

1 Department of Children, Families, and Learning  
2 Adopted Permanent Rules Relating to Desegregation

3 3535.0100 PURPOSE.

4 The purpose of parts 3535.0100 to 3535.0180 is to:

5 A. ~~recognize that there are societal benefits from~~  
6 ~~schools that are racially integrated as the result of the~~  
7 ~~voluntary choice of parents and students, while also recognizing~~  
8 ~~that many factors beyond the control of the commissioner and the~~  
9 ~~control of districts, including housing, jobs, and~~  
10 ~~transportation, can impact the ability to racially integrate~~  
11 schools, recognize that the primary goal of public education is  
12 to enable all students to have opportunities to achieve academic  
13 success;

14 B. reaffirm the state of Minnesota's commitment to  
15 the importance of integration in its public schools;

16 C. recognize that while there are societal benefits  
17 from schools that are racially balanced, there are many factors  
18 which can impact the ability of school districts to provide  
19 racially balanced schools, including housing, jobs, and  
20 transportation;

21 D. recognize that providing parents a choice  
22 regarding where their children should attend school is an  
23 important component of Minnesota's education policy;

24 E. recognize that there are parents for whom having  
25 their children attend integrated schools is an essential  
26 component of their children's education;

27 B. F. prevent segregation, as defined in part

1 3535.0110, subpart 9, in public schools;

2           E- G. encourage districts to provide opportunities  
3 for students to attend schools that are racially balanced when  
4 compared to other schools within the district;

5           E- H. provide a system that identifies the presence  
6 of racially isolated districts and encourage adjoining districts  
7 to work cooperatively to improve cross-district integration,  
8 while giving parents and students meaningful choices; and

9           E- I. work with rules that address academic  
10 achievement, including graduation standards under chapter 3501  
11 and inclusive education under part 3500.0550, by providing  
12 equitable access to resources.

13 3535.0110 DEFINITIONS.

14           Subpart 1. **Scope.** As used in parts 3535.0100 to  
15 3535.0180, the terms defined in this part have the meanings  
16 given them.

17           Subp. 2. **Enrolled American Indian students.** "Enrolled  
18 American Indian students" means students who live on or off a  
19 reservation and are enrolled in a federally recognized tribe.  
20 Enrolled American Indian students have dual status as protected  
21 students under subpart 4 and members of sovereign nations.

22           Subp. 3. **Commissioner.** "Commissioner" means the  
23 commissioner of the Department of Children, Families, and  
24 Learning.

25           Subp. 4. **Protected students.** "Protected students" means:

26           A. students who self-identify or are identified in  
27 the general racial categories of African/Black Americans,

1 Asian/Pacific Americans, Chicano/Latino Americans, and American  
2 Indian/Alaskan Native; and

3 B. multiracial students who self-identify or are  
4 identified as having origins in more than one of the categories  
5 described in item A or as having origins in one of the  
6 categories described in item A and in the category of Caucasian.

7 Subp. 5. Racial balance. "Racial balance" means the  
8 increased interaction of protected students and white students  
9 within schools and between districts that is consistent with the  
10 purposes of parts 3535.0160 to 3535.0180.

11 Subp. 6. Racially identifiable school within a district.  
12 "Racially identifiable school within a district" means a school  
13 where the enrollment of protected students at the school within  
14 a district is more than 20 percentage points above the  
15 enrollment of protected students in the entire district for the  
16 grade levels served by that school.

17 Subp. 7. Racially isolated school district. "Racially  
18 isolated school district" means a district where the  
19 districtwide enrollment of protected students exceeds the  
20 enrollment of protected students of any adjoining district by  
21 more than 20 percentage points.

