

1.1 ..... moves to amend H.F. No. 1711 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 **"ARTICLE 1**

1.4 **GENERAL EDUCATION**

1.5 Section 1. Minnesota Statutes 2018, section 120A.20, subdivision 2, is amended to read:

1.6 Subd. 2. **Education, residence, and transportation of homeless.** (a) Notwithstanding  
1.7 subdivision 1, a district must not deny free admission to a homeless pupil solely because  
1.8 the district cannot determine that the pupil is a resident of the district.

1.9 (b) The school district of residence for a homeless pupil shall be the school district in  
1.10 which the parent or legal guardian resides, unless: (1) parental rights have been terminated  
1.11 by court order; (2) the parent or guardian is not living within the state; or (3) the parent or  
1.12 guardian having legal custody of the child is an inmate of a Minnesota correctional facility  
1.13 or is a resident of a halfway house under the supervision of the commissioner of corrections.  
1.14 If any of clauses (1) to (3) apply, the school district of residence shall be the school district  
1.15 in which the pupil resided when the qualifying event occurred. If no other district of residence  
1.16 can be established, the school district of residence shall be the school district in which the  
1.17 pupil currently resides. If there is a dispute between school districts regarding residency,  
1.18 the district of residence is the district designated by the commissioner of education.

1.19 (c) Except as provided in paragraph (d), the serving district is responsible for transporting  
1.20 a homeless pupil to and from the pupil's district of residence. The district may transport  
1.21 from a permanent home in another district but only through the end of the academic school  
1.22 year. When a pupil is enrolled in a charter school, the district or school that provides  
1.23 transportation for other pupils enrolled in the charter school is responsible for providing  
1.24 transportation. When a homeless student with or without an individualized education program

2.1 attends a public school other than an independent or special school district or charter school,  
2.2 the district of residence is responsible for transportation.

2.3 (d) For a homeless pupil with an individualized education plan enrolled in a program  
2.4 authorized by an intermediate school district, special education cooperative, service  
2.5 cooperative, or education district, the serving district at the time of the pupil's enrollment  
2.6 in the program remains responsible for transporting that pupil for the remainder of the school  
2.7 year, unless the initial serving district and the current serving district mutually agree that  
2.8 the current serving district is responsible for transporting the homeless pupil.

2.9 **EFFECTIVE DATE.** This section is effective July 1, 2019.

2.10 Sec. 2. **[120A.21] ENROLLMENT OF A STUDENT IN FOSTER CARE.**

2.11 A student who is placed in foster care must be enrolled in school within seven school  
2.12 days of their placement in the foster home. According to section 124D.08, subdivision 2b,  
2.13 if the student's foster home is in another district, the student may remain enrolled in the  
2.14 prior district.

2.15 Sec. 3. Minnesota Statutes 2018, section 120A.35, is amended to read:

2.16 **120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE.**

2.17 Reasonable efforts must be made by a school district to accommodate any pupil who  
2.18 wishes to be excused from a curricular activity for a religious observance. A school board  
2.19 must provide annual notice to parents of the school district's policy relating to a pupil's  
2.20 absence from school for religious observance.

2.21 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

2.22 Sec. 4. Minnesota Statutes 2018, section 120A.40, is amended to read:

2.23 **120A.40 SCHOOL CALENDAR.**

2.24 (a) Except for learning programs during summer, flexible learning year programs  
2.25 authorized under sections 124D.12 to 124D.127, and learning year programs under section  
2.26 124D.128, a district must not commence an elementary or secondary school year before  
2.27 Labor Day, except as provided under paragraph (b). Days devoted to teachers' workshops  
2.28 may be held before Labor Day. Districts that enter into cooperative agreements are  
2.29 encouraged to adopt similar school calendars.

2.30 (b) A district may begin the school year on any day before Labor Day:

3.1 (1) to accommodate a construction or remodeling project of \$400,000 or more affecting  
3.2 a district school facility;

3.3 (2) if the district has an agreement under section 123A.30, 123A.32, or 123A.35 with a  
3.4 district that qualifies under clause (1); or

3.5 (3) if the district agrees to the same schedule with a school district in an adjoining state.

3.6 (c) A school board may consider the community's religious observance when adopting  
3.7 an annual school calendar.

3.8 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

3.9 Sec. 5. Minnesota Statutes 2018, section 123A.64, is amended to read:

3.10 **123A.64 DUTY TO MAINTAIN ELEMENTARY AND SECONDARY SCHOOLS.**

3.11 Each district must maintain classified elementary and secondary schools, ~~grades 1~~  
3.12 kindergarten through grade 12, unless the district is exempt according to section 123A.61  
3.13 or 123A.62, has made an agreement with another district or districts as provided in sections  
3.14 123A.30, 123A.32, or sections 123A.35 to 123A.43, or 123A.17, subdivision 7, has received  
3.15 a grant under sections 123A.441 to 123A.445, or has formed a cooperative under section  
3.16 123A.482. A district that has an agreement according to sections 123A.35 to 123A.43 or  
3.17 123A.32 must operate a school with the number of grades required by those sections. A  
3.18 district that has an agreement according to section 123A.30 or 123A.17, subdivision 7, or  
3.19 has received a grant under sections 123A.441 to 123A.445 must operate a school for the  
3.20 grades not included in the agreement, but not fewer than three grades.

3.21 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

3.22 Sec. 6. Minnesota Statutes 2018, section 123B.143, subdivision 1, is amended to read:

3.23 Subdivision 1. **Contract; duties.** (a) All districts maintaining a classified secondary  
3.24 school must employ a superintendent who ~~shall be~~ must serve as an ex officio nonvoting  
3.25 member of the school board. The authority for selection and employment of a superintendent  
3.26 must be vested in the board in all cases.

3.27 (b) An individual employed by a board as a superintendent ~~shall~~ must have an initial  
3.28 employment contract for a period of time no longer than three years from the date of  
3.29 employment. Any subsequent employment contract must not exceed a period of three years.  
3.30 A board, at its discretion, may or may not renew an employment contract. A board must  
3.31 not, by action or inaction, extend the duration of an existing employment contract. Beginning

4.1 365 days prior to the expiration date of an existing employment contract, a board may  
4.2 negotiate and enter into a subsequent employment contract to take effect upon the expiration  
4.3 of the existing contract. A subsequent contract must be contingent upon the employee  
4.4 completing the terms of an existing contract. If a contract between a board and a  
4.5 superintendent is terminated prior to the date specified in the contract, the board may not  
4.6 enter into another superintendent contract with that same individual that has a term that  
4.7 extends beyond the date specified in the terminated contract.

