvoting board members member. No charter school employees shall serve on the board  
 82.13 other than teachers under clause (1) paragraph (b). Contractors providing facilities, goods,  
 82.14 or services to a charter school shall not serve on the board of directors of the charter school.

82.15 ~~(b)~~ (e) A contractor providing facilities, goods, or services to a charter school must not  
 82.16 serve on the board of directors. In addition, an individual is prohibited from serving as a  
 82.17 member of the charter school board of directors if: (1) the individual, an immediate family  
 82.18 member, or the individual's partner is a full or part owner or principal with a for-profit or  
 82.19 nonprofit entity or independent contractor with whom the charter school contracts, directly  
 82.20 or indirectly, for professional services, goods, or facilities; or (2) an immediate family  
 82.21 member is an employee of the school. An individual may serve as a member of the board  
 82.22 of directors if no conflict of interest exists under this paragraph, consistent with this section.

82.23 ~~(e)~~ (f) A violation of paragraph (b) (e) renders a contract voidable at the option of the  
 82.24 commissioner or the charter school board of directors. A member of a charter school board  
 82.25 of directors who violates paragraph (b) (e) is individually liable to the charter school for  
 82.26 any damage caused by the violation.

82.27 ~~(d)~~ (g) Any employee, agent, contractor, or board member of the authorizer who  
 82.28 participates in initially reviewing, approving, overseeing, evaluating, renewing, or not  
 82.29 renewing the charter school is ineligible to serve on the board of directors of a school  
 82.30 chartered by that authorizer.

82.31 (h) An individual is prohibited from serving on more than one charter school board at  
 82.32 the same time in either an elected or ex-officio capacity, except that an individual serving

83.1 as an administrator serving more than one school under section 124E.12, subdivision 2,  
83.2 paragraph (f), may serve on each board as an ex-officio member.

83.3 Subd. 4. **Board structure.** Board bylaws shall outline the process and procedures for  
83.4 changing the board's governance structure, consistent with chapter 317A. A board may  
83.5 change its governance structure only:

83.6 (1) by a majority vote of the board of directors ~~and a majority vote of the licensed teachers~~  
83.7 ~~employed by the school as teachers, including licensed teachers providing instruction under~~  
83.8 ~~a contract between the school and a cooperative; and~~

83.9 (2) by a majority vote of the licensed teachers employed by the school as teachers who  
83.10 provide instruction to students, including licensed teachers providing instruction under a  
83.11 contract between the school and a cooperative; and

83.12 ~~(2)~~ (3) with the authorizer's approval.

83.13 Any change in board governance structure must conform with the board composition  
83.14 established under this section.

83.15 Subd. 5. ~~Eligible voters~~ **Board elections.** (a) Staff members employed at the school,  
83.16 including teachers providing instruction under a contract with a cooperative, members of  
83.17 the board of directors, and all parents or legal guardians of children enrolled in the school  
83.18 are the voters eligible to elect the members of the school's board of directors. ~~A charter~~  
83.19 ~~school must notify eligible voters of the school board election dates at least 30 days before~~  
83.20 ~~the election.~~

83.21 (b) The board of directors must establish and publish election policies and procedures  
83.22 on the school's website.

83.23 (c) The board of directors must notify eligible voters of the school board election dates  
83.24 and voting procedures at least 30 calendar days before the election and post this information  
83.25 on the school's website.

83.26 (d) The board of directors must notify eligible voters of the candidates' names,  
83.27 biographies, and candidate statements at least ten calendar days before the election and post  
83.28 this information on the school's website.

83.29 Subd. 6. **Duties.** (a) The board of directors also shall decide and is responsible for all  
83.30 decision making on policy matters related to operating the school, including budgeting,  
83.31 curriculum programming, personnel, and operating procedures. ~~The board shall adopt a~~  
83.32 ~~nepotism policy.~~ The board shall must adopt personnel evaluation policies and practices  
83.33 that, at a minimum:

(1) carry out the school's mission and goals;

(2) evaluate how charter contract goals and commitments are executed;

(3) evaluate student achievement, postsecondary and workforce readiness, and student engagement and connection goals;

(4) establish a teacher evaluation process under section 124E.03, subdivision 2, paragraph (h); and

(5) provide professional development related to the individual's job responsibilities.

(b) The board must adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative. The board may waive this policy if: (1) the position is publicly posted for 20 business days; and (2) a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring. A board member, school employee, or teacher under contract with a cooperative must not be involved in an interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

~~Subd. 7. **Training.** Every charter school board member shall attend annual training throughout the member's term. All new board members shall attend initial training on the board's role and responsibilities, employment policies and practices, and financial management. A new board member who does not begin the required initial training within six months after being seated and complete that training within 12 months after being seated is automatically ineligible to continue to serve as a board member. The school shall include in its annual report the training each board member attended during the previous year.~~

(a) Every charter school board member and nonvoting ex-officio member who is a charter school director or chief administrator must attend board training.

(b) Prior to beginning their term, a new board member must complete training on a charter school board's role and responsibilities, open meeting law, and data practices law. An ex-officio member, who is a charter school director or chief administrator, must complete this training within three months of starting employment at the school.

(c) A new board member must complete training on employment policies and practices under chapter 181; public school funding and financial management; and the board's roles and responsibilities regarding student success, achievement, and performance within 12 months of being seated on the board or the individual is automatically ineligible to continue to serve as a board member. A board member who does not complete training within the

85.1 12-month period is ineligible to be elected or appointed to a charter school board for a period  
85.2 of 18 months.

85.3 (d) Every charter school board member must complete annual training throughout the  
85.4 member's term based on an annual assessment of the training needs of individual members  
85.5 and the full board. Ongoing training includes but is not limited to budgeting, financial  
85.6 management, recruiting and hiring a charter school director or chief administrator, evaluating  
85.7 a charter school director or chief administrator, governance-management relationships,  
85.8 student support services, student discipline, state standards, cultural diversity, succession  
85.9 planning, strategic planning, program oversight and evaluation, compensation systems,  
85.10 human resources policies, effective parent and community relationships, authorizer contract  
85.11 and relationships, charter school law, legal liability, board recruitment and elections, board  
85.12 meetings and operations, policy development and review, and school health and safety.

85.13 (e) The organization or person providing training under paragraphs (b), (c), and (d) must  
85.14 certify the individual's completion of the training provided.

85.15 (f) The charter school is responsible for covering the costs related to board training. The  
85.16 charter school must include in its annual report the training each board member completed  
85.17 during the previous year.

85.18 (g) The board must ensure that an annual assessment of the board's performance is  
85.19 conducted and the results are reported in the school's annual report.

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

85.22 (b) A charter school shall publish and maintain on the school's official website: (1) the  
85.23 meeting minutes of the board of directors and of members and committees having  
85.24 board-delegated authority, within 30 days following the earlier of the date of board approval  
85.25 or the next regularly scheduled meeting, and for at least 365 days from the date of publication;  
85.26 (2) directory information for the board of directors and for the members of committees  
85.27 having board-delegated authority; and (3) identifying and contact information for the school's  
85.28 authorizer.

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

85.31 Sec. 12. Minnesota Statutes 2022, section 124E.10, subdivision 2, is amended to read:

85.32 Subd. 2. **Limits on charter school agreements.** (a) A school must disclose to the  
85.33 commissioner any potential contract, lease, or purchase of service from ~~an~~ the school's

86.1 authorizer or a current board member, employee, contractor, volunteer, or agent of the  
86.2 school's authorizer. The contract, lease, or purchase must be accepted through an open  
86.3 bidding process and be separate from the charter contract. The school must document the  
86.4 open bidding process. An authorizer must not enter into a contract to provide management  
86.5 and financial services to a school it authorizes, unless the school documents receiving at  
86.6 least two competitive bids. This paragraph does not apply to a charter school or an authorizer  
86.7 when contracting for legal services from a lawyer that provides professional services to the  
86.8 charter school or authorizer and who is subject to the Minnesota Rules of Professional  
86.9 Conduct.

86.10 (b) An authorizer must not condition granting or renewing a charter on:

86.11 (1) the charter school being required to contract, lease, or purchase services from the  
86.12 authorizer; or

86.13 (2) the bargaining unit status of school employees.

86.14 Sec. 13. Minnesota Statutes 2022, section 124E.10, subdivision 4, is amended to read:

86.15 Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a) The  
86.16 duration of the contract with an authorizer must be for the term contained in the contract  
86.17 according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract  
86.18 at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally  
86.19 terminate a contract during the term of the contract for any ground listed in paragraph (b).  
86.20 At least 60 business days before not renewing or terminating a contract, the authorizer shall  
86.21 notify the board of directors of the charter school of the proposed action in writing. The  
86.22 notice shall state the grounds for the proposed action in reasonable detail and describe the  
86.23 informal hearing process, consistent with this paragraph. The charter school's board of  
86.24 directors may request in writing an informal hearing before the authorizer within 15 business  
86.25 days after receiving notice of nonrenewal or termination of the contract. Failure by the board  
86.26 of directors to make a written request for an informal hearing within the 15-business-day  
86.27 period shall be treated as acquiescence to the proposed action. Upon receiving a timely  
86.28 written request for a hearing, the authorizer shall give ten business days' notice to the charter  
86.29 school's board of directors of the hearing date. The hearing must be recorded by audio  
86.30 recording, video recording, or a court reporter. The authorizer must preserve the recording  
86.31 for three years and make the recording available to the public. The authorizer shall conduct  
86.32 an informal hearing before taking final action. The authorizer shall take final action to renew  
86.33 or not renew a contract no later than 20 business days before the proposed date for terminating  
86.34 the contract or the end date of the contract.

