ARTICLE 8
HEALTH AND SAFETY

Section 1. Minnesota Statutes 2022, section 120A.22, subdivision 12, is amended to read:

Subd. 12. Legitimate exemptions. (a) A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent.

The school district may state in its school attendance policy that it may ask the student's parent or legal guardian to verify in writing the reason for the child's absence from school. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse. The board of the district in which the child resides may approve the application upon the following being demonstrated to the satisfaction of that board:

1. that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:
   (i) child illness, medical, dental, orthodontic, or counseling appointments, including appointments conducted through telehealth;
   (ii) family emergencies;
   (iii) the death or serious illness or funeral of an immediate family member;
   (iv) active duty in any military branch of the United States;
   (v) the child has a condition that requires ongoing treatment for a mental health diagnosis;
   (vi) other exemptions included in the district's school attendance policy;

2. that the child has already completed state and district standards required for graduation 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 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.

Section 1. 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. 2. [120B.213] HEALTHY AGING AND DEMENTIA EDUCATION;

School districts and charter schools are encouraged to provide instruction on healthy
aging and dementia to students in grades 6 through 12 that is aligned with local health
standards and integrated into existing programs, curriculum, or the general school
environment of a district or charter school. The commissioner of education, in consultation
with the commissioner of health and dementia advocacy organizations, must, by July 1,
2025, and July 1 of each odd-numbered year thereafter, provide districts and charter schools
with age-appropriate resources on healthy aging and dementia including but not limited to
strategies to maintain brain health, information on Alzheimer's disease and other forms of
dementia, and caring for an elder with a cognitive impairment.
EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 2. [121A.033] NOTICE; DISSEMINATION OF PRIVATE IMAGES.

(a) The commissioner of education must, using existing resources, develop a model notice that districts or schools can provide to students and parents or guardians about the legal, social, behavioral, and mental health implications of and impact to students and student families regarding the dissemination of private sexual images as specified in section 617.261.

(b) The commissioner may consult with the commissioner of health and the Office of the Attorney General to develop the model notice.

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.

Subdivision 1. Access to space. (a) To the extent space is available, a school district or charter school must provide an enrolled secondary school student with access during regular

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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. A school must make the space available beginning October 1, 2024.

(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
school to confirm the student is currently receiving mental health care from the provider.

Such a consent is valid for the school year in which it is submitted.

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

Subd. 2. Exclusions. In addition, this section does not apply to drugs or medicine that are:

(1) purchased without a prescription;

(2) used by a pupil who is 18 years old or older;

(3) used in connection with services for which a minor may give effective consent,
including section 144.343, subdivision 1, and any other law;

(4) used in situations in which, in the judgment of the school personnel, including a
licensed nurse, who are present or available, the risk to the pupil's life or health is of such
a nature that drugs or medicine should be given without delay;

(5) used off the school grounds;

(6) used in connection with athletics or extra curricular activities;

(7) used in connection with activities that occur before or after the regular school day;

(8) provided or administered by a public health agency to prevent or control an illness
or a disease outbreak as provided for in sections 144.05 and 144.12;

76.10 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
school to confirm the student is currently receiving mental health care from the provider.

Such a consent is valid for the school year in which it is submitted.
(9) prescription asthma or reactive airway disease medications self-administered by a
pupil with an asthma inhaler, consistent with section 121A.221, if the district has received
a written authorization from the pupil's parent permitting the pupil to self-administer the
medication, the inhaler is properly labeled for that student, and the parent has not requested
school personnel to administer the medication to the pupil. The parent must submit written
authorization for the pupil to self-administer the medication each school year; or
(10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and
prescribing medical professional annually inform the pupil's school in writing that (i) the
pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and
requires immediate access to epinephrine auto-injectors that the parent provides properly
labeled to the school for the pupil as needed.

Sec. 7. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

Subd. 4.
(a) with a public or private health or health-related organization, in a district that contracts
with a public or private health or health-related organization, according to section 121A.21; or
(b) with the appropriate party, in a district that has an arrangement approved by the
commissioner of education, according to section 121A.21.