22 Subp. 8. School. "School" means a site in a public school  
23 district serving any of kindergarten through grade 12. For  
24 purposes of parts 3535.0160 to 3535.0180 only, school does not  
25 mean:

26 A. charter schools under Minnesota Statutes, section  
27 120.064;

1 B. area learning centers under Minnesota Statutes,  
2 section 124C.45;

3 C. public alternative programs under Minnesota  
4 Statutes, section 124.17, subdivision 4;

5 D. contracted alternative programs under Minnesota  
6 Statutes, section 126.23;

7 E. school sites specifically designed to address  
8 limited English proficiency;

9 F. school sites specifically designed to address the  
10 needs of students with an individual education plan (IEP); and

11 G. secure and nonsecure treatment facilities licensed  
12 by the Department of Human Services or the Department of  
13 Corrections.

14 Subp. 9. **Segregation.** "Segregation" means the intentional  
15 act or acts by a school district that has the discriminatory  
16 purpose of causing a student to attend or not attend particular  
17 programs or schools within the district on the basis of the  
18 student's race and that causes a concentration of protected  
19 students at a particular school.

20 A. It is not segregation for a concentration of  
21 protected students or white students to exist within schools or  
22 school districts:

23 (1) if the concentration is not the result of  
24 intentional acts motivated by a discriminatory purpose;

25 (2) if the concentration occurs at schools  
26 providing equitable educational opportunities based on the  
27 factors identified in part 3535.0130, subpart 2; and

1 (3) if the concentration of protected students  
2 has occurred as the result of choices by parents, students, or  
3 both.

4 B. In addition to the factors in item A, it is not  
5 segregation for concentrations of enrolled American Indian  
6 students to exist within schools or school districts:

7 (1) if the concentration exists as a result of  
8 attempting to meet the unique academic and culturally related  
9 educational needs of enrolled American Indian students through  
10 programs developed pursuant to the federal government's trust  
11 relationship with American Indian tribes or through an agreement  
12 with an American Indian tribal government; and

13 (2) the concentration exists as the result of  
14 voluntary choices made by American Indian parents, enrolled  
15 American Indian students, or both.

16 3535.0120 DUTIES OF DISTRICTS.

17 Subpart 1. Report. A school district shall annually  
18 submit to the commissioner, concerning each school site within  
19 its district, a report that includes:

20 A. the racial composition of each school within its  
21 district; and

22 B. the racial composition of the grade levels served  
23 by each of the schools.

24 The report shall be submitted according to the Minnesota  
25 Automated Reporting Student System (MARSS) deadlines as  
26 established annually by the commissioner and noticed to all  
27 districts.

1           Subp. 2. **Data collection.** A district shall collect for  
2 all students except American Indian students in subpart 3, the  
3 information required in subpart 1 by using one of the following  
4 racial identification procedures in the following order:

5           A. parent or guardian identification;

6           B. age-appropriate student self-identification, when  
7 parent or guardian identification is not an option;

8           C. if parent, guardian, or student  
9 self-identification methods are not possible, sight counts  
10 administered by the principal or designee, pursuant to written  
11 guidelines developed by the district.

12          Subp. 3. **American Indian students.** In districts where the  
13 American Indian population is ten or more students, the parent  
14 education committee under Minnesota Statutes, section 126.51,  
15 subdivision 1, in consultation with the American Indian parents  
16 the committee represents, may select as their identification  
17 procedure one of the following:

18           A. parent or guardian self-identification;

19           B. the process for identification specified in United  
20 States Code, title 20, section 7881; or

21           C. the racial identification procedure used by the  
22 district for other students.

23 3535.0130 DUTIES OF COMMISSIONER.

24          Subpart 1. **Review of data.** The commissioner shall review  
25 the data provided by a school district under part 3535.0120  
26 within 60 days of its receipt. If the commissioner determines  
27 that there is a racially identifiable school within a district,

1 or if the commissioner receives a complaint alleging that a  
2 district is engaged in acts of segregation, the commissioner  
3 shall request further information to determine whether the  
4 racial composition at the school or schools in question results  
5 from acts motivated at least in part by a discriminatory  
6 purpose. The commissioner's finding of a discriminatory purpose  
7 must be based on one or more of the following except that the  
8 commissioner shall not rely solely on item D or E, or both:

9           A. the historical background of the acts which led to  
10 the racial composition of the school, including whether the acts  
11 reveal a series of official actions taken for discriminatory  
12 purposes;

13           B. whether the specific sequence of events resulting  
14 in the school's racial composition reveals a discriminatory  
15 purpose;

16           C. departures from the normal substantive or  
17 procedural sequence of decision making, as evidenced, for  
18 example, by the legislative or administrative history of the  
19 acts in question, especially if there are contemporary  
20 statements by district officials, or minutes or reports of  
21 meetings that demonstrate a discriminatory purpose;

22           D. whether the racial composition of the school is  
23 the result of acts which disadvantage one race more than  
24 another, as evidenced, for example, when protected students are  
25 bused further or more frequently than white students; and

26           E. whether the racially identifiable composition of  
27 the school was predictable given the policies or practices of

1 the district.

2 Subp. 2. District information. In order to determine  
3 whether a racially identifiable school exists as the result of  
4 acts motivated by a discriminatory purpose, the commissioner  
5 shall request and the district shall provide the following  
6 information related to the factors described in subpart 1:

7 A. information about how students are assigned to  
8 schools within the district, including:

9 (1) for schools which have been newly added or  
10 renovated or if attendance zones have changed, a description of  
11 what the attendance zones were and what the racial composition  
12 of each zone was at the time the school was planned and added or  
13 renovated;

14 (2) a description of the assignment and transfer  
15 options at each of the schools serving the grade levels in  
16 question, and the outreach efforts that were made to ensure  
17 parents received information about and were able to understand  
18 the availability of those options; and

19 (3) a comparison of the racial composition of the  
20 attendance area of the school in question as it relates to the  
21 composition of the district as a whole;

22 B. a list of curricular offerings;

23 C. a list of the extracurricular options available at  
24 each of the schools serving the grade levels in question;

25 D. a list that breaks down, by race and school, the  
26 teachers assigned to all of the schools serving the grade levels  
27 in question and, considering the average percentage of teachers



1 of color in the district, an explanation of any concentration of  
2 teachers of color assigned at a school at issue;

3 E. a list that shows how the qualifications and  
4 experience of the teachers at the racially identifiable school  
5 compares to teachers at the sites which are not racially  
6 identifiable;

7 F. evidence that the racially identifiable school has  
8 been provided financial resources on an equitable basis with  
9 other schools which are not racially identifiable;

10 G. a comparison of the facilities, materials, and  
11 equipment at the racially identifiable school with schools that  
12 are not racially identifiable;

13 H. information that would allow the commissioner to  
14 determine whether the extent of busing is disproportionate  
15 between white students and protected students; and

16 I. any nondiscriminatory circumstances that explain  
17 why a particular school has exceeded the districtwide enrollment  
18 of protected students by more than 20 percentage points.

19 Subp. 3. Integrated alternatives. If the enrollment of  
20 protected students at a school is more than 25 percent above the  
21 enrollment of protected students in the entire district, or if  
22 the enrollment of protected students exceeds 90 percent at any  
23 given school, whichever is less, the district must provide  
24 affirmative evidence to the commissioner that all students in  
25 that school have alternatives to attend schools with a protected  
26 student enrollment that is comparable to the districtwide  
27 average.

## 1 3535.0140 RESPONSE OF DISTRICTS.

2 School districts shall respond to the commissioner's  
3 request for information under part 3535.0130 within 60 days of  
4 its receipt. If supplemental information is requested by the  
5 commissioner, the district must respond within 30 days of the  
6 receipt of the request.

7 3535.0150 DEVELOPMENT OF PLAN FOR MANDATORY DESEGREGATION;  
8 ENFORCEMENT.