87.1 (b) An authorizer may terminate or not renew a contract upon any of the following  
87.2 grounds:

87.3 (1) failure to demonstrate satisfactory academic achievement for all students, including  
87.4 the requirements for pupil performance contained in the contract;

87.5 (2) failure to meet generally accepted standards of fiscal management;

87.6 (3) violations of law; or

87.7 (4) other good cause shown.

87.8 If the authorizer terminates or does not renew a contract under this paragraph, the school  
87.9 must be dissolved according to the applicable provisions of chapter 317A.

87.10 (c) The commissioner, after providing reasonable notice to the board of directors of a  
87.11 charter school and the existing authorizer, and after providing an opportunity for a public  
87.12 hearing, may terminate the existing contract between the authorizer and the charter school  
87.13 board if the charter school has a history of:

87.14 (1) failure to meet pupil performance requirements, consistent with state law;

87.15 (2) financial mismanagement or failure to meet generally accepted standards of fiscal  
87.16 management; or

87.17 (3) repeated or major violations of the law.

87.18 Sec. 14. Minnesota Statutes 2022, section 124E.10, subdivision 5, is amended to read:

87.19 Subd. 5. **Mutual nonrenewal.** If the authorizer and the ~~charter school~~ board of directors  
87.20 of a charter school serving enrolled students mutually agree not to renew the contract, or if  
87.21 the governing board of an approved authorizer votes to withdraw as an approved authorizer  
87.22 for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed.  
87.23 The authorizer and the school board must jointly submit a written and signed letter of their  
87.24 intent to the commissioner to mutually not renew the contract. The authorizer that is a party  
87.25 to the existing contract must inform the proposed authorizer about the fiscal, operational,  
87.26 and student performance status of the school, including unmet contract outcomes and other  
87.27 outstanding contractual obligations. The charter contract between the proposed authorizer  
87.28 and the school must identify and provide a plan to address any outstanding obligations from  
87.29 the previous contract. The proposed authorizer must submit the proposed contract at least  
87.30 105 business days before the end of the existing charter contract. The commissioner has 30  
87.31 business days to review and make a determination on the change in authorizer. The proposed  
87.32 authorizer and the school have 15 business days to respond to the determination and address

88.1 any issues identified by the commissioner. The commissioner must make a final  
88.2 determination no later than 45 business days before the end of the current charter contract.  
88.3 If the commissioner does not approve a change in authorizer, the school and the current  
88.4 authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the  
88.5 commissioner does not approve a change in authorizer and the current authorizer and the  
88.6 school do not withdraw their letter and enter into a new contract, the school must be dissolved  
88.7 according to applicable law and the terms of the contract.

88.8 Sec. 15. Minnesota Statutes 2023 Supplement, section 124E.11, is amended to read:

88.9 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

88.10 (a) A charter school, including its preschool or prekindergarten program established  
88.11 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

88.12 (1) pupils within an age group or grade level;

88.13 (2) pupils who are eligible to participate in the graduation incentives program under  
88.14 section 124D.68; or

88.15 (3) residents of a specific geographic area in which the school is located when the  
88.16 majority of students served by the school are members of underserved populations.

88.17 (b) A charter school, including its preschool or prekindergarten program established  
88.18 under section 124E.06, subdivision 3, paragraph (b), must enroll an eligible pupil who  
88.19 submits a timely application, unless the number of applications exceeds the capacity of a  
88.20 program, class, grade level, or building. In this case, pupils must be accepted by lot. The  
88.21 charter school must develop and publish, including on its website, a lottery policy and  
88.22 process that it must use when accepting pupils by lot.

88.23 (c) Admission to a charter school must be free to any eligible pupil who resides within  
88.24 the state. A charter school must give enrollment preference to a Minnesota resident pupil  
88.25 over pupils that do not reside in Minnesota. A charter school must require a pupil who does  
88.26 not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f).  
88.27 A charter school must give enrollment preference to a sibling of an enrolled pupil and to a  
88.28 foster child of that pupil's parents and may give preference for enrolling children of the  
88.29 school's staff before accepting other pupils by lot. A staff member eligible for an enrollment  
88.30 preference for their child, including a foster child, must be an individual employed at the  
88.31 school whose employment is stipulated in advance to total at least 480 hours in a school  
88.32 calendar year. A charter school that is located in Duluth township in St. Louis County and



89.1 admits students in kindergarten through grade 6 must give enrollment preference to students  
89.2 residing within a five-mile radius of the school and to the siblings of enrolled children.

89.3 (d) A person may not be admitted to a charter school: (1) as a kindergarten pupil, unless  
89.4 the pupil is at least five years of age on September 1 of the calendar year in which the school  
89.5 year for which the pupil seeks admission commences; or (2) as a first grade student, unless  
89.6 the pupil is at least six years of age on September 1 of the calendar year in which the school  
89.7 year for which the pupil seeks admission commences or has completed kindergarten; except  
89.8 that a charter school may establish and publish on its website a policy for admission of  
89.9 selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b)  
89.10 and (c).

89.11 (e) Except as permitted in paragraphs (d) and (i), a charter school, including its preschool  
89.12 or prekindergarten program established under section 124E.06, subdivision 3, paragraph  
89.13 (b), may not limit admission to pupils on the basis of intellectual ability, measures of  
89.14 achievement or aptitude, or athletic ability and may not establish any criteria or requirements  
89.15 for admission that are inconsistent with this section.

89.16 (f) The charter school or any agent of the school must not distribute any services or  
89.17 goods, payments, or other incentives of value to students, parents, or guardians as an  
89.18 inducement, term, or condition of enrolling a student in a charter school.

89.19 (g) Once a student who resides in Minnesota is enrolled in the school in kindergarten  
89.20 through grade 12, or in the school's free preschool or prekindergarten program under section  
89.21 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until  
89.22 the student formally withdraws, the school receives a request for the transfer of educational  
89.23 records from another school, the school receives a written election by the parent or legal  
89.24 guardian of the student withdrawing the student, or the student is expelled under the Pupil  
89.25 Fair Dismissal Act in sections 121A.40 to 121A.56.

89.26 (h) A charter school with at least 90 percent of enrolled students who are eligible for  
89.27 special education services and have a primary disability of deaf or hard-of-hearing may  
89.28 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,  
89.29 paragraph (a), and must comply with the federal Individuals with Disabilities Education  
89.30 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause  
89.31 (iv).

89.32 (i) A charter school serving at least 90 percent of enrolled students who are eligible for  
89.33 special education services and have a primary disability of deaf, deafblind, or hard-of-hearing  
89.34 may give enrollment preference to students who are eligible for special education services

90.1 and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may  
90.2 not limit admission based on the student's eligibility for additional special education services.

90.3 Sec. 16. Minnesota Statutes 2023 Supplement, section 124E.12, subdivision 1, is amended  
90.4 to read:

90.5 Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten  
90.6 program established under section 124E.06, subdivision 3, must employ or contract with  
90.7 necessary teachers, as defined by section 122A.06, subdivision 2, or contract with a  
90.8 cooperative formed under chapter 308A to provide necessary teachers, who hold valid  
90.9 licenses to perform the particular service for which they are employed in the school. A  
90.10 charter school may not contract with a CMO or EMO to provide necessary teachers. A  
90.11 charter school's preschool or prekindergarten program must employ or contract with teachers  
90.12 knowledgeable in early childhood curriculum content, assessment, native and English  
90.13 language programs, and instruction established under section 124E.06, subdivision 3. The  
90.14 commissioner may reduce the charter school's state aid under section 127A.43 if the school  
90.15 employs a teacher who is not appropriately licensed or approved by the Professional Educator  
90.16 Licensing and Standards Board. The school may employ necessary employees who are not  
90.17 required to hold teaching licenses to perform duties other than teaching and may contract  
90.18 for other services. The school may discharge teachers and nonlicensed employees. The  
90.19 charter school board is subject to section 181.932 governing whistle-blowers. When offering  
90.20 employment to a prospective employee, a charter school must give that employee a written  
90.21 description of the terms and conditions of employment and the school's personnel policies.