4.8 (c) A board may terminate a superintendent during the term of an employment contract  
4.9 for any of the grounds specified in section 122A.40, subdivision 9 or 13. A superintendent  
4.10 ~~shall~~ must not rely upon an employment contract with a board to assert any other continuing  
4.11 contract rights in the position of superintendent under section 122A.40. Notwithstanding  
4.12 the provisions of sections 122A.40, subdivision 10 or 11, 123A.32, 123A.75, or any other  
4.13 law to the contrary, no individual ~~shall have~~ has a right to employment as a superintendent  
4.14 based on order of employment in any district.

4.15 (d) If two or more districts enter into an agreement for the purchase or sharing of the  
4.16 services of a superintendent, the contracting districts have the absolute right to select one  
4.17 of the individuals employed to serve as superintendent in one of the contracting districts  
4.18 and no individual has a right to employment as the superintendent to provide all or part of  
4.19 the services based on order of employment in a contracting district.

4.20 (e) The superintendent of a district ~~shall~~ must perform the following:

4.21 (1) visit and supervise the schools in the district, report and make recommendations  
4.22 about their condition when advisable or on request by the board;

4.23 (2) recommend to the board employment and dismissal of teachers;

4.24 (3) annually evaluate each school principal assigned responsibility for supervising a  
4.25 school building within the district, consistent with section 123B.147, subdivision 3, paragraph  
4.26 (b);

4.27 (4) superintend school grading practices and examinations for promotions;

4.28 (5) make reports required by the commissioner; and

4.29 (6) perform other duties prescribed by the board.

4.30 Sec. 7. Minnesota Statutes 2018, section 123B.41, subdivision 2, is amended to read:

4.31 Subd. 2. **Textbook.** (a) "Textbook" means any book or book substitute, including  
4.32 electronic books as well as other printed materials delivered electronically, which a pupil

5.1 uses as a text or text substitute in a particular class or program in the school regularly  
 5.2 attended and a copy of which is expected to be available for the individual use of each pupil  
 5.3 in this class or program. Textbook includes an online book with an annual subscription cost.  
 5.4 Textbook includes a teacher's edition, teacher's guide, or other materials that accompany a  
 5.5 textbook that a pupil uses when the teacher's edition, teacher's guide, or other teacher  
 5.6 materials are required to be purchased with textbooks for student use.

5.7 (b) For purposes of calculating the annual nonpublic pupil aid entitlement for textbooks,  
 5.8 the term shall be limited to books, workbooks, or manuals, whether bound or in loose-leaf  
 5.9 form, as well as electronic books and other printed materials delivered electronically,  
 5.10 intended for use as a principal source of study material for a given class or a group of  
 5.11 students.

5.12 (c) For purposes of sections 123B.40 to 123B.48, the terms "textbook" and "software  
 5.13 or other educational technology" include only such secular, neutral, and nonideological  
 5.14 materials as are available, used by, or of benefit to Minnesota public school pupils.

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

5.16 Sec. 8. Minnesota Statutes 2018, section 123B.41, subdivision 5, is amended to read:

5.17 Subd. 5. **Individualized instructional or cooperative learning materials.** (a)

5.18 "Individualized instructional or cooperative learning materials" means educational materials  
 5.19 which:

5.20 ~~(a)~~ (1) are designed primarily for individual pupil use or use by pupils in a cooperative  
 5.21 learning group in a particular class or program in the school the pupil regularly attends,  
 5.22 including teacher materials that accompany materials that a pupil uses;

5.23 ~~(b)~~ (2) are secular, neutral, nonideological and not capable of diversion for religious  
 5.24 use; and

5.25 ~~(c)~~ (3) are available, used by, or of benefit to Minnesota public school pupils.

5.26 (b) Subject to the requirements in ~~clauses (a), (b), and (c)~~ paragraph (a), "individualized  
 5.27 instructional or cooperative learning materials" include, but are not limited to, the following  
 5.28 if they do not fall within the definition of "textbook" in subdivision 2: published materials;  
 5.29 periodicals; documents; pamphlets; photographs; reproductions; pictorial or graphic works;  
 5.30 prerecorded video programs; prerecorded tapes, cassettes and other sound recordings;  
 5.31 manipulative materials; desk charts; games; study prints and pictures; desk maps; models;  
 5.32 learning kits; blocks or cubes; flash cards; individualized multimedia systems; prepared

6.1 instructional computer software programs; choral and band sheet music; electronic books  
6.2 and other printed materials delivered electronically; and CD-Rom.

6.3 (c) "Individualized instructional or cooperative learning materials" do not include  
6.4 instructional equipment, instructional hardware, or ordinary daily consumable classroom  
6.5 supplies.

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

6.7 Sec. 9. Minnesota Statutes 2018, section 123B.42, subdivision 3, is amended to read:

6.8 Subd. 3. **Cost; limitation.** (a) The cost per pupil of the textbooks, individualized  
6.9 instructional or cooperative learning materials, software or other educational technology,  
6.10 and standardized tests provided for in this section for each school year must not exceed the  
6.11 statewide average expenditure per pupil, adjusted pursuant to ~~elause~~ paragraph (b), by the  
6.12 Minnesota public elementary and secondary schools for textbooks, individualized  
6.13 instructional materials and standardized tests as computed and established by the department  
6.14 by February 1 of the preceding school year from the most recent public school year data  
6.15 then available.

6.16 (b) The cost computed in ~~elause~~ paragraph (a) shall be increased by an inflation  
6.17 adjustment equal to the percent of increase in the formula allowance, pursuant to section  
6.18 126C.10, subdivision 2, from the second preceding school year to the current school year.  
6.19 ~~Notwithstanding the amount of the formula allowance for fiscal years 2015 and 2016 in~~  
6.20 ~~section 126C.10, subdivision 2, the commissioner shall use the amount of the formula~~  
6.21 ~~allowance for the current year minus \$414 in determining the inflation adjustment for fiscal~~  
6.22 ~~years 2015 and 2016.~~

6.23 (c) The commissioner shall allot to the districts or intermediary service areas the total  
6.24 cost for each school year of providing or loaning the textbooks, individualized instructional  
6.25 or cooperative learning materials, software or other educational technology, and standardized  
6.26 tests for the pupils in each nonpublic school. The allotment shall not exceed the product of  
6.27 the statewide average expenditure per pupil, according to ~~elause~~ paragraph (a), adjusted  
6.28 pursuant to ~~elause~~ paragraph (b), multiplied by the number of nonpublic school pupils who  
6.29 make requests pursuant to this section and who are enrolled as of September 15 of the current  
6.30 school year.

7.1 Sec. 10. Minnesota Statutes 2018, section 123B.49, subdivision 4, is amended to read:

7.2 Subd. 4. **Board control of extracurricular activities.** (a) The board ~~may~~ must take  
7.3 charge of and control all extracurricular activities of the teachers and children of the public  
7.4 schools in the district. Extracurricular activities means all direct and personal services for  
7.5 pupils for their enjoyment that are managed and operated under the guidance of an adult or  
7.6 staff member. The board shall allow all resident pupils receiving instruction in a home  
7.7 school as defined in section 123B.36, subdivision 1, paragraph (a), to be eligible to fully  
7.8 participate in extracurricular activities on the same basis as public school students.