9 Subpart 1. District plan. If the commissioner determines  
10 that segregation exists, the district shall provide a plan  
11 within 60 days that proposes how it shall remedy the  
12 segregation. The plan shall address the specific actions that  
13 were found by the commissioner to contribute to the  
14 segregation. The plan shall be developed in consultation with  
15 the commissioner. If the commissioner rejects any or all of the  
16 plan, the commissioner shall provide technical assistance to  
17 help the district revise the plan. However, if the district and  
18 the commissioner cannot agree on a plan within 45 days after the  
19 original plan was rejected, the commissioner shall develop a  
20 revised plan to remedy the segregation that the district shall  
21 implement in the time frame specified by the commissioner. A  
22 finding of segregation, or a finding that the district's initial  
23 plan is inadequate, shall be based on written findings of fact  
24 and conclusions of law issued by the commissioner.

25 Subp. 2. Remedy. If the commissioner has made a finding  
26 of segregation, student assignments based on race that are made

1 to remedy the finding of segregation are permissible in a plan  
2 for mandatory desegregation, so long as they are narrowly  
3 tailored to remedy the act of segregation.

4 Subp. 3. Extension. The commissioner may extend the time  
5 for response from a district under parts 3535.0140 and 3535.0150  
6 if ~~it~~ compliance with the deadline for response would impose an  
7 undue hardship on the district, for example, if the information  
8 is not easily ascertainable or the plan requires a complex  
9 remedy that includes consultation with outside sources.

10 Subp. 4. Enforcement of desegregation. If the district  
11 fails to submit data required by the commissioner, fails to  
12 provide or implement a plan to remedy the segregation, or fails  
13 to implement a plan developed by the commissioner as provided in  
14 subpart 1, the commissioner must:

15 A. notify the district that its aid shall be reduced  
16 pursuant to Minnesota Statutes, section 124.15;

17 B. refer the finding of segregation to the Department  
18 of Human Rights for investigation and enforcement; and

19 C. report the district's actions to the education  
20 committees of the legislature by March 15 of the next  
21 legislative session with recommendations for financial or other  
22 appropriate sanctions.

23 3535.0160 INTEGRATION OF RACIALLY IDENTIFIABLE SCHOOLS NOT THE  
24 RESULT OF SEGREGATION.

25 Subpart 1. Notice to district of plan including voluntary  
26 measures.

27 A. If a racially identifiable school reviewed under

1 part 3535.0130 is not the result of segregation, the district  
2 shall be notified that it must develop and submit a plan to the  
3 commissioner for review that provides options to help integrate  
4 the racially identifiable school. The format of the plan shall  
5 be determined by the commissioner.

6 B. A racially identifiable school is not required to  
7 develop and submit a plan if the school is racially identifiable  
8 only as a result of:

9 (1) a concentration of enrolled American Indian  
10 students that exists as a result of attempting to meet the  
11 unique academic and culturally related educational needs of  
12 enrolled American Indian students through programs developed  
13 pursuant to the federal government's trust relationship with  
14 American Indian tribes or through an agreement with an American  
15 Indian tribal government; and

16 (2) the concentration exists as the result of  
17 voluntary choices made by American Indian parents, enrolled  
18 American Indian students, or both.

19 A racially identifiable school with a concentration of enrolled  
20 American Indian students is required to develop and submit a  
21 plan if the school is also racially identifiable as a result of  
22 the enrollment of other protected students excluding the  
23 enrollment of American Indian students.

24 Subp. 2. **Community collaboration council.** The district  
25 shall establish and use a community collaboration council to  
26 assist in developing the district's plan under this part. The  
27 council shall be reasonably representative of the diversity of

1 the district. In communities with ten or more American Indian  
 2 students, representation from the American Indian parent  
 3 committee under Minnesota Statutes, section 126.51 is required  
 4 on the community collaboration council. If a district has an  
 5 existing committee whose composition reasonably reflects the  
 6 diversity of the district, for example, school site councils or  
 7 district curriculum advisory councils, that committee may be  
 8 used to provide the planning required by this part. The  
 9 ~~community-collaboration-council-shall-identify-integration~~  
 10 ~~issues-at-each-racially-identifiable-school-and-action-goals~~  
 11 ~~designed-to-address-those-integration-issues.---After-identifying~~  
 12 ~~the-issues-and-goals-for-each-school,--the-council-shall-develop~~  
 13 ~~a-plan-for-integration-at-each-school-that-may-include,--for~~  
 14 ~~example,--options-under-subpart-3. The community collaboration~~  
 15 council shall identify ways of creating increased opportunities  
 16 for interracial contact, and establish goals for meeting this  
 17 objective. After identifying these opportunities and goals, the  
 18 council shall develop a plan for integration at each school that  
 19 may include, for example, options under subpart 3.