90.22 Sec. 17. Minnesota Statutes 2022, section 124E.12, subdivision 2, is amended to read:

90.23 Subd. 2. **Administrators.** ~~(a) A person, without holding a valid administrator's license,~~  
90.24 ~~may perform administrative, supervisory, or instructional leadership duties. The board of~~  
90.25 ~~directors shall establish qualifications for all persons who hold administrative, supervisory,~~  
90.26 ~~or instructional leadership roles. The qualifications shall cover at least: instruction and~~  
90.27 ~~assessment; human resource and personnel management; financial management; legal and~~  
90.28 ~~compliance management; effective communication; and board, authorizer, and community~~  
90.29 ~~relationships. The board of directors shall use those qualifications as the basis for job~~  
90.30 ~~descriptions, hiring, and performance evaluations of those who hold administrative,~~  
90.31 ~~supervisory, or instructional leadership roles.~~

90.32 ~~(b) The board of directors and an individual who does not hold a valid administrative~~  
90.33 ~~license and who serves in an administrative, supervisory, or instructional leadership position~~

91.1 ~~shall develop a professional development plan. The school's annual report must include~~  
91.2 ~~public personnel information documenting the professional development plan.~~

91.3 (a) A charter school board of directors must establish qualifications for all persons who  
91.4 hold administrative, academic supervision, or instructional leadership positions. The  
91.5 qualifications must include a requirement that a person hold a minimum of a four-year  
91.6 degree from an accredited institution or equivalent experience. Other qualifications for these  
91.7 positions shall include, as appropriate for the specific position: instruction and assessment,  
91.8 curriculum design, human resource and personnel management, professional ethics, child  
91.9 development, financial management, legal and compliance management, special education  
91.10 oversight, contract management, effective communication, cultural competency, board and  
91.11 authorizer relationships, parent relationships, and community partnerships. A charter school  
91.12 board of directors must use those qualifications as the basis for the job description, hiring  
91.13 process, and performance evaluation of the charter school director or chief administrator.  
91.14 The charter school director or chief administrator must use those qualifications as the basis  
91.15 for the job descriptions, hiring, and performance reviews for the administrative staff,  
91.16 academic program supervisors, and instructional leaders who report to the charter school  
91.17 director or chief administrator.

91.18 (b) A person who does not hold a valid administrator's license may perform  
91.19 administrative, academic supervision, or instructional leadership duties. A person without  
91.20 a valid administrator's license serving as a charter school director or chief administrator  
91.21 must complete a minimum of 25 hours annually of competency-based training corresponding  
91.22 to the individual's annual professional development needs and plan approved by the charter  
91.23 school board of directors. Training includes but is not limited to: instruction and curriculum;  
91.24 state standards; teacher and staff hiring, development, support, and evaluation;  
91.25 social-emotional learning; data collection and usage; assessment methodologies; use of  
91.26 technology for learning and management; charter school law and requirements; code of  
91.27 professional ethics; financial management and state accounting requirements; grant  
91.28 management; legal and compliance management; special education management; health  
91.29 and safety laws; restorative justice; cultural competencies; effective communication; parent  
91.30 relationships; board and management relationships; community partnerships; charter contract  
91.31 and authorizer relationships; and public accountability.

91.32 (c) A person serving as a charter school director or chief administrator with a valid  
91.33 administrator's license must complete a minimum of ten hours of competency-based training  
91.34 during the first year of employment on the following: charter school law and requirements,  
91.35 board and management relationships, and charter contract and authorizer relationships.

92.1 (d) The training a person must complete under paragraphs (b) and (c) may not be  
92.2 self-instructional. The organization or instructor providing the training must certify  
92.3 completion of the training. The person must submit the certification of completion of training  
92.4 to the charter school board of directors and certifications must be maintained in the personnel  
92.5 file. Completing required training must be a component of annual performance evaluations.

92.6 (e) All professional development training completed by the charter school director or  
92.7 chief administrator in the previous academic year must be documented in the charter school's  
92.8 annual report.

92.9 (f) No charter school administrator may serve as a paid administrator or consultant with  
92.10 another charter school without the knowledge and a two-thirds vote of approval of the boards  
92.11 of directors of the charter schools involved in such an arrangement. The boards of directors  
92.12 involved in such arrangements must send notice of this arrangement to authorizers upon  
92.13 approval by the boards.

92.14 (g) No charter school administrator may serve on the board of directors of another charter  
92.15 school, except that an individual serving as an administrator serving more than one school  
92.16 under paragraph (f) may serve on each board as an ex-officio member.

92.17 Sec. 18. Minnesota Statutes 2022, section 124E.14, as amended by Laws 2024, chapter  
92.18 85, section 24, is amended to read:

92.19 **124E.14 CONFLICTS OF INTEREST.**

92.20 (a) No member of the board of directors, employee, officer, or agent of a charter school  
92.21 shall participate in selecting, awarding, or administering a contract if a conflict of interest  
92.22 exists. A conflict exists when:

92.23 (1) the board member, employee, officer, or agent;

92.24 (2) the immediate family member of the board member, employee, officer, or agent;

92.25 (3) the partner of the board member, employee, officer, or agent; or

92.26 (4) an organization that employs, or is about to employ any individual in clauses (1) to  
92.27 (3),

92.28 has a financial or other interest in the entity with which the charter school is contracting. A  
92.29 violation of this prohibition renders the contract void.

92.30 (b) The conflict of interest provisions under this section do not apply to compensation  
92.31 paid to a teacher employed as a teacher by the charter school or a teacher who provides

93.1 instructional services to the charter school through a cooperative formed under chapter  
93.2 308A when the teacher also serves on the charter school board of directors.

93.3 (c) A charter school board member, employee, or officer is a local official for purposes  
93.4 of section 471.895 with regard to receipt of gifts as defined under section 10A.071,  
93.5 subdivision 1, paragraph (b). A board member, employee, or officer must not receive  
93.6 compensation from a group health insurance provider.

93.7 (d) No charter school employee or board member may serve on the board or  
93.8 decision-making committee of the school's authorizer. An employee or school board member  
93.9 must disclose to the school's board of directors any paid compensation they receive from  
93.10 the school's authorizer.

93.11 Sec. 19. Minnesota Statutes 2023 Supplement, section 124E.16, subdivision 1, is amended  
93.12 to read:

93.13 Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits,  
93.14 audit procedures, and audit requirements as a district, except as required under this  
93.15 subdivision. Audits must be conducted in compliance with generally accepted governmental  
93.16 auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing  
93.17 auditing procedures. ~~A charter school is subject to and must comply with sections 15.054;~~  
93.18 ~~118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property~~  
93.19 ~~and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing~~  
93.20 ~~municipal contracting.~~ The audit must comply with the requirements of sections 123B.75  
93.21 to 123B.83 governing school district finance, except when the commissioner and authorizer  
93.22 approve a deviation made necessary because of school program finances. The commissioner,  
93.23 state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance  
93.24 audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must  
93.25 submit a plan under section 123B.81, subdivision 4.

93.26 (b) The charter school must submit an audit report to the commissioner and its authorizer  
93.27 annually by December 31.

93.28 (c) The charter school, with the assistance of the auditor conducting the audit, must  
93.29 include with the report, as supplemental information: (1) a copy of a new management  
93.30 agreement or an amendment to a current agreement with a CMO or EMO signed during the  
93.31 audit year; and (2) a copy of a service agreement or contract with a company or individual  
93.32 totaling over five percent of the audited expenditures for the most recent audit year. The  
93.33 agreements must detail the terms of the agreement, including the services provided and the  
93.34 annual costs for those services.

(d) A charter school independent audit report shall include audited financial data of an affiliated building corporation under section 124E.13, subdivision 3, or other component unit.

(e) If the audit report finds that a material weakness exists in the financial reporting systems of a charter school, the charter school must submit a written report to the commissioner explaining how the charter school will resolve that material weakness. An auditor, as a condition of providing financial services to a charter school, must agree to make available information about a charter school's financial audit to the commissioner and authorizer upon request.

Sec. 20. Minnesota Statutes 2022, section 124E.17, is amended to read:

**124E.17 DISSEMINATION OF INFORMATION.**

Subdivision 1. **Charter school information.** (a) Charter schools must disseminate information about ~~how to use the charter school offerings to targeted groups, among others. Targeted groups include low-income families and communities, students of color, and students who are at risk of academic failure.~~ the school's offerings and enrollment procedures to families that reflect the diversity of Minnesota's population and targeted groups. Targeted groups include low-income families and communities, students of color, students at risk of academic failure, and students underrepresented in the school's student body relative to Minnesota's population. The school must document its dissemination activities in the school's annual report. The school's dissemination activities must be a component of the authorizer's performance review of the school.

(b) Authorizers and the commissioner must disseminate information to the public on how to form and operate a charter school. Authorizers, operators, and the commissioner also may disseminate information to interested stakeholders about the successful best practices in teaching and learning demonstrated by charter schools.

Subd. 2. **Financial information.** (a) Upon request of an individual, the charter school must make available in a timely fashion financial statements showing all operations and transactions affecting the school's income, surplus, and deficit during the last annual accounting period; and a balance sheet summarizing assets and liabilities on the closing date of the accounting period. ~~A charter school also must include that same information about its authorizer in other school materials that it makes available to the public.~~

(b) Upon request of an individual, an authorizer must make available in a timely fashion financial statements showing all operations and transactions affecting the authorizer's income,

95.1 surplus, and deficit during the last annual accounting period, and a balance sheet summarizing  
95.2 assets and liabilities on the closing date of the accounting period.