7.9 (b) Extracurricular activities have all of the following characteristics:

7.10 (1) they are not offered for school credit nor required for graduation;

7.11 (2) they are generally conducted outside school hours, or if partly during school hours,  
7.12 at times agreed by the participants, and approved by school authorities;

7.13 (3) the content of the activities is determined primarily by the pupil participants under  
7.14 the guidance of a staff member or other adult.

7.15 ~~(e) If the board does not take charge of and control extracurricular activities, these~~  
7.16 ~~activities shall be self-sustaining with all expenses, except direct salary costs and indirect~~  
7.17 ~~costs of the use of school facilities, met by dues, admissions, or other student fund-raising~~  
7.18 ~~events. The general fund must reflect only those salaries directly related to and readily~~  
7.19 ~~identified with the activity and paid by public funds. Other revenues and expenditures for~~  
7.20 ~~extra-curricular activities must be recorded according to the Manual for Activity Fund~~  
7.21 ~~Accounting. Extracurricular activities not under board control must have an annual financial~~  
7.22 ~~audit and must also be audited annually for compliance with this section.~~

7.23 ~~(d) If the board takes charge of and controls extracurricular activities,~~ (c) Any or all  
7.24 costs of these activities may be provided from school revenues and all revenues and  
7.25 expenditures for these activities shall be recorded in the same manner as other revenues and  
7.26 expenditures of the district.

7.27 ~~(e) If the board takes charge of and controls extracurricular activities,~~ (d) The teachers  
7.28 or pupils in the district must not participate in such activity, nor shall the school name or  
7.29 any allied name be used in connection therewith, except by consent and direction of the  
7.30 board.

7.31 (e) A school district must reserve revenue raised for extracurricular activities and spend  
7.32 the revenue only for extracurricular activities.

8.1 Sec. 11. Minnesota Statutes 2018, section 126C.126, is amended to read:

8.2 **126C.126 USE OF GENERAL EDUCATION REVENUE FOR ~~ALL-DAY~~**  
8.3 **KINDERGARTEN AND PREKINDERGARTEN.**

8.4 A school district may spend general education revenue on extended time kindergarten  
8.5 and prekindergarten programs. At the school board's discretion, the district may use revenue  
8.6 generated by the ~~all-day~~ kindergarten pupil count under section 126C.05, subdivision 1,  
8.7 paragraph (d), to meet the needs of three- and four-year-olds in the district. ~~A school district~~  
8.8 ~~may not use these funds on programs for three- and four-year-old children while maintaining~~  
8.9 ~~a fee-based all-day kindergarten program.~~

8.10 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

8.11 Sec. 12. **[127A.20] EVIDENCE-BASED EDUCATION GRANTS.**

8.12 **Subdivision 1. Purpose and applicability.** The purpose of this section is to create a  
8.13 process to describe, measure, and report on the effectiveness of any prekindergarten through  
8.14 grade 12 grant programs funded in whole or in part through funds appropriated by the  
8.15 legislature to the commissioner of education for grants to organizations. The evidence-based  
8.16 evaluation required by this section applies to all grants awarded by the commissioner of  
8.17 education on or after July 1, 2019.

8.18 **Subd. 2. Goals.** Each applicant for a grant awarded by the commissioner of education  
8.19 must include in the grant application a statement of the goals of the grant. To the extent  
8.20 practicable, the goals must be aligned to the state of Minnesota's world's best workforce  
8.21 and the federally required Every Student Succeeds Act accountability systems.

8.22 **Subd. 3. Strategies and data.** Each applicant must include in the grant application a  
8.23 description of the strategies that will be used to meet the goals specified in the application.  
8.24 The applicant must also include a plan to collect data to measure the effectiveness of the  
8.25 strategies outlined in the grant application.

8.26 **Subd. 4. Reporting.** Within 180 days of the end of the grant period, each grant recipient  
8.27 must compile a report that describes the data that was collected and evaluate the effectiveness  
8.28 of the strategies. The evidence-based report may identify or propose alternative strategies  
8.29 based on the results of the data. The report must be submitted to the commissioner of  
8.30 education and to the chairs and ranking minority members of the legislative committees  
8.31 with jurisdiction over prekindergarten through grade 12 education. The report must be filed  
8.32 with the Legislative Reference Library according to section 3.195.



9.1 Subd. 5. **Grant defined.** For purposes of this section, a grant means money appropriated  
 9.2 from the state general fund to the commissioner of education for distribution to the grant  
 9.3 recipients.

9.4 **EFFECTIVE DATE.** This section is effective July 1, 2019.

9.5 Sec. 13. **SCHOOL START DATE FOR THE 2020-2021 AND 2021-2022 SCHOOL**  
 9.6 **YEARS ONLY.**

9.7 Notwithstanding Minnesota Statutes, section 120A.40, or any other law to the contrary,  
 9.8 for the 2020-2021 school year only, school districts may begin the school year on August  
 9.9 31, and for the 2021-2022 school year only, school districts may begin the school year on  
 9.10 August 30.

9.11 Sec. 14. **REPEALER.**

9.12 Minnesota Statutes 2018, section 127A.14, is repealed.

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

9.14 **ARTICLE 2**  
 9.15 **EDUCATION EXCELLENCE**

9.16 Section 1. Minnesota Statutes 2018, section 120A.22, subdivision 5, is amended to read:

9.17 Subd. 5. **Ages and terms.** (a) Every child between ~~seven~~ six and 17 years of age must  
 9.18 receive instruction unless the child has graduated. Every child under the age of ~~seven~~ six  
 9.19 who is enrolled in a ~~half-day kindergarten, or a full-day kindergarten program on alternate~~  
 9.20 ~~days, or other kindergarten programs shall~~ must receive instruction for the hours established  
 9.21 for that program. Except as provided in subdivision 6, a parent may withdraw a child under  
 9.22 the age of ~~seven~~ six from enrollment at any time.

9.23 (b) A school district by annual board action may require children subject to this  
 9.24 subdivision to receive instruction in summer school. A district that acts to require children  
 9.25 to receive instruction in summer school ~~shall~~ must establish at the time of its action the  
 9.26 criteria for determining which children must receive instruction.

9.27 (c) A pupil 16 years of age or older who meets the criteria of section 124D.68, subdivision  
 9.28 2, and under clause (5) of that subdivision has been excluded or expelled from school or  
 9.29 under clause (11) of that subdivision has been chronically truant may be referred to an area  
 9.30 learning center. Such referral may be made only after consulting the principal, area learning  
 9.31 center director, student, and parent or guardian and only if, in the school administrator's

10.1 professional judgment, the referral is in the best educational interest of the pupil. Nothing  
10.2 in this paragraph limits a pupil's eligibility to apply to enroll in other eligible programs  
10.3 under section 124D.68.