20 Subp. 3. District plan.

21 A. After receiving the plan required under subpart 2  
 22 from its community collaboration council, the district shall  
 23 provide a plan to the commissioner that describes how the goal  
 24 of increased opportunities for interracial contact between  
 25 students will be met, and the integration efforts the district  
 26 plans to implement at each racially identifiable school. The  
 27 plan shall be written and adopted by the end of the academic

1 year in which the district received notice under subpart 1, or  
2 six months later, whichever is longer. The plan shall include:

- 3 (1) the extent of community outreach that  
4 preceded the plan;  
5 (2) integration issues identified;  
6 (3) action goals of the integration effort;  
7 (4) how the action goals will be or are being  
8 accomplished.

9 B. All plans under this part must be educationally  
10 justifiable and contain options for intradistrict integration  
11 that may include, for example:

12 (1) duplicating programs that have demonstrated  
13 success in improving student learning at schools that are  
14 racially identifiable;

15 (2) providing incentives to help balance racially  
16 identifiable schools, for example, providing:

17 (a) incentives to low-income students to  
18 transfer to schools that are not racially identifiable;

19 (b) transportation; and

20 (c) interdistrict opportunities and  
21 collaborative efforts with other districts;

22 (3) providing incentives to teachers to improve  
23 the distribution of teachers of all races at schools across the  
24 district, including:

25 (a) staff development opportunities;

26 (b) strategies for attracting and retaining  
27 staff who serve as role models; and

1 (c) strategies for attracting and retaining  
2 staff who have a record of success in teaching protected  
3 students, low-income students, or both;

4 (4) greater promotion of programs provided at  
5 racially identifiable schools designed to attract a wide range  
6 of students;

7 (5) providing smaller class sizes, greater  
8 counseling and support services, and more extracurricular  
9 opportunities and other resources at racially identifiable  
10 schools as compared to schools that are not racially  
11 identifiable or at schools with a higher concentration of  
12 low-income students; and

13 (6) providing programs promoting instruction  
14 about different cultures, including options uniquely relevant to  
15 American Indian students, including, for example, American  
16 Indian language and culture programs under Minnesota Statutes,  
17 section 126.48.

18 The format of the integration plan shall be consistent  
19 with, and if possible included into a district's comprehensive  
20 plan.

21 Subp. 4. Commissioner's duties.

22 A. The commissioner shall:

23 (1) evaluate any plans developed under this part  
24 at the end of each academic year after which a plan is  
25 implemented to determine whether the collaboration plan was  
26 implemented and whether the goals have been substantially met;

27 (2) each academic year after a plan is

1 implemented, report to the house and senate education committees  
2 any reduction in the percentage of protected students at  
3 racially identifiable schools; and

4 (3) each academic year after a plan is  
5 implemented, report to the house and senate education committees  
6 if the enrollment of protected students remains constant or  
7 increases at racially identifiable schools.

8 B. The commissioner may recommend financial  
9 incentives that are aimed at compensating or rewarding districts  
10 for programs or activities that have been successful.

11 C. The commissioner may recommend legislative action  
12 to address the condition of racially identifiable schools within  
13 the district.

14 Subp. 5. **Timeline.** Each integration plan shall remain in  
15 place for three years from the date of review by the  
16 commissioner, unless earlier modified by the district and  
17 reviewed by the commissioner. Schools that are newly identified  
18 as racially identifiable or that were included in a plan under  
19 this part but remain racially identifiable after three years  
20 from the date of review by the commissioner shall be subject to  
21 the procedures outlined in parts 3535.0130 to 3535.0160.