95.3 Sec. 21. Minnesota Statutes 2022, section 124E.26, is amended to read:

95.4 **124E.26 USE OF STATE MONEY.**

95.5 Subdivision 1. **Purchasing buildings.** A charter school may not use state money to  
95.6 purchase land or buildings. The charter school may own land and buildings if obtained  
95.7 through nonstate sources.

95.8 Subd. 2. **Procurement policy required.** Prior to the expenditure of any state funds, a  
95.9 charter school must adopt a procurement policy consistent with subdivision 4.

95.10 Subd. 3. **All purchases.** All purchases using state funds must be made consistent with  
95.11 the procurement policy adopted under subdivision 2.

95.12 Subd. 4. **Required policy components.** A charter school procurement policy must at a  
95.13 minimum include:

95.14 (1) conflict of interest provisions consistent with section 124E.14;

95.15 (2) thresholds for purchases by employees without board approval;

95.16 (3) thresholds for purchases that require competitive bidding processes, except that a  
95.17 competitive bidding process must occur for any procurement estimated to exceed \$25,000;  
95.18 and

95.19 (4) a prohibition on breaking up a procurement into smaller components to avoid the  
95.20 thresholds established in clauses (2) and (3).

95.21 Subd. 5. **Reduction in aid.** If a charter school makes a purchase without a procurement  
95.22 policy adopted by the school's board or makes a purchase not in conformity with the school's  
95.23 procurement policy, the commissioner may reduce that charter school's state aid in an amount  
95.24 equal to the purchase.

95.25 Subd. 6. **Property, financial investments, and contracting.** A charter school is subject  
95.26 to and must comply with sections 15.054 and 118A.01 to 118A.06 governing government  
95.27 property and financial investments and sections 471.38, 471.391, 471.392, and 471.425  
95.28 governing municipal contracting.

## ARTICLE 7

## NUTRITION AND LIBRARIES

Section 1. Minnesota Statutes 2023 Supplement, section 124D.111, subdivision 2a, is amended to read:

Subd. 2a. **Federal child and adult care food program and federal summer food service program; criteria and notice.** (a) The commissioner must post on the department's website eligibility criteria and application information for nonprofit organizations interested in applying to the commissioner for approval as a multisite sponsoring organization under the federal child and adult care food program and federal summer food service program. The posted criteria and information must inform interested nonprofit organizations about:

(1) the criteria the commissioner uses to approve or disapprove an application, including how an applicant demonstrates financial viability for the Minnesota program, among other criteria;

(2) the commissioner's process and time line for notifying an applicant when its application is approved or disapproved and, if the application is disapproved, the explanation the commissioner provides to the applicant; and

(3) any appeal or other recourse available to a disapproved applicant.

(b) The commissioner must evaluate financial eligibility as part of the application process. An organization applying to be a prospective ~~sponsor~~ nonprofit multisite sponsoring organization for the federal child and adult care food ~~care~~ program or the federal summer food service program must provide documentation of financial viability as an organization. Documentation must include:

(1) evidence that the organization has operated for at least one year and has filed at least one tax return;

(2) the most recent tax return submitted by the organization and corresponding forms and financial statements;

(3) a profit and loss statement and balance sheet or similar financial information; and

(4) evidence that at least ten percent of the organization's operating revenue comes from sources other than the United States Department of Agriculture child nutrition program and that the organization has additional funds or a performance bond available to cover at least one month of reimbursement claims.

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



97.1 Sec. 2. **[134.51] ACCESS TO LIBRARY MATERIALS AND RIGHTS PROTECTED.**

97.2 Subdivision 1. **Book banning prohibited.** A public library must not ban, remove, or  
97.3 otherwise restrict access to a book or other material based solely on its viewpoint or the  
97.4 messages, ideas, or opinions it conveys.

97.5 Subd. 2. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision  
97.6 have the meanings given.

97.7 (b) "Public library" means:

97.8 (1) a library that provides free access to all residents of a city or county, receives at least  
97.9 half of its financial support from public funds, and is organized under the provisions of this  
97.10 chapter, except that a library under this clause does not include libraries such as law, medical,  
97.11 or other libraries organized to serve a special group of persons and not the general public;

97.12 (2) a library jointly operated by a city and a school district under section 134.195;

97.13 (3) a school district or charter school library or media center under section 124D.991,  
97.14 including libraries operated by an intermediate school district or cooperative unit under  
97.15 section 123A.24, subdivision 2; or

97.16 (4) a public higher education institution library.

97.17 (c) "Governing body" means a group of persons that oversee the operations, budget,  
97.18 policies, and other administrative responsibilities of a regional public library system under  
97.19 section 134.20, subdivision 2; a multicounty, multitype library system under section 134.351,  
97.20 subdivision 4; a combination library under section 134.195, subdivision 7; a school library  
97.21 under section 124D.991, including libraries operated by an intermediate school district or  
97.22 cooperative unit under section 123A.24, subdivision 2; or any other public library under  
97.23 section 134.001, subdivision 2.

97.24 Subd. 3. **Limitations.** (a) Nothing in this section limits a public library's authority to  
97.25 decline to purchase, lend, or shelve or to remove or restrict access to books or other materials  
97.26 legitimately based upon:

97.27 (1) practical reasons, including but not limited to shelf space limitations, rare or  
97.28 antiquarian status, damage, or obsolescence;

97.29 (2) legitimate pedagogical concerns, including but not limited to the appropriateness of  
97.30 potentially sensitive topics for the library's intended audience, the selection of books and  
97.31 materials for a curated collection, or the likelihood of causing a material and substantial  
97.32 disruption of the work and discipline of the school; or

98.1 (3) compliance with state or federal law.

98.2 (b) Nothing in this section impairs or limits the rights of a parent, guardian, or an adult  
98.3 student under section 120B.20.

98.4 Subd. 4. **Collection management.** A governing body of a public library or any other  
98.5 public body with personnel authority for a public library may not discriminate against or  
98.6 discipline an employee for complying with this section.

98.7 Subd. 5. **Library materials policy.** (a) A governing body of a public library must adopt  
98.8 a policy that establishes procedures for selection of, challenges to, and reconsideration of  
98.9 library materials in accordance with this section.

98.10 (b) The policy must not impair or limit the rights of a parent, guardian, or adult student  
98.11 under section 120B.20.

98.12 (c) The policy must establish that the procedures for selection and reconsideration will  
98.13 be administered by:

98.14 (1) a licensed library media specialist under Minnesota Rules, part 8710.4550;

98.15 (2) an individual with a master's degree in library science or library and information  
98.16 science; or

98.17 (3) a professional librarian or a person trained in library collection management.

98.18 (d) Upon the completion of a content challenge or reconsideration process in accordance  
98.19 with the governing body's adopted policy, the governing body must submit a report of the  
98.20 challenge to the commissioner of education that includes:

98.21 (1) the title, author, and other relevant identifying information about the material being  
98.22 challenged;

98.23 (2) the date, time, and location of any public hearing held on the challenge in question,  
98.24 including minutes or transcripts;

98.25 (3) the result of the challenge or reconsideration request; and

98.26 (4) accurate and timely information on who from the governing body the Department  
98.27 of Education may contact with questions or follow-up.

98.28 Sec. 3. **METROPOLITAN LIBRARY SERVICE AGENCY.**

98.29 (a) Notwithstanding Minnesota Rules, part 3530.1000, item A, between April 1, 2024,  
98.30 and June 30, 2027, the Metropolitan Library Service Agency may employ an executive

99.1 director who has not received a master's degree in library science if the job posting for the  
99.2 position listed a master's degree in library science as a preferred qualification.

99.3 (b) The Metropolitan Library Service Agency may not terminate an executive director  
99.4 who begins employment between April 1, 2024, and June 30, 2027, on the sole basis that  
99.5 the executive director has not received a master's degree in library science.

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

## 99.7 **ARTICLE 8**

### 99.8 **HEALTH AND SAFETY**

99.9 Section 1. Minnesota Statutes 2022, section 120A.22, subdivision 12, is amended to read:

99.10 Subd. 12. **Legitimate exemptions.** (a) A parent, guardian, or other person having control  
99.11 of a child may apply to a school district to have the child excused from attendance for the  
99.12 whole or any part of the time school is in session during any school year. Application may  
99.13 be made to any member of the board, a truant officer, a principal, or the superintendent.  
99.14 The school district may state in its school attendance policy that it may ask the student's  
99.15 parent or legal guardian to verify in writing the reason for the child's absence from school.  
99.16 A note from a physician or a licensed mental health professional stating that the child cannot  
99.17 attend school is a valid excuse. The board of the district in which the child resides may  
99.18 approve the application upon the following being demonstrated to the satisfaction of that  
99.19 board:

99.20 (1) that the child's physical or mental health is such as to prevent attendance at school  
99.21 or application to study for the period required, which includes:

99.22 (i) child illness, medical, dental, orthodontic, or counseling appointments, including  
99.23 appointments conducted through telehealth;

99.24 (ii) family emergencies;

99.25 (iii) the death or serious illness or funeral of an immediate family member;

99.26 (iv) active duty in any military branch of the United States;

99.27 (v) the child has a condition that requires ongoing treatment for a mental health diagnosis;

99.28 or

99.29 (vi) other exemptions included in the district's school attendance policy;

99.30 (2) that the child has already completed state and district standards required for graduation  
99.31 from high school; or

(3) that it is the wish of the parent, guardian, or other person having control of the child; that the child attend, for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by ~~some~~ a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This ~~school for religious~~ instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. However, A child may be absent from school on such days as that the child attends upon instruction according to the ordinances of some church this clause.