10.4 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

10.5 Sec. 2. Minnesota Statutes 2018, section 120A.22, subdivision 6, is amended to read:

10.6 Subd. 6. **Children under ~~seven~~ age six.** (a) Once a pupil under the age of ~~seven~~ six is  
10.7 enrolled in kindergarten or a higher grade in a public school, the pupil is subject to the  
10.8 compulsory attendance provisions of this chapter and section 120A.34, unless the board of  
10.9 the district in which the pupil is enrolled has a policy that exempts children under ~~seven~~ six  
10.10 from this subdivision.

10.11 (b) In a district in which children under ~~seven~~ the age of six are subject to compulsory  
10.12 attendance under this subdivision, paragraphs (c) to (e) apply.

10.13 (c) A parent or guardian may withdraw the pupil from enrollment in the school for good  
10.14 cause by notifying the district. Good cause includes, but is not limited to, enrollment of the  
10.15 pupil in another school, as defined in subdivision 4, or the immaturity of the child.

10.16 (d) When the pupil enrolls, the enrolling official must provide the parent or guardian  
10.17 who enrolls the pupil with a written explanation of the provisions of this subdivision.

10.18 (e) A pupil under the age of ~~seven~~ six who is withdrawn from enrollment in the public  
10.19 school under paragraph (c) is no longer subject to the compulsory attendance provisions of  
10.20 this chapter.

10.21 (f) In a district that had adopted a policy to exempt children under ~~seven~~ the age of six  
10.22 from this subdivision, the district's chief attendance officer must keep the truancy enforcement  
10.23 authorities supplied with a copy of the board's current policy certified by the clerk of the  
10.24 board.

10.25 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

10.26 Sec. 3. Minnesota Statutes 2018, section 120A.22, subdivision 11, is amended to read:

10.27 Subd. 11. **Assessment of performance.** (a) Each year the performance of every child  
10.28 ages ~~seven~~ six through 16 and every child ages 16 through 17 for which an initial report  
10.29 was filed pursuant to section 120A.24, subdivision 1, after the child is 16 and who is not  
10.30 enrolled in a public school must be assessed using a nationally norm-referenced standardized  
10.31 achievement examination. The superintendent of the district in which the child receives

11.1 instruction and the person in charge of the child's instruction must agree about the specific  
11.2 examination to be used and the administration and location of the examination.

11.3 (b) To the extent the examination in paragraph (a) does not provide assessment in all of  
11.4 the subject areas in subdivision 9, the parent must assess the child's performance in the  
11.5 applicable subject area. This requirement applies only to a parent who provides instruction  
11.6 and does not meet the requirements of subdivision 10, clause (1), (2), or (3).

11.7 (c) If the results of the assessments in paragraphs (a) and (b) indicate that the child's  
11.8 performance on the total battery score is at or below the 30th percentile or one grade level  
11.9 below the performance level for children of the same age, the parent must obtain additional  
11.10 evaluation of the child's abilities and performance for the purpose of determining whether  
11.11 the child has learning problems.

11.12 (d) A child receiving instruction from a nonpublic school, person, or institution that is  
11.13 accredited by an accrediting agency, recognized according to section 123B.445, or recognized  
11.14 by the commissioner, is exempt from the requirements of this subdivision.

11.15 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

11.16 Sec. 4. Minnesota Statutes 2018, section 120A.24, subdivision 1, is amended to read:

11.17 Subdivision 1. **Reports to superintendent.** (a) The person or nonpublic school in charge  
11.18 of providing instruction to a child must submit to the superintendent of the district in which  
11.19 the child resides the name, birth date, and address of the child; the annual tests intended to  
11.20 be used under section 120A.22, subdivision 11, if required; the name of each instructor;  
11.21 and evidence of compliance with one of the requirements specified in section 120A.22,  
11.22 subdivision 10:

11.23 (1) by October 1 of the first school year the child receives instruction after reaching the  
11.24 age of ~~seven~~ six;

11.25 (2) within 15 days of when a parent withdraws a child from public school after age ~~seven~~  
11.26 six to provide instruction in a nonpublic school that is not accredited by a state-recognized  
11.27 accredited agency;

11.28 (3) within 15 days of moving out of a district; and

11.29 (4) by October 1 after a new resident district is established.

11.30 (b) The person or nonpublic school in charge of providing instruction to a child between  
11.31 the ages of ~~seven~~ six and 16 and every child ages 16 through 17 for which an initial report  
11.32 was filed pursuant to this subdivision after the child is 16 must submit, by October 1 of each

12.1 school year, a letter of intent to continue to provide instruction under this section for all  
12.2 students under the person's or school's supervision and any changes to the information  
12.3 required in paragraph (a) for each student.

12.4 (c) The superintendent may collect the required information under this section through  
12.5 an electronic or web-based format, but must not require electronic submission of information  
12.6 under this section from the person in charge of reporting under this subdivision.

12.7 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

12.8 Sec. 5. Minnesota Statutes 2018, section 120B.024, subdivision 1, is amended to read:

12.9 Subdivision 1. **Graduation requirements.** ~~Students beginning 9th grade in the 2011-2012~~  
12.10 ~~school year and later~~ must successfully complete the following high school level credits for  
12.11 graduation:

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

12.14 (2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient  
12.15 to satisfy all of the academic standards in mathematics;

12.16 (3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade  
12.17 standards in mathematics;

12.18 (4) three credits of science, including at least one credit of biology, one credit of chemistry  
12.19 or physics, and one elective credit of science. The combination of credits under this clause  
12.20 must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics  
12.21 and (ii) all other academic standards in science;

12.22 (5) three and one-half credits of social studies, including credit for a course in government  
12.23 and citizenship, which must include instruction on diverse cultures, in either 11th or 12th  
12.24 grade for students beginning 9th grade in the 2020-2021 school year and later, and a  
12.25 combination of other credits encompassing at least United States history, geography,  
12.26 government and citizenship, world history, and economics sufficient to satisfy all of the  
12.27 academic standards in social studies;

12.28 (6) one credit of the arts sufficient to satisfy all of the state or local academic standards  
12.29 in the arts; ~~and~~

12.30 (7) for students beginning 9th grade in the 2020-2021 school year and later, a minimum  
12.31 of ~~seven~~ six elective credits; and

13.1 (8) for students beginning 9th grade in the 2020-2021 school year and later, at least  
13.2 one-half credit for a course in personal finance.