22 Subp. 6. Schools that did not meet earlier goals. Schools  
23 that were included in a plan under this part but remain racially  
24 identifiable after three years from the date of review by the  
25 commissioner shall work in consultation with the commissioner to  
26 develop a new plan that shall include an analysis of why the  
27 previous plan did not achieve its goals, a list and explanation



1 of new or continuing barriers to achieving the plan's goals, and  
2 a new plan and rationale for achieving the goals of the plan.

3 3535.0170 INTEGRATION OF RACIALLY ISOLATED SCHOOL DISTRICTS.

4 Subpart 1. Evaluation.

5 A. The commissioner shall annually evaluate the  
6 enrollment of protected students in each district to determine  
7 whether the district as a whole is racially isolated. If the  
8 commissioner determines that a district is racially isolated, as  
9 defined in part 3535.0110, subpart 8 7, the commissioner shall  
10 immediately notify the district and its adjoining districts.  
11 The commissioner may also send notice to other districts that  
12 are not adjoining if the commissioner determines that it would  
13 be geographically feasible for such districts to participate in  
14 cross-district planning. Districts that are not adjoining may  
15 choose whether to participate in the cross-district planning.

16 B. A racially isolated district shall not be required  
17 to follow subparts 2 to 8 if the district is isolated only as a  
18 result of the enrollment of American Indian students whose  
19 unique academic and culturally related educational needs are  
20 being addressed by district programs and the district has  
21 established a parent committee under Minnesota Statutes, section  
22 124D.78. A district racially isolated as a result of the  
23 enrollment of American Indian students shall be required to  
24 follow subparts 2 to 8, if the district is also racially  
25 isolated as a result of the enrollment of other protected  
26 students excluding the enrollment of American Indian students.

27 Subp. 2. Establishment of multidistrict collaboration

1 council. Upon receiving notice under subpart 1, the isolated  
2 and adjoining districts shall establish a multidistrict  
3 collaboration council, as provided in subpart 3, to develop a  
4 plan under this part. The council shall work as provided under  
5 subpart 5 to identify ways to offer cross-district opportunities  
6 to improve integration.

7 Subp. 3. **Membership of multidistrict collaboration**  
8 **council.** Each isolated district and each of its adjoining  
9 districts shall appoint individuals to participate in the  
10 multidistrict collaboration council. The council shall be  
11 reasonably representative of the diversity of the participating  
12 districts. If any of the participating districts have an  
13 American Indian parent committee formed under Minnesota  
14 Statutes, section 124D.78, a representative of those committees  
15 shall also be appointed.

16 Subp. 4. **Alternatives to a multidistrict collaboration**  
17 **council.**

18 A. Participating districts that are members of joint  
19 powers boards that have advisory councils meeting the  
20 requirements of subpart 3 may use those joint powers boards and  
21 advisory councils in lieu of creating a new council under  
22 subpart 2.

23 B. Participating districts that have an existing  
24 committee whose composition reflects the membership requirements  
25 of subpart 3, may use this committee in lieu of creating a new  
26 council under subpart 2.

27 Subp. 5. **Council cooperation and plan. The-multidistrict**

~~collaboration-council-shall-identify-interdistrict-integration  
issues-resulting-from-the-condition-of-racial-isolation-and  
action-goals-designed-to-address-those-integration-issues-  
After-identifying-the-issues-and-goals-of-cross-district  
integration~~ The multidistrict collaboration council shall  
identify ways of creating increased opportunities for  
interracial contact and establish goals for meeting this  
objective. After identifying these opportunities and goals, the  
council shall develop a joint collaboration plan for  
cross-district integration that may include the incentives  
contained in subpart 6, item B B.

Subp. 6. District plan.