(b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from an all-day, every day kindergarten program and put their child in a half-day program, if offered, or an alternate-day program without being truant. A school board must excuse a kindergarten child from a part of a school day at the request of the child's parent.

**EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.

Sec. 2. Minnesota Statutes 2022, section 120B.21, is amended to read:

**120B.21 MENTAL HEALTH EDUCATION.**

(a) School districts and charter schools are encouraged to provide mental health instruction for students in grades 4 through 12 aligned with local health standards and integrated into existing programs, curriculum, or the general school environment of a district or charter school. The commissioner, in consultation with the commissioner of human services, commissioner of health, and mental health organizations, must, by July 1, 2020, and July 1 of each even-numbered year thereafter, provide districts and charter schools with resources gathered by Minnesota mental health advocates, including:

(1) age-appropriate model learning activities for grades 4 through 12 that encompass the mental health components of the National Health Education Standards and the benchmarks developed by the department's quality teaching network in health and best practices in mental health education; and

(2) a directory of resources for planning and implementing age-appropriate mental health curriculum and instruction in grades 4 through 12 that includes resources on suicide and self-harm prevention. A district or charter school providing instruction or presentations on preventing suicide or self-harm must use either the resources provided by the commissioner or other evidence-based instruction.

(b) Starting in the 2026-2027 school year, school districts and charter schools must provide mental health instruction in accordance with paragraph (a).

Sec. 3. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended to read:

Subd. 2. **Definition.** For purposes of this section, "health services specialist" means a professional registered nurse who:

(1) is licensed as a public health nurse in Minnesota;

(2) is licensed as a school nurse in Minnesota;

(3) has a minimum of three years of experience in school nursing services or as a public health nurse serving schools; and

(4) has experience in managing a districtwide health policy, ~~overseeing a budget, and supervising personnel; and.~~

~~(5) has a graduate degree in nursing, public health, education, or a related field.~~

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

Sec. 4. **[121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH.**

(a) Beginning October 1, 2024, to the extent space is available, a school district or charter school must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.

(b) The space must provide a student privacy to receive mental health care.

(c) A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.

(d) A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the

102.1 school to confirm the student is currently receiving mental health care from the provider.

102.2 Such a consent is valid for the school year in which it is submitted.

102.3 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.

102.4 Sec. 5. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:

102.5 Subd. 2. **Exclusions.** In addition, this section does not apply to drugs or medicine that  
102.6 are:

102.7 (1) purchased without a prescription;

102.8 (2) used by a pupil who is 18 years old or older;

102.9 (3) used in connection with services for which a minor may give effective consent,

102.10 including section 144.343, subdivision 1, and any other law;

102.11 (4) used in situations in which, in the judgment of the school personnel, including a

102.12 licensed nurse, who are present or available, the risk to the pupil's life or health is of such

102.13 a nature that drugs or medicine should be given without delay;

102.14 (5) used off the school grounds;

102.15 (6) used in connection with athletics or extra curricular activities;

102.16 (7) used in connection with activities that occur before or after the regular school day;

102.17 (8) provided or administered by a public health agency to prevent or control an illness

102.18 or a disease outbreak as provided for in sections 144.05 and 144.12;

102.19 (9) prescription asthma or reactive airway disease medications self-administered by a

102.20 pupil with an asthma inhaler, consistent with section 121A.221, if the district has received

102.21 a written authorization from the pupil's parent permitting the pupil to self-administer the

102.22 medication, the inhaler is properly labeled for that student, and the parent has not requested

102.23 school personnel to administer the medication to the pupil. The parent must submit written

102.24 authorization for the pupil to self-administer the medication each school year; or

102.25 (10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and

102.26 prescribing medical professional annually inform the pupil's school in writing that (i) the

102.27 pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and

102.28 requires immediate access to epinephrine auto-injectors that the parent provides properly

102.29 labeled to the school for the pupil as needed.

102.30 **EFFECTIVE DATE.** This section is effective July 1, 2024.

103.1 Sec. 6. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

103.2 Subd. 4. **Administration.** Drugs and medicine subject to this section must be administered  
103.3 in a manner consistent with instructions on the label. Drugs and medicine subject to this  
103.4 section must be administered, to the extent possible, according to school board procedures  
103.5 that must be developed in consultation:

103.6 (1) with a ~~school~~ licensed nurse, in a district that employs a ~~school~~ licensed nurse under  
103.7 section 148.171;

103.8 (2) with a licensed school nurse, in a district that employs a licensed school nurse licensed  
103.9 under Minnesota Rules, part 8710.6100;

103.10 (3) with a public or private health or health-related organization, in a district that contracts  
103.11 with a public or private health or health-related organization, according to section 121A.21;  
103.12 or

103.13 (4) with the appropriate party, in a district that has an arrangement approved by the  
103.14 commissioner of education, according to section 121A.21.

103.15 **EFFECTIVE DATE.** This section is effective July 1, 2024.

103.16 Sec. 7. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

103.17 Subdivision 1. **Districts and schools permitted to maintain supply.** (a) Notwithstanding  
103.18 section 151.37, districts and schools may obtain and possess epinephrine auto-injectors to  
103.19 be maintained and administered by school personnel, including a licensed nurse, to a student  
103.20 or other individual if, in good faith, it is determined that person is experiencing anaphylaxis  
103.21 regardless of whether the student or other individual has a prescription for an epinephrine  
103.22 auto-injector. The administration of an epinephrine auto-injector in accordance with this  
103.23 section is not the practice of medicine.

103.24 (b) Registered nurses may administer epinephrine auto-injectors in a school setting  
103.25 according to a condition-specific protocol as authorized under section 148.235, subdivision  
103.26 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses  
103.27 may administer epinephrine auto-injectors in a school setting according to a condition-specific  
103.28 protocol that does not reference a specific patient and that specifies the circumstances under  
103.29 which the epinephrine auto-injector is to be administered, when caring for a patient whose  
103.30 condition falls within the protocol.

103.31 **EFFECTIVE DATE.** This section is effective July 1, 2024.

104.1 Sec. 8. Minnesota Statutes 2022, section 121A.41, subdivision 8, is amended to read:

104.2 Subd. 8. **School.** "School" means any school defined in section 120A.05, subdivisions  
104.3 9, 11, 13, and 17. "School" also means a charter school.

104.4 Sec. 9. **[121A.612] UNSCHEDULED STUDENT REMOVAL FROM CLASS;**  
104.5 **SCHOOL POLICY.**

104.6 (a) A public school is encouraged to adopt a school policy on parental notification for  
104.7 unscheduled student removal from class. The public school must consult with child abuse  
104.8 prevention experts to incorporate best practices into the school policy. A public school with  
104.9 a policy on parental notification must include the policy in the employee handbook and  
104.10 disseminate information to school staff regarding child abuse prevention in a school setting.

104.11 (b) A nonpublic school under section 123B.41, subdivision 9, or a Tribal contract school  
104.12 is encouraged to adopt a policy consistent with this section.

104.13 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.

104.14 Sec. 10. Minnesota Statutes 2022, section 128C.02, is amended by adding a subdivision  
104.15 to read:

104.16 Subd. 3c. **Eating disorder awareness.** The league must provide school coaches with  
104.17 eating disorder prevention education resources developed specifically for school coaches  
104.18 about the nature and risks of eating disorders, including the risk factors, mitigation strategies,  
104.19 effects, and risks of undiagnosed and untreated eating disorders, consistent with current  
104.20 medical research.

104.21 Sec. 11. Minnesota Statutes 2022, section 260E.14, subdivision 1, as amended by Laws  
104.22 2024, chapter 80, article 8, section 34, is amended to read:

104.23 Subdivision 1. **Facilities and schools.** (a) The local welfare agency is the agency  
104.24 responsible for investigating allegations of maltreatment in child foster care, family child  
104.25 care, legally nonlicensed child care, and reports involving children served by an unlicensed  
104.26 personal care provider organization under section 256B.0659. Copies of findings related to  
104.27 personal care provider organizations under section 256B.0659 must be forwarded to the  
104.28 Department of Human Services provider enrollment.

104.29 (b) The Department of Human Services is the agency responsible for screening and  
104.30 investigating allegations of maltreatment in juvenile correctional facilities listed under



105.1 section 241.021 located in the local welfare agency's county and in facilities licensed or  
105.2 certified under chapters 245A and 245D.

105.3 (c) The Department of Health is the agency responsible for screening and investigating  
105.4 allegations of maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43  
105.5 to 144A.482 or chapter 144H.

105.6 (d) The Department of Education is the agency responsible for screening and investigating  
105.7 allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11,  
105.8 and 13, and chapter 124E. The Department of Education's responsibility to screen and  
105.9 investigate includes allegations of maltreatment involving students 18 to through 21 years  
105.10 of age, including students receiving special education services, up to and including graduation  
105.11 and the issuance of a secondary or high school diploma.