13.3 Sec. 6. Minnesota Statutes 2018, section 120B.11, subdivision 2, is amended to read:

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

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

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

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

13.23 (4) strategies for improving instruction, curriculum, and student achievement, including:  
13.24 (i) the English and, where practicable, the native language development and the academic  
13.25 achievement of English learners and (ii) for all learners, access to culturally relevant or  
13.26 ethnic studies curriculum using culturally responsive methodologies;

13.27 (5) a process to examine the equitable distribution of teachers and strategies to ensure  
13.28 children from low-income and minority children families, families of color, and American  
13.29 Indian families are not taught at higher rates than other children by inexperienced, ineffective,  
13.30 or out-of-field teachers;

13.31 (6) education effectiveness practices that integrate high-quality instruction; rigorous  
13.32 curriculum; technology; inclusive and respectful learning and work environments for all  
13.33 students, families, and employees; and a collaborative professional culture that ~~develops~~

14.1 ~~and supports~~ retains qualified, racially, and ethnically diverse staff effective at working  
 14.2 with diverse students while developing and supporting teacher quality, performance, and  
 14.3 effectiveness; and

14.4 (7) an annual budget for continuing to implement the district plan.

14.5 **EFFECTIVE DATE.** This section is effective for all strategic plans reviewed and  
 14.6 updated after the day of final enactment.

14.7 Sec. 7. Minnesota Statutes 2018, section 120B.11, subdivision 3, is amended to read:

14.8 Subd. 3. **District advisory committee.** (a) Each school board ~~shall~~ must establish an  
 14.9 advisory committee to ensure active community participation in all phases of planning and  
 14.10 improving the instruction and curriculum affecting state and district academic standards,  
 14.11 consistent with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~  
 14.12 must reflect the diversity of the district and its school sites, include teachers, parents, support  
 14.13 staff, students, and other community residents, and provide translation to the extent  
 14.14 appropriate and practicable. The district advisory committee ~~shall~~ must pursue community  
 14.15 support to accelerate the academic and native literacy and achievement of English learners  
 14.16 with varied needs, from young children to adults, consistent with section 124D.59,  
 14.17 subdivisions 2 and 2a. The district may establish site teams as subcommittees of the district  
 14.18 advisory committee under subdivision 4.

14.19 (b) The district advisory committee ~~shall~~ must recommend to the school board:

14.20 (1) rigorous academic standards;<sub>2</sub>

14.21 (2) student achievement goals and measures consistent with subdivision 1a and sections  
 14.22 120B.022, subdivisions 1a and 1b, and 120B.35;<sub>2</sub>

14.23 (3) district assessments;<sub>2</sub>

14.24 (4) means to improve students' equitable access to effective and more diverse teachers;<sub>2</sub>

14.25 (5) strategies to ensure the curriculum and learning and work environments are inclusive  
 14.26 and respectful toward all racial and ethnic groups; and

14.27 (6) program evaluations.

14.28 (c) School sites may expand upon district evaluations of instruction, curriculum,  
 14.29 assessments, or programs. Whenever possible, parents and other community residents ~~shall~~  
 14.30 must comprise at least two-thirds of advisory committee members.

15.1 Sec. 8. Minnesota Statutes 2018, section 120B.12, subdivision 2, is amended to read:

15.2 Subd. 2. **Identification; report.** (a) Each school district ~~shall~~ must identify before the  
15.3 end of kindergarten, grade 1, and grade 2 all students who are not reading at grade level  
15.4 ~~before the end of the current school year and shall~~. Students identified as not reading at  
15.5 grade level by the end of kindergarten, grade 1, and grade 2, must be screened for  
15.6 characteristics of dyslexia.

15.7 (b) identify Students in grade 3 or higher who demonstrate a reading difficulty to a  
15.8 classroom teacher must be screened for characteristics of dyslexia, unless a different reason  
15.9 for the reading difficulty has been identified.

15.10 (c) Reading assessments in English, and in the predominant languages of district students  
15.11 where practicable, must identify and evaluate students' areas of academic need related to  
15.12 literacy. The district also must monitor the progress and provide reading instruction  
15.13 appropriate to the specific needs of English learners. The district must use a locally adopted,  
15.14 developmentally appropriate, and culturally responsive assessment and annually report  
15.15 summary assessment results to the commissioner by July 1.

15.16 (d) The district also must annually report to the commissioner by July 1 a summary of  
15.17 the district's efforts to screen and identify students with:

15.18 (1) dyslexia, using screening tools such as those recommended by the department's  
15.19 dyslexia specialist; or

15.20 (2) convergence insufficiency disorder.

15.21 ~~(b)~~ (e) A student identified under this subdivision must be provided with alternate  
15.22 instruction under section 125A.56, subdivision 1.

15.23 **EFFECTIVE DATE.** This section is effective July 1, 2020.

15.24 Sec. 9. Minnesota Statutes 2018, section 121A.41, is amended by adding a subdivision to  
15.25 read:

15.26 Subd. 12. **Nonexclusionary disciplinary policies and practices; alternatives to pupil**  
15.27 **removal and dismissal.** "Nonexclusionary disciplinary policies and practices" means  
15.28 policies and practices that are alternatives to removing a pupil from class or dismissing a  
15.29 pupil from school, including evidence-based positive behavioral interventions and supports,  
15.30 social and emotional services, school-linked mental health services, counseling services,  
15.31 social work services, referrals for special education or 504 evaluations, academic screening  
15.32 for Title I services or reading interventions, and alternative education services.

16.1 Nonexclusionary disciplinary policies and practices require school officials to intervene in,  
16.2 redirect, and support a pupil's behavior before removing a pupil from class or beginning  
16.3 dismissal proceedings. Nonexclusionary disciplinary policies and practices include but are  
16.4 not limited to the policies and practices under sections 120B.12; 121A.031, subdivision 4,  
16.5 paragraph (a), clause (1); 121A.575, clauses (1) and (2); 121A.61, subdivision 3, paragraph  
16.6 (q); 122A.627, clause (3); and 123A.56.

16.7 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

16.8 Sec. 10. Minnesota Statutes 2018, section 121A.41, is amended by adding a subdivision  
16.9 to read:

16.10 Subd. 13. **Pupil withdrawal agreements.** "Pupil withdrawal agreements" means a verbal  
16.11 or written agreement between a school or district administrator and a pupil's parent or  
16.12 guardian to withdraw a student from the school district to avoid expulsion or exclusion  
16.13 dismissal proceedings. The duration of the withdrawal agreement may be no longer than  
16.14 12 months.

16.15 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

16.16 Sec. 11. Minnesota Statutes 2018, section 121A.45, subdivision 1, is amended to read:

16.17 Subdivision 1. **Provision of alternative programs.** No school shall dismiss any pupil  
16.18 without attempting to ~~provide alternative educational services~~ use nonexclusionary  
16.19 disciplinary policies and practices before a ~~dismissal proceedings~~ dismissal proceeding or a pupil  
16.20 withdrawal agreement, except where it appears that the pupil will create an immediate and  
16.21 substantial danger to self or to surrounding persons or property.