A. After receiving the plan required in subpart 5  
from its council, each district shall review, modify if  
necessary, and ratify the integration plan. Each district shall  
provide a plan to the commissioner that describes how the goal  
of greater opportunities for interracial contact between  
students will be met and that describes the interdistrict  
integration efforts the district plans to implement. The plan  
shall be completed and ratified no longer than 12 months after  
the district receives notice under part 3535.0180, subpart 1.  
The plan shall include:

- (1) the extent of community outreach that  
preceded the interdistrict plan;
- (2) cross-district integration issues identified;
- (3) goals of the integration effort; and
- (4) how the goals will be or are being

1 accomplished.

2 B. All collaboration plans under this part must be  
3 educationally justifiable and contain options for interdistrict  
4 integration that may include, for example:

5 (1) providing cooperative transportation that  
6 helps balance racially isolated districts;

7 (2) providing incentives for low-income students  
8 to transfer to districts that are not racially isolated;

9 (3) developing cooperative magnet programs or  
10 schools designed to increase racial balance in the affected  
11 districts;

12 (4) designing cooperative programs to enhance the  
13 experience of students of all races and from all backgrounds and  
14 origins;

15 (5) providing cooperative efforts to recruit  
16 teachers of color, and encouraging teacher exchanges, parent  
17 exchanges, and cooperative staff development programs;

18 (6) encouraging shared extracurricular  
19 opportunities, including, for example, community education  
20 programs that promote understanding, respect, and interaction  
21 among diverse community populations; and

22 (7) documenting, in districts with ten or more  
23 American Indian students, how American Indian students are able  
24 to participate in program options uniquely relevant to American  
25 Indian students, including, for example, language and culture  
26 programs under Minnesota Statutes, section 126.48, and how the  
27 students may participate in the district's voluntary integration

1 efforts.

2 Subp. 7. Limits on participation in multidistrict  
3 collaboration councils. Notwithstanding subpart 2:

4 A. an isolated school district shall not be required  
5 to be part of two or more collaboration councils;

6 B. adjoining districts shall not be required to be  
7 part of two or more collaboration councils;

8 C. two adjoining racially isolated school districts  
9 shall not be required to participate together on the same  
10 collaboration council;

11 D. if a racially isolated district is a member of a  
12 joint powers board under subpart 4, its adjoining districts  
13 shall not be required to participate on the joint powers board;  
14 and

15 E. if an adjoining district is a racially isolated  
16 district exempted from subparts 2 to 8 under subpart 1, item B,  
17 the district shall not be required to be part of an  
18 interdistrict collaboration council and shall not be required to  
19 provide a plan of interdistrict integration efforts to the  
20 commissioner.

21 Subp. 8. Timeline for reports. Once a multidistrict  
22 collaboration plan has been filed with the commissioner, it does  
23 not need to be renewed for a period of four years from the date  
24 of filing.

25 3535.0180 EVALUATION OF COLLABORATIVE EFFORTS.

26 The commissioner shall biennially evaluate the results of  
27 collaborative efforts under part 3535.0170 to determine whether

1 the collaboration plan was implemented and whether the action  
2 goals have been substantially met. After reviewing the results,  
3 the commissioner shall report to the house and senate education  
4 committees whether a district implemented its collaboration plan  
5 and substantially met its action goals. The commissioner may  
6 also make recommendations for appropriate legislative action.

7

8 **APPLICATION TO A DISTRICT WITH AN EXISTING PLAN.** A school  
9 district with an approved desegregation plan in place on the  
10 effective date of parts 3535.0100 to 3535.0180 must prepare a  
11 voluntary plan under parts 3535.0100 to 3535.0180 for all sites  
12 previously covered by a desegregation plan.

13 **REPEALER.** Minnesota Rules, parts 3535.0200; 3535.0300;  
14 3535.0400; 3535.0500; 3535.0600; 3535.0700; 3535.0900;  
15 3535.1100; 3535.1200; 3535.1300; 3535.1500; 3535.1700; and  
16 3535.2000, are repealed.