105.12 (e) A health or corrections agency receiving a report may request the local welfare agency  
105.13 to provide assistance pursuant to this section and sections 260E.20 and 260E.22.

105.14 (f) The Department of Children, Youth, and Families is the agency responsible for  
105.15 screening and investigating allegations of maltreatment in facilities or programs not listed  
105.16 in paragraph (a) that are licensed or certified under chapters 142B and 142C.

105.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

## 105.18 **ARTICLE 9**

### 105.19 **EARLY LEARNING**

105.20 Section 1. Minnesota Statutes 2022, section 120A.05, subdivision 10a, is amended to read:

105.21 Subd. 10a. **Kindergarten.** "Kindergarten" means a program designed for pupils five  
105.22 years of age on September 1 of the calendar year in which the school year commences that  
105.23 prepares pupils to enter first grade the following school year. ~~A program designed for pupils~~  
105.24 ~~younger than five years of age on September 1 of the calendar year in which the school year~~  
105.25 ~~commences that prepares pupils to enter kindergarten the following school year is a~~  
105.26 ~~prekindergarten program.~~

105.27 Sec. 2. Minnesota Statutes 2022, section 120A.05, is amended by adding a subdivision to  
105.28 read:

105.29 Subd. 11a. **Prekindergarten.** "Prekindergarten" means a program designed for pupils  
105.30 younger than five years of age on September 1 of the calendar year in which the school year  
105.31 commences that prepares pupils to enter kindergarten the following school year.

Sec. 3. Minnesota Statutes 2022, section 124D.151, as amended by Laws 2023, chapter 55, article 9, section 19, and article 10, section 1, and Laws 2024, chapter 80, article 4, sections 12, 13, and 14, is amended to read:

**124D.151 VOLUNTARY PREKINDERGARTEN PROGRAM FOR ELIGIBLE  
FOUR-YEAR-OLD CHILDREN.**

Subdivision 1. **Establishment; purpose.** A district, a charter school, a group of districts, a group of charter schools, or a group of districts and charter schools may establish a voluntary prekindergarten program for eligible four-year-old children. The purpose of a voluntary prekindergarten program is to ~~prepare~~ support children and their families and ~~prepare them~~ for success as they enter in kindergarten in the following year and beyond.

Subd. 2. **Program requirements.** (a) A voluntary prekindergarten program provider must:

(1) provide instruction through play-based learning to foster children's social and emotional development, cognitive development, physical and motor development, and language and literacy skills, including the native language and literacy skills of English learners, to the extent practicable;

(2) ~~measure~~ assess each child's ~~cognitive and social skills using a formative measure aligned to progress toward~~ the state's early learning standards when the child enters and again before the child leaves the program, ~~screening and progress monitoring measures, and other age-appropriate versions from the state-approved menu of kindergarten entry profile measures~~ using a commissioner-approved formative, developmentally appropriate assessment and report results and demographic data to the department in a form and manner prescribed by the commissioner;

(3) provide comprehensive program content aligned with the state early learning standards, including the implementation of curriculum, assessment, and intentional instructional strategies ~~aligned with the state early learning standards, and kindergarten that support transition to kindergarten~~ through grade 3 academic standards;

(4) provide instructional content and activities that are of sufficient length and intensity to address learning needs including offering a program with at least 350 hours of instruction per school year for a prekindergarten student;

(5) provide voluntary prekindergarten instructional staff salaries comparable to the salaries of local kindergarten through grade 12 instructional staff;

(6) coordinate appropriate kindergarten transition with families, ~~community-based~~ prekindergarten programs, offered by Head Start, licensed center and licensed family child care, community-based organizations, and school district kindergarten programs;

(7) involve parents in program ~~planning~~ decision-making and transition planning by implementing parent engagement strategies that include culturally and linguistically responsive activities in prekindergarten through third grade that are aligned with early childhood family education under section 124D.13;

(8) coordinate with relevant community-based services, including health and social service agencies, to ensure children have access to comprehensive services;

(9) coordinate with all relevant school district programs and services including early childhood special education, homeless students, and English learners;

(10) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children;

(11) provide high-quality coordinated professional development, training, and coaching for ~~both staff in school district and community-based early learning districts and in~~ prekindergarten programs offered by Head Start, licensed center and licensed family child care providers, and community-based organizations that is informed by a measure of adult-child interactions and enables teachers to be highly knowledgeable in early childhood curriculum content, assessment, native and English language development programs, and instruction; and

(12) implement strategies that support the alignment of professional development, instruction, assessments, and prekindergarten through grade 3 curricula.

(b) A voluntary prekindergarten program must have teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction, and licensed according to section 122A.261.

~~(c) Districts and charter schools must include their strategy for implementing and measuring the impact of their voluntary prekindergarten program under section 120B.11 and provide results in their world's best workforce annual summary to the commissioner of education.~~

Subd. 3. ~~Mixed delivery of services~~ program plan. A district or charter school may contract with a charter school, Head Start ~~or child care centers, family child care programs licensed under section 245A.03~~ program, licensed center and licensed family child care, or a community-based organization to provide eligible children with developmentally appropriate services that meet the program requirements in subdivision 2. Components of

108.1 a mixed-delivery plan include strategies for recruitment, contracting, and monitoring of  
108.2 fiscal compliance and program quality.

108.3 Subd. 4. **Eligibility.** A (a) An eligible child means a child who:

108.4 (1) is four years of age as of September 1 in the calendar year in which the school year  
108.5 commences is eligible to participate in a voluntary prekindergarten program free of charge.  
108.6 An eligible four-year-old child served in a mixed-delivery system by a child care center,  
108.7 family child care program licensed under section 245A.03, or community-based organization  
108.8 may be charged a fee as long as the mixed-delivery partner was not awarded a seat for that  
108.9 child.; and

108.10 (2) meets at least one of the following criteria:

108.11 (i) qualifies for free or reduced-priced meals;

108.12 (ii) qualifies for the rate at application specified in section 119B.09, subdivision 1,  
108.13 paragraph (a), clause (2), in the current calendar year;

108.14 (iii) is an English language learner as defined by section 124D.59, subdivision 2;

108.15 (iv) is American Indian;

108.16 (v) has experienced homelessness in the last 24 months, as defined under the federal  
108.17 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 1143a;

108.18 (vi) was identified as having a potential risk factor that may influence learning through  
108.19 health and developmental screening under sections 121A.16 to 121A.19;

108.20 (vii) is in foster care; is in kinship care, including children receiving Northstar kinship  
108.21 care assistance under chapter 256N; or is in need of child protection services;

108.22 (viii) has a parent who is a migrant or seasonal agricultural laborer under section 181.85;

108.23 (ix) has a parent who is incarcerated; or

108.24 (x) is defined as at-risk by the school district.

108.25 (b) School districts and charter schools must use state funding for eligible children to  
108.26 the extent it is available. A child may participate in a voluntary prekindergarten program  
108.27 on a fee-for-service basis if the child does not meet the eligibility criteria in paragraph (a)  
108.28 or state funding is not available. A school district or charter school must adopt a sliding-fee  
108.29 schedule based upon family income and must waive a fee for a participant unable to pay.

(c) Each eligible child must complete a health and developmental screening within 90 days of program enrollment under sections 121A.16 to 121A.19, and provide documentation of required immunizations under section 121A.15.

(d) A child with an individualized education program may not be excluded from participation in a program under this section if all other eligibility requirements are satisfied and the individualized education program team determines that with reasonable accommodations the child can fully participate and make progress toward their goals and objectives.

Subd. 5. **Application process; priority for high poverty schools.** (a) To qualify for program approval for fiscal year 2026, a district or charter school must submit an application to the commissioner by January 30, 2025. Thereafter, the commissioner must accept applications and approve programs every four years. To qualify for program approval after fiscal year 2026, a school district or charter school must submit an application to the commissioner by January 30 of the fiscal year prior to the fiscal year in which the program will be implemented. The application must include:

(1) a description of the proposed program, including the number of hours per week the program will be offered at each school site or mixed-delivery location;

(2) an estimate of the number of eligible children to be served in the program at each school site or mixed-delivery location; and

(3) a statement of assurances signed by the superintendent or charter school director that the proposed program meets the requirements of subdivision 2.

(b) The commissioner must review all applications by March 1 of the fiscal year in which the applications are received and determine whether each application meets the requirements of paragraph (a).