16.22 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

16.23 Sec. 12. Minnesota Statutes 2018, section 121A.46, is amended by adding a subdivision  
16.24 to read:

16.25 Subd. 5. **Suspensions exceeding five consecutive school days.** A school administrator  
16.26 must ensure that when a pupil is suspended for more than five consecutive school days,  
16.27 alternative education services are provided.

16.28 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.



17.1 Sec. 13. Minnesota Statutes 2018, section 121A.46, is amended by adding a subdivision  
17.2 to read:

17.3 Subd. 6. **Minimum education services.** School officials must give a suspended pupil  
17.4 a reasonable opportunity to complete all school work assigned during the pupil's suspension  
17.5 and to receive full credit for satisfactorily completing the assignments. The school principal  
17.6 or other person having administrative control of the school building or program is encouraged  
17.7 to designate a district or school employee as a liaison to work with the pupil's teachers to  
17.8 allow the suspended pupil to (1) receive timely course materials and other information, and  
17.9 (2) complete daily and weekly assignments and receive teachers' feedback. Nothing in this  
17.10 subdivision limits the teacher's authority to assign alternative work for the completion of  
17.11 assignments during a suspension.

17.12 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

17.13 Sec. 14. Minnesota Statutes 2018, section 121A.47, subdivision 2, is amended to read:

17.14 Subd. 2. **Written notice.** Written notice of intent to take action ~~shall~~ must:

17.15 ~~(a)~~ (1) be served upon the pupil and the pupil's parent or guardian personally or by mail;

17.16 ~~(b)~~ (2) contain a complete statement of the facts, a list of the witnesses and a description  
17.17 of their testimony;

17.18 ~~(c)~~ (3) state the date, time, and place of the hearing;

17.19 ~~(d)~~ (4) be accompanied by a copy of sections 121A.40 to 121A.56;

17.20 ~~(e)~~ (5) describe ~~alternative educational services~~ the nonexclusionary disciplinary policies  
17.21 and practices accorded the pupil in an attempt to avoid the expulsion proceedings; and

17.22 ~~(f)~~ (6) inform the pupil and parent or guardian of the right to:

17.23 ~~(1)~~ (i) have a representative of the pupil's own choosing, including legal counsel, at the  
17.24 hearing. The district ~~shall~~ must advise the pupil's parent or guardian that free or low-cost  
17.25 legal assistance may be available and that a legal assistance resource list is available from  
17.26 the Department of Education and is posted on its website;

17.27 ~~(2)~~ (ii) examine the pupil's records before the hearing;

17.28 ~~(3)~~ (iii) present evidence; and

17.29 ~~(4)~~ (iv) confront and cross-examine witnesses.

17.30 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

18.1 Sec. 15. Minnesota Statutes 2018, section 121A.47, subdivision 14, is amended to read:

18.2 Subd. 14. **Admission or readmission plan.** (a) A school administrator ~~shall~~ must prepare  
18.3 and enforce an admission or readmission plan for any pupil who is excluded or expelled  
18.4 from school. The plan ~~may include~~ must address measures to improve the pupil's behavior;  
18.5 ~~including and may include~~ completing a character education program, consistent with section  
18.6 120B.232, subdivision 1, ~~and social and emotional learning, counseling, social work services,~~  
18.7 mental health services, referrals for special education or 504 evaluation, and evidence-based  
18.8 academic interventions. The plan must require parental involvement in the admission or  
18.9 readmission process, and may indicate the consequences to the pupil of not improving the  
18.10 pupil's behavior.

18.11 (b) The definition of suspension under section 121A.41, subdivision 10, does not apply  
18.12 to a student's dismissal from school for one school day or less, except as provided under  
18.13 federal law for a student with a disability. Each suspension action may include a readmission  
18.14 plan. A readmission plan must provide, where appropriate, alternative education services,  
18.15 which must not be used to extend the student's current suspension period. Consistent with  
18.16 section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian  
18.17 to provide psychotropic drugs to their student as a condition of readmission. School officials  
18.18 must not use the refusal of a parent or guardian to consent to the administration of  
18.19 psychotropic drugs to their student or to consent to a psychiatric evaluation, screening or  
18.20 examination of the student as a ground, by itself, to prohibit the student from attending class  
18.21 or participating in a school-related activity, or as a basis of a charge of child abuse, child  
18.22 neglect or medical or educational neglect.

18.23 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

18.24 Sec. 16. Minnesota Statutes 2018, section 121A.53, subdivision 1, is amended to read:

18.25 Subdivision 1. **Exclusions and expulsions; student withdrawals; physical**  
18.26 **assaults.** Consistent with subdivision 2, the school board must report through the department  
18.27 electronic reporting system each exclusion or expulsion ~~and,~~ each physical assault of a  
18.28 district employee by a ~~student~~ pupil, and each pupil withdrawal agreement within 30 days  
18.29 of the effective date of the dismissal action, pupil withdrawal, or assault to the commissioner  
18.30 of education. This report must include a statement of ~~alternative educational services~~  
18.31 nonexclusionary disciplinary policies and practices, or other sanction, intervention, or  
18.32 resolution in response to the assault given the pupil and the reason for, the effective date,  
18.33 and the duration of the exclusion or expulsion or other sanction, intervention, or resolution.

19.1 The report must also include the ~~student's~~ pupil's age, grade, gender, race, and special  
19.2 education status.

19.3 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

19.4 Sec. 17. Minnesota Statutes 2018, section 121A.55, is amended to read:

19.5 **121A.55 POLICIES TO BE ESTABLISHED.**

19.6 (a) The commissioner of education shall promulgate guidelines to assist each school  
19.7 board. Each school board ~~shall~~ must establish uniform criteria for dismissal and adopt written  
19.8 policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies  
19.9 ~~shall~~ must include nonexclusionary disciplinary policies and practices consistent with section  
19.10 121A.41, subdivision 12, and emphasize preventing dismissals through early detection of  
19.11 problems and shall. The policies must be designed to address students' inappropriate behavior  
19.12 from recurring.

19.13 (b) The policies shall recognize the continuing responsibility of the school for the  
19.14 education of the pupil during the dismissal period. The school is responsible for ensuring  
19.15 that the alternative educational services, if provided to the pupil ~~wishes to take advantage~~  
19.16 ~~of them, must be~~ are adequate to allow the pupil to make progress ~~towards~~ toward meeting  
19.17 the graduation standards adopted under section 120B.02 ~~and~~, help prepare the pupil for  
19.18 readmission, and are consistent with section 121A.46, subdivision 6.