Sec. 8. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

Subdivision 1. Districts and schools permitted to maintain supply. (a) Notwithstanding
section 151.37, districts and schools may obtain and possess epinephrine auto-injectors to
be maintained and administered by school personnel, including a licensed nurse, to a student
or other individual if, in good faith, it is determined that person is experiencing anaphylaxis
regardless of whether the student or other individual has a prescription for an epinephrine
auto-injector. The administration of an epinephrine auto-injector in accordance with this
section is not the practice of medicine.
(b) Registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under section 148.235, subdivision 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.

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

Sec. 9. Minnesota Statutes 2022, section 121A.41, subdivision 8, is amended to read:

Subd. 8. School. “School” means any school defined in section 120A.05, subdivisions 9, 11, 13, and 17. “School” also means a charter school.

Sec. 10. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 4, is amended to read:

Subd. 4. Allowed uses. (a) Aid under this section must be used to hire new positions for student support services personnel or increase a current position that is less than 1.0 full-time equivalent to a greater number of service hours or make permanent a position hired using onetime resources awarded through the federal Coronavirus Aid Relief and Economic Security Act, the federal Consolidated Appropriations Act, the federal Division M-Coronavirus Response and Relief Supplemental Appropriations Act, or the federal American Rescue Plan Act, or to maintain a position that would otherwise be eliminated.

(b) Cooperative student support personnel aid must be transferred to the intermediate district or other cooperative unit of which the district is a member and used to hire new positions for student support services personnel or increase a current position that is less than 1.0 full-time equivalent to a greater number of service hours or make permanent a
position hired using one-time resources awarded through the American Rescue Plan Act at
the intermediate district or cooperative unit.

c) If a school district, charter school, or cooperative unit does not receive at least two
applications and is not able to hire a new full-time equivalent position with student support
personnel aid, the aid may be used for contracted services from individuals licensed to serve
as a school counselor, school psychologist, school social worker, school nurse, or chemical
dependency counselor in Minnesota.

d) Notwithstanding paragraphs (a) to (c), aid under this section may be used to maintain
existing student support services personnel positions, including positions established prior
to the 2023-2024 school year and positions initially funded with local, state, or federal
resources, if the superintendent or charter school director provides the commissioner with
a statement of assurances that the positions would be eliminated without the flexibility
provided under this paragraph.

**EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2025 and later.

Subd. 3c. **Eating disorder awareness.** The league must provide school coaches with
eating disorder prevention education resources developed specifically for school coaches
about the nature and risks of eating disorders, including the risk factors, mitigation strategies,
effects, and risks of undiagnosed and untreated eating disorders, consistent with current
medical research.

Sec. 7. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

Subdivision 1. **Facilities and schools.** (a) The local welfare agency is the agency
responsible for investigating allegations of maltreatment in child foster care, family child
care, legally nonlicensed child care, and reports involving children served by an unlicensed
personal care provider organization under section 256B.0659. Copies of findings related to
personal care provider organizations under section 256B.0659 must be forwarded to the
Department of Human Services provider enrollment.

(b) The Department of Human Services is the agency responsible for screening and
investigating allegations of maltreatment in juvenile correctional facilities listed under
section 241.021 located in the local welfare agency's county and in facilities licensed or
certified under chapters 245A, 245D, and 245H, except for child foster care and family
child care.

(c) The Department of Health is the agency responsible for screening and investigating
allegations of maltreatment in facilities licensed under sections 144A.03 to 144A.43 and 144A.43
to chapter 144H.

(d) The Department of Education is the agency responsible for screening and investigating
allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11,
and 13, and chapter 124E. The Department of Education's responsibility to screen and investigate includes allegations of maltreatment involving students at least 18 to 21 but not 22 years of age, including students receiving special education services, up to and including graduation and the issuance of a secondary or high school diploma.

(e) A health or corrections agency receiving a report may request the local welfare agency to provide assistance pursuant to this section and sections 260E.20 and 260E.22.

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