(c) The commissioner must divide all applications for new or expanded voluntary prekindergarten programs under this section meeting the requirements of paragraph (a) and school readiness plus programs into ~~four~~ five groups as follows: the Minneapolis ~~and school district;~~ the St. Paul school districts district; other school districts located in the metropolitan equity region as defined in section 126C.10, subdivision 28; school districts located in the rural equity region as defined in section 126C.10, subdivision 28; and charter schools. Within each group, the applications must be ordered by rank using a sliding scale based on the following criteria:

(1) concentration of kindergarten students eligible for free or reduced-price meals by school site on October 1 of the previous school year. A school site may contract to partner with a community-based provider or Head Start under subdivision 3 or establish an early childhood center and use the concentration of kindergarten students eligible for free or reduced-price meals from a specific school site as long as those eligible children are prioritized and guaranteed services at the mixed-delivery site or early education center. For school district programs to be operated at locations that do not have free and reduced-price meals concentration data for kindergarten programs for October 1 of the previous school year, including mixed-delivery programs, the school district average concentration of kindergarten students eligible for free or reduced-price meals must be used for the rank ordering;

(2) presence or absence of a three- or four-star Parent Aware rated program within the school district or close proximity of the district. School sites with the highest concentration of kindergarten students eligible for free or reduced-price meals that do not have a three- or four-star Parent Aware program within the district or close proximity of the district shall receive the highest priority, and school sites with the lowest concentration of kindergarten students eligible for free or reduced-price meals that have a three- or four-star Parent Aware rated program within the district or close proximity of the district shall receive the lowest priority; and

(3) whether the district has implemented a mixed delivery system.

~~(d) The limit on participation for the programs as specified in subdivision 6 must initially be allocated among the four groups based on each group's percentage share of the statewide kindergarten enrollment on October 1 of the previous school year. Within each group, the participation limit for fiscal years 2018 and 2019 must first be allocated to school sites approved for aid in the previous year to ensure that those sites are funded for the same number of participants as approved for the previous year. The remainder of the participation limit for each group must be allocated among school sites in priority order until that region's share of the participation limit is reached. If the participation limit is not reached for all groups, the remaining amount must be allocated to the highest priority school sites, as designated under this section, not funded in the initial allocation on a statewide basis. For fiscal year 2020 and later, the participation limit must first be allocated to school sites approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year 2018 based on the statewide rankings under paragraph (c).~~

(e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid under this subdivision, it shall remain eligible for aid if it continues to meet program

111.1 ~~requirements, regardless of changes in the concentration of students eligible for free or~~  
111.2 ~~reduced-price meals.~~

111.3 ~~(f) If the total number of participants approved based on applications submitted under~~  
111.4 ~~paragraph (a) is less than the participation limit under subdivision 6, the commissioner must~~  
111.5 ~~notify all school districts and charter schools of the amount that remains available within~~  
111.6 ~~30 days of the initial application deadline under paragraph (a), and complete a second round~~  
111.7 ~~of allocations based on applications received within 60 days of the initial application deadline.~~

111.8 ~~(g) Procedures for approving applications submitted under paragraph (f) shall be the~~  
111.9 ~~same as specified in paragraphs (a) to (d), except that the allocations shall be made to the~~  
111.10 ~~highest priority school sites not funded in the initial allocation on a statewide basis.~~

111.11 Subd. 5a. **Participation limit allocation.** (a) Beginning July 1, 2024, the participation  
111.12 limit specified in subdivision 6 must be initially allocated as follows:

111.13 (1) a school site or mixed delivery site must receive the same number of seats the site  
111.14 received in fiscal year 2024; and

111.15 (2) the remaining seats must be allocated among the five groups identified under  
111.16 subdivision 5, paragraph (c), based on each group's percentage share of the statewide  
111.17 kindergarten enrollment on October 1 of the previous year.

111.18 (b) Within each group:

111.19 (1) the seats must be first allocated to any school sites and mixed delivery sites approved  
111.20 for aid in the previous year or allocation period; and

111.21 (2) any remaining seats must be allocated among school sites in priority order, as  
111.22 determined under subdivision 5, paragraph (c), until the group's share of seats are allocated.

111.23 (c) If a group's entire share of seats is not allocated under paragraphs (a) and (b), then  
111.24 the remaining seats must be allocated to the highest priority school sites and mixed delivery  
111.25 sites in the state, as designated under subdivision 5, paragraph (c), not funded in the allocation  
111.26 under paragraphs (a) and (b).

111.27 (d) Once a school site or a mixed delivery site is approved for aid under subdivision 5  
111.28 and is allocated seats under this subdivision, it shall remain eligible for aid and seats if it  
111.29 continues to meet program requirements, regardless of changes in the concentration of  
111.30 students eligible for free or reduced-price meals.

111.31 (e) If the total number of participants approved based on applications submitted under  
111.32 subdivision 5, paragraph (a), is less than the participation limit under subdivision 6, the

112.1 commissioner must notify all school districts and charter schools of the amount that remains  
112.2 available within 30 days of the initial application deadline under subdivision 5, paragraph  
112.3 (a), and complete a second round of allocations based on applications received within 60  
112.4 days of the initial application deadline.

112.5 (f) Procedures for approving applications submitted under paragraph (e) shall be the  
112.6 same as specified in subdivision 5, and the allocations shall be made to the highest priority  
112.7 school sites in the state as designated under subdivision 5, paragraph (c), not funded in the  
112.8 initial allocation under paragraphs (a) and (b).

112.9 (g) For nonapplication years, the commissioner must annually review the distribution  
112.10 of seat allocations and may redistribute them between sites within a district at their request  
112.11 and between districts for the year in which a district will not utilize their full allocation.

112.12 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,  
112.13 paragraph (c), the pupil units for a voluntary prekindergarten program for an eligible school  
112.14 district or charter school must not exceed 60 percent of the kindergarten pupil units for that  
112.15 school district or charter school under section 126C.05, subdivision 1, paragraph (d).

112.16 (b) In reviewing applications under subdivision 5 and allocating seats under subdivision  
112.17 5a, the commissioner must limit the total number of participants in the voluntary  
112.18 prekindergarten and school readiness plus programs under Laws 2017, First Special Session  
112.19 chapter 5, article 8, section 9, to not more than 7,160 participants for fiscal years 2023,  
112.20 2024, and 2025, and 12,360 participants for fiscal year 2026 and later.

112.21 Subd. 7. **Financial accounting.** An eligible school district or charter school must record  
112.22 expenditures attributable to voluntary prekindergarten pupils according to guidelines prepared  
112.23 by the commissioner of education under section 127A.17.

112.24 Subd. 8. **Funding.** The commissioner and the commissioner of education shall enter  
112.25 into an agreement under which the commissioner of education shall distribute funds  
112.26 appropriated for programs under this section.

112.27 **EFFECTIVE DATE.** The amendments to subdivisions 1 to 4 and subdivision 5,  
112.28 paragraphs (a) and (b), are effective July 1, 2025. The amendments to subdivision 5,  
112.29 paragraphs (c) to (g), and subdivisions 5a and 6 are effective the day following final  
112.30 enactment.



113.1 Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 2, is amended  
113.2 to read:

113.3 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,  
113.4 parents or guardians must have an eligible child and meet at least one of the following  
113.5 requirements:

113.6 (1) have income equal to or less than:

113.7 (i) the at-application rate specified in section 119B.09, subdivision 1, paragraph (a),  
113.8 clause (2), in the current calendar year; or

113.9 (ii) beginning July 1, 2025, the rate specified in United States Code, title 42, section  
113.10 9858n(4)(B), as adjusted for family size;

113.11 (2) be able to document their child's current participation in the free and reduced-price  
113.12 meals program or Child and Adult Care Food Program, National School Lunch Act, United  
113.13 States Code, title 42, sections 1751 and 1766; the Food Distribution Program on Indian  
113.14 Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036; Head  
113.15 Start under the federal Improving Head Start for School Readiness Act of 2007; Minnesota  
113.16 family investment program under chapter 256J; child care assistance programs under chapter  
113.17 119B; the supplemental nutrition assistance program; or

113.18 (3) have or be a child referred as in need of child protection services or placed in foster  
113.19 care under section 260C.212.

113.20 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is not  
113.21 yet five years of age on September 1 of the current school year.

113.22 (c) A child who has received a scholarship under this section must continue to receive  
113.23 a scholarship each year until that child is eligible for kindergarten under section 120A.20  
113.24 and as long as funds are available.

113.25 (d) Early learning scholarships may not be counted as earned income for the purposes  
113.26 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota  
113.27 family investment program under chapter 256J, child care assistance programs under chapter  
113.28 119B, or Head Start under the federal Improving Head Start for School Readiness Act of  
113.29 2007.

113.30 (e) A child from an adjoining state whose family resides at a Minnesota address as  
113.31 assigned by the United States Postal Service, who has received developmental screening  
113.32 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,

114.1 and whose family meets the criteria of paragraph (a) is eligible for an early learning  
114.2 scholarship under this section.

114.3 Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 2a, is amended  
114.4 to read:

114.5 Subd. 2a. **Applications; priorities.** (a) The commissioner shall establish application  
114.6 timelines and determine the schedule for awarding scholarships that meet the operational  
114.7 needs of eligible families and programs.

114.8 (b) The commissioner must give highest priority to applications from children who:

114.9 (1) are not yet four years of age;

114.10 (2) have a parent under age 21 who is pursuing a high school diploma or a course of  
114.11 study for a high school equivalency test;

114.12 (3) are in foster care;

114.13 (4) have been referred as in need of child protection services;

114.14 (5) have an incarcerated parent;

114.15 (6) are in or have a parent in a substance use treatment program;

114.16 (7) are in or have a parent in a mental health treatment program;

114.17 (8) have experienced domestic violence; ~~or~~

114.18 (9) have an individualized education program or individualized family service plan; or

114.19 ~~(9)~~ (10) have experienced homelessness in the last 24 months, as defined under the  
114.20 federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section  
114.21 1143a.