19.19 (c) For expulsion and exclusion dismissals, as well as pupil withdrawal agreements as  
19.20 defined in section 121A.41, subdivision 14:

19.21 (1) the school district's continuing responsibility includes reviewing the pupil's school  
19.22 work and grades on a quarterly basis to ensure the pupil is on track for readmission with  
19.23 the pupil's peers. School districts must communicate on a regular basis with the pupil's  
19.24 parent or guardian to ensure the pupil is completing the work assigned through the alternative  
19.25 educational services;

19.26 (2) if school-based mental health services are provided in the district under section  
19.27 245.4889, pupils continue to be eligible for those services until they are enrolled in a new  
19.28 district; and

19.29 (3) The school district must provide to the pupil's parent or guardian a list of mental  
19.30 health and counseling services available to the pupil after expulsion. The list must also be  
19.31 posted on the district's website.

20.1 ~~(b)~~ (d) An area learning center under section 123A.05 may not prohibit an expelled or  
20.2 excluded pupil from enrolling solely because a district expelled or excluded the pupil. The  
20.3 board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to  
20.4 exclude a pupil or to require an admission plan.

20.5 ~~(e)~~ (e) Each school district shall develop a policy and report it to the commissioner on  
20.6 the appropriate use of peace officers and crisis teams to remove students who have an  
20.7 individualized education program from school grounds.

20.8 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

20.9 Sec. 18. **[121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.**

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

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

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

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

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

20.17 School-sponsored media does not include material prepared solely for distribution or  
20.18 transmission in the classroom in which the material is produced.

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

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

20.24 (e) "Student media adviser" means a person a school district or charter school employs,  
20.25 appoints, or designates to supervise student journalists or provide instruction relating to  
20.26 school-sponsored media.

20.27 **Subd. 2. Student journalists; protected conduct.** (a) Except as provided in subdivision  
20.28 3, a student journalist has the right to exercise freedom of speech and freedom of the press  
20.29 in school-sponsored media regardless of whether the school-sponsored media receives  
20.30 financial support from the school or district, uses school equipment or facilities in its  
20.31 production, or is produced as part of a class or course in which the student journalist is

21.1 enrolled. Consistent with subdivision 3, a student journalist has the right to determine the  
 21.2 news, opinion, feature, and advertising content of school-sponsored media. A school district  
 21.3 or charter school must not discipline a student journalist for exercising rights or freedoms  
 21.4 under this paragraph or the First Amendment of the United States Constitution.

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

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

21.11 Subd. 3. **Unprotected expression.** (a) This section does not authorize or protect student  
 21.12 expression that: (1) is defamatory; (2) is profane, harassing, threatening, or intimidating;  
 21.13 (3) constitutes an unwarranted invasion of privacy; (4) violates federal or state law; (5)  
 21.14 causes a material and substantial disruption of school activities; or (6) is directed to inciting  
 21.15 or producing imminent lawless action on school premises or the violation of lawful school  
 21.16 policies or rules, including a policy adopted in accordance with section 121A.03 or 121A.031.

21.17 (b) A school or district must not authorize any prior restraint of school-sponsored media  
 21.18 except under paragraph (a).

21.19 Subd. 4. **Student journalist policy.** School districts and charter schools must adopt and  
 21.20 post a student journalist policy consistent with this section.

21.21 **EFFECTIVE DATE.** This section is effective for the 2019-2020 school year and later.

21.22 Sec. 19. Minnesota Statutes 2018, section 124D.02, subdivision 1, is amended to read:

21.23 Subdivision 1. **Kindergarten instruction.** (a) The board ~~may establish and maintain~~  
 21.24 ~~one or more kindergartens for the instruction of children and after July 1, 1974, shall~~ **must**  
 21.25 provide kindergarten instruction ~~for~~ free of charge to all eligible children, ~~either in the~~  
 21.26 ~~district or in another district. All children to be eligible for kindergarten must be~~ A child is  
 21.27 eligible for kindergarten if the child is at least five years of age on September 1 of the  
 21.28 calendar year in which the school year commences. ~~In addition all children selected, or is~~  
 21.29 admitted under an early admissions policy established by the school board ~~may be admitted.~~

21.30 (b) If established, a board-adopted early admissions policy must describe the process  
 21.31 and procedures for comprehensive evaluation in cognitive, social, and emotional  
 21.32 developmental domains to help determine the child's ability to meet kindergarten grade  
 21.33 expectations and progress to first grade in the subsequent year. The comprehensive evaluation

22.1 must use valid and reliable instrumentation, be aligned with state kindergarten expectations,  
22.2 and include a parent report and teacher observations of the child's knowledge, skills, and  
22.3 abilities. The early admissions policy must be made available to parents in an accessible  
22.4 format and is subject to review by the commissioner of education. The evaluation is subject  
22.5 to section 127A.41.

22.6 (c) Nothing in this section shall prohibit a school district from establishing Head Start,  
22.7 prekindergarten, or nursery school classes for children below kindergarten age. Any school  
22.8 board with evidence that providing kindergarten will cause an extraordinary hardship on  
22.9 the school district may apply to the commissioner of education for an exception.

22.10 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

22.11 Sec. 20. Minnesota Statutes 2018, section 124D.09, subdivision 3, is amended to read:

22.12 Subd. 3. **Definitions.** For purposes of this section, the following terms have the meanings  
22.13 given to them.

22.14 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,  
22.15 nonprofit two-year trade and technical school granting associate degrees, an opportunities  
22.16 industrialization center accredited by ~~the North Central Association of Colleges and Schools~~  
22.17 a United States Department of Education recognized accrediting agency, or a private,  
22.18 residential, two-year or four-year, liberal arts, degree-granting college or university located  
22.19 in Minnesota.

22.20 (b) "Course" means a course or program.

22.21 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under  
22.22 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by  
22.23 a secondary teacher or a postsecondary faculty member, and are offered at a high school  
22.24 for which the district is eligible to receive concurrent enrollment program aid under section  
22.25 124D.091.

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

22.27 Sec. 21. Minnesota Statutes 2018, section 124D.165, subdivision 2, is amended to read:

22.28 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,  
22.29 parents or guardians must meet the following eligibility requirements:

22.30 (1) have an eligible child; and

23.1 (2) have income equal to or less than 185 percent of federal poverty level income in the  
23.2 current calendar year, or be able to document their child's current participation in the free  
23.3 and reduced-price lunch program or Child and Adult Care Food Program, National School  
23.4 Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution  
23.5 Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections  
23.6 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act  
23.7 of 2007; Minnesota family investment program under chapter 256J; child care assistance  
23.8 programs under chapter 119B; the supplemental nutrition assistance program; or placement  
23.9 in foster care under section 260C.212. Parents or guardians are not required to provide  
23.10 income verification under this clause if the child is an eligible child under paragraph (b),  
23.11 clause (4) or (5).