114.22 (c) Notwithstanding paragraph (b), beginning July 1, 2025, the commissioner must give  
114.23 highest priority to applications from children in families with income equal to or less than  
114.24 the rate specified under subdivision 2, paragraph (a), clause (1), item (i), and within this  
114.25 group must prioritize children who meet one or more of the criteria listed in paragraph (b).

114.26 (d) The commissioner may prioritize applications on additional factors, including but  
114.27 not limited to availability of funding, family income, geographic location, and whether the  
114.28 child's family is on a waiting list for a publicly funded program providing early education  
114.29 or child care services.

115.1 Sec. 6. **REVISOR INSTRUCTION.**

115.2 The revisor of statutes shall remove the terms "school readiness plus" or "school readiness  
115.3 plus programs" wherever they appear in Minnesota Statutes, chapters 119B, 121A, 122A,  
115.4 124D, 126C, or 179A. The revisor shall also make necessary cross-reference changes,  
115.5 technical language, and other changes necessitated by the changes in this act.

115.6 **EFFECTIVE DATE.** This section is effective July 1, 2025.

115.7 Sec. 7. **REPEALER.**

115.8 Laws 2017, First Special Session chapter 5, article 8, section 9, is repealed.

115.9 **EFFECTIVE DATE.** This section is effective July 1, 2025.

115.10 **ARTICLE 10**

115.11 **EDUCATION PARTNERSHIPS AND COMPACTS**

115.12 Section 1. Minnesota Statutes 2022, section 127A.70, subdivision 1, is amended to read:

115.13 Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is  
115.14 established to create a seamless system of education that maximizes achievements of all  
115.15 students, from early childhood through elementary, secondary, and postsecondary education,  
115.16 while promoting the efficient use of financial and human resources. The partnership shall  
115.17 consist of major statewide educational groups or constituencies or noneducational statewide  
115.18 organizations with a stated interest in P-20 education. The initial membership of the  
115.19 partnership includes the members serving on the Minnesota P-16 Education Partnership  
115.20 and four legislators appointed as follows:

115.21 (1) one senator from the majority party and one senator from the minority party, appointed  
115.22 by the Subcommittee on Committees of the Committee on Rules and Administration; and

115.23 (2) one member of the house of representatives appointed by the speaker of the house  
115.24 and one member appointed by the minority leader of the house of representatives.

115.25 (b) The chair of the P-16 education partnership must convene the first meeting of the  
115.26 P-20 partnership. Prospective members may be nominated by any partnership member and  
115.27 new members will be added with the approval of a two-thirds majority of the partnership.  
115.28 The partnership will also seek input from nonmember organizations whose expertise can  
115.29 help inform the partnership's work.

(c) Partnership members shall be represented by the chief executives, presidents, or other formally designated leaders of their respective organizations, or their designees. The partnership shall meet at least three times during each calendar year.

~~(d) The P-20 education partnership shall be the state council for the Interstate Compact on Educational Opportunity for Military Children under section 127A.85 with the commissioner or commissioner's designee serving as the compact commissioner responsible for the administration and management of the state's participation in the compact. When conducting business required under section 127A.85, the P-20 partnership shall include a representative from a military installation appointed by the adjutant general of the Minnesota National Guard.~~

Sec. 2. **[127A.82] MILITARY INTERSTATE CHILDREN'S COMPACT STATE COUNCIL.**

Subdivision 1. Establishment; membership. (a) A Military Interstate Children's Compact State Council is established to provide for the coordination among state agencies, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children established in section 127A.85, otherwise known as the Military Interstate Children's Compact, and Interstate Commission activities.

(b) Council membership must include at least:

(1) the commissioner;

(2) a superintendent, appointed by the commissioner, of a school district or charter school with a high concentration of military children;

(3) a representative from a military installation appointed by the adjutant general;

(4) one member of the house of representatives appointed by the speaker of the house;

(5) one member of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration; and

(6) other offices and stakeholder groups the council deems appropriate.

If the commissioner determines there is not a school district deemed to contain a high concentration of military children, the commissioner may appoint a superintendent from another school district to represent local education agencies on the council.

(c) The council must appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of section 127A.85.

117.1 (d) The compact commissioner responsible for the administration and management of  
117.2 the state's participation in the compact must be appointed by the commissioner.

117.3 (e) The compact commissioner and the military family education liaison designated  
117.4 herein shall be ex officio members of the council, unless either is already a full voting  
117.5 member of the council.

117.6 Subd. 2. **Powers and duties; report.** (a) The council may develop recommendations to  
117.7 the governor and the legislature designed to facilitate successful educational transitions for  
117.8 children of military families under the compact.

117.9 (b) The commissioner must schedule and hold a meeting of the council no less than once  
117.10 per state fiscal year.

117.11 (c) The council must produce meeting agendas that are made publicly available before  
117.12 each meeting and maintain meeting minutes that are made publicly available once they are  
117.13 approved by the council.

117.14 (d) By January 15 of each odd-numbered year, the council shall submit a report to the  
117.15 governor and to the chairs and ranking minority members of the legislative committees and  
117.16 divisions with jurisdiction over kindergarten through grade 12 education policy and finance  
117.17 and military affairs that summarizes the council's progress in meeting its goals and identifies  
117.18 the need for any draft legislation to facilitate successful educational transitions for children  
117.19 of military families.

117.20 Sec. 3. **[127A.83] INTRASTATE STUDENT TRANSFERS FOR CHILDREN OF**  
117.21 **MILITARY SERVICE MEMBERS.**

117.22 (a) Notwithstanding section 127A.85, article III, and for the purposes of intrastate student  
117.23 transfers between Minnesota local education agencies, the provisions of the Interstate  
117.24 Compact on Educational Opportunity for Military Children in section 127A.85 apply to  
117.25 minor dependent children of members of the active and activated reserve components of  
117.26 the uniformed services, including but not limited to members of the Minnesota Army  
117.27 National Guard and the Minnesota Air National Guard.

117.28 (b) This section does not apply to interstate transfers between Minnesota local education  
117.29 agencies and public or private schools in other states.

117.30 (c) For the purposes of this section, the words defined in section 127A.85, article II,  
117.31 have the same meanings.

Sec. 4. **[127A.86] PURPLE STAR SCHOOL DESIGNATION.**

Subdivision 1. **Definition.** For purposes of this section, "military-connected student" means a student who has an immediate family member, including a parent or sibling, who:  
(1) is currently a member of the armed forces serving as either a reservist or on active duty in the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; (2) is currently serving in the National Guard; (3) has recently retired from the armed forces; or (4) is the dependent of a member of the armed forces who was killed in the line of duty.

Subd. 2. **Purple Star School.** (a) The commissioner of education may designate a school as a Purple Star School if the school:

(1) has a designated staff member serving as a military liaison whose duties include:

(i) identifying military-connected students enrolled at the school;

(ii) serving as the point of contact between the school and military-connected students and families;

(iii) determining appropriate school services available to military-connected students; and

(iv) assisting in coordinating school programs relevant to military-connected students;

(2) maintains easily accessible information on the school website that includes resources for military-connected students and families, including information regarding:

(i) student relocation, student enrollment, student registration, and transfer of school records;

(ii) academic planning, course offerings, and advanced classes available at the school;

(iii) counseling and other support services available for military-connected students enrolled at the school; and

(iv) the designated military liaison under clause (1);

(3) offers a transition program led by students, where appropriate, that assists military-connected students in transitioning into the school;

(4) offers professional development opportunities for staff members on issues related to military-connected students; and

(5) offers at least one of the following:

(i) a resolution showing support for military-connected students and families;

119.1 (ii) recognition of the Month of the Military Child or Military Family Month with relevant  
119.2 events hosted by the school; or

119.3 (iii) a partnership with a local military installation that provides opportunities for active  
119.4 duty military members to volunteer at the school, speak at an assembly, or host a field trip.

119.5 (b) The commissioner must establish a process for schools to seek Purple Star School  
119.6 designation by July 1, 2026. The commissioner may award Purple Star School designations  
119.7 starting in the 2026-2027 school year, and on an ongoing basis as schools meet qualifications  
119.8 for the designation.

**120B.31 SYSTEM ACCOUNTABILITY AND STATISTICAL ADJUSTMENTS.**

Subd. 2. **Statewide testing.** Each school year, all school districts shall give a uniform statewide test to students at specified grades to provide information on the status, needs and performance of Minnesota students.

Subd. 6. **Retaliation prohibited.** An employee who discloses information to the commissioner or a parent or guardian about service disruptions or technical interruptions related to administering assessments under this section is protected under section 181.932, governing disclosure of information by employees.

**122A.185 TEACHER LICENSURE ASSESSMENT.**

Subd. 4. **Remedial assistance.** School districts may make available upon request appropriate and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who did not achieve a qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2, or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in Minnesota.

**122A.2451 ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.**

Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report to the Professional Educator Licensing and Standards Board on items that are defined in statute regarding program candidates, completion, and effectiveness or other items that are required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial report on the alternative teacher preparation program and providers to legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by January 15 of each odd-numbered year.