23.12 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

23.13 (1) at least three but not yet five years of age on September 1 of the current school year;

23.14 (2) a sibling from birth to age five of a child who has been awarded a scholarship under  
23.15 this section provided the sibling attends the same program as long as funds are available;

23.16 (3) the child of a parent under age 21 who is pursuing a high school degree or a course  
23.17 of study for a high school equivalency test; ~~or~~

23.18 ~~(4) homeless, in foster care, or in need of child protective services.~~

23.19 (4) a child in need of protective services or in foster care as defined under section  
23.20 260C.007; or

23.21 (5) designated as homeless under the federal McKinney-Vento Homeless Assistance  
23.22 Act, United States Code, title 42, section 11434a.

23.23 (c) A child who has received a scholarship under this section must continue to receive  
23.24 a scholarship each year until that child is eligible for kindergarten under section 120A.20  
23.25 and as long as funds are available.

23.26 (d) Early learning scholarships may not be counted as earned income for the purposes  
23.27 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota  
23.28 family investment program under chapter 256J, child care assistance programs under chapter  
23.29 119B, or Head Start under the federal Improving Head Start for School Readiness Act of  
23.30 2007.

23.31 (e) A child from an adjoining state whose family resides at a Minnesota address as  
23.32 assigned by the United States Postal Service, who has received developmental screening  
23.33 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,

24.1 and whose family meets the criteria of paragraph (a) is eligible for an early learning  
24.2 scholarship under this section.

24.3 Sec. 22. Minnesota Statutes 2018, section 124D.34, subdivision 2, is amended to read:

24.4 Subd. 2. **Creation of foundation.** There is created the Minnesota Foundation for Student  
24.5 Organizations. The purpose of the foundation is to promote ~~vocational~~ career and technical  
24.6 student organizations and applied leadership opportunities in Minnesota public and nonpublic  
24.7 schools through public-private partnerships. The foundation is a nonprofit organization.  
24.8 The board of directors of the foundation and activities of the foundation are under the  
24.9 direction of the commissioner of education.

24.10 Sec. 23. Minnesota Statutes 2018, section 124D.34, subdivision 3, is amended to read:

24.11 Subd. 3. **Board of directors.** The board of directors of the Minnesota Foundation for  
24.12 Student Organizations consists of:

24.13 (1) seven members appointed by the board of directors of the ~~school-to-work~~ career and  
24.14 technical student organizations and chosen so that each represents one of the following  
24.15 career areas: agriculture, family and consumer sciences, service occupations, health  
24.16 occupations, marketing, business, and technical/industrial;

24.17 (2) seven members from business, industry, and labor appointed by the governor to  
24.18 staggered terms and chosen so that each represents one of the following career areas:  
24.19 agriculture, family and consumer sciences, service occupations, health occupations,  
24.20 marketing, business, and technical/industrial;

24.21 (3) five students or alumni of ~~school-to-work~~ career and technical student organizations  
24.22 representing diverse career areas, three from secondary student organizations, and two from  
24.23 postsecondary student organizations. The students or alumni shall be appointed by the  
24.24 criteria and process agreed upon by the executive directors of the ~~student-to-work~~ career  
24.25 and technical organizations; and

24.26 (4) four members from education appointed by the governor to staggered terms and  
24.27 chosen so that each represents one of the following groups: school district level  
24.28 administrators, secondary school administrators, middle school administrators, and  
24.29 postsecondary administrators.

24.30 Executive directors of ~~vocational~~ career and technical education student organizations  
24.31 are ex officio, nonvoting members of the board.



25.1 Sec. 24. Minnesota Statutes 2018, section 124D.34, subdivision 4, is amended to read:

25.2 Subd. 4. **Foundation programs.** The foundation shall advance applied leadership and  
25.3 intracurricular ~~vocational~~ career and technical learning experiences for students. These may  
25.4 include, but are not limited to:

25.5 (1) recognition programs and awards for students demonstrating excellence in applied  
25.6 leadership;

25.7 (2) summer programs for student leadership, career development, applied academics,  
25.8 and mentorship programs with business and industry;

25.9 (3) recognition programs for teachers, administrators, and others who make outstanding  
25.10 contributions to ~~school-to-work~~ career and technical programs;

25.11 (4) outreach programs to increase the involvement of urban and suburban students;

25.12 (5) organized challenges requiring cooperation and competition for secondary and  
25.13 postsecondary students;

25.14 (6) assistance and training to community teams to increase career awareness and  
25.15 empowerment of youth as community leaders; and

25.16 (7) assessment and activities in order to plan for and implement continuous improvement.

25.17 To the extent possible, the foundation shall make these programs available to students  
25.18 in all parts of the state.

25.19 Sec. 25. Minnesota Statutes 2018, section 124D.34, subdivision 5, is amended to read:

25.20 Subd. 5. **Powers and duties.** The foundation may:

25.21 (1) identify and plan common goals and priorities for the various ~~school-to-work~~ career  
25.22 and technical student organizations in Minnesota;

25.23 (2) publish brochures or booklets relating to the purposes of the foundation and collect  
25.24 reasonable fees for the publications;

25.25 (3) seek and receive public and private money, grants, and in-kind services and goods  
25.26 from nonstate sources for the purposes of the foundation, without complying with section  
25.27 16A.013, subdivision 1;

25.28 (4) contract with consultants on behalf of the ~~school-to-work~~ career and technical student  
25.29 organizations;

26.1 (5) plan, implement, and expend money for awards and other forms of recognition for  
 26.2 ~~school-to-work~~ career and technical student programs; and

26.3 (6) identifying an appropriate name for the foundation.

26.4 Sec. 26. Minnesota Statutes 2018, section 124D.34, subdivision 8, is amended to read:

26.5 Subd. 8. **Public funding.** The state shall identify and secure appropriate funding for the  
 26.6 basic staffing of the foundation and individual student ~~school-to-work~~ career and technical  
 26.7 student organizations at the state level.

26.8 Sec. 27. Minnesota Statutes 2018, section 124D.34, subdivision 12, is amended to read:

26.9 Subd. 12. **Student organizations.** Individual boards of ~~vocational~~ career and technical  
 26.10 education student organizations shall continue their operations in accordance with section  
 26.11 124D.355 and applicable federal law.

26.12 Sec. 28. Minnesota Statutes 2018, section 124D.78, subdivision 2, is amended to read:

26.13 Subd. 2. **Resolution of concurrence.** Prior to March 1, the school board or American  
 26.14 Indian school must submit to the department a copy of a resolution adopted by the American  
 26.15 Indian education parent advisory committee. The copy must be signed by the chair of the  
 26.16 committee and must state whether the committee concurs with the educational programs  
 26.17 for American Indian students offered by the school board or American Indian school. If the  
 26.18 committee does not concur with the educational programs, the reasons for nonconcurrence  
 26.19 and recommendations shall be submitted directly to the school board with the resolution.  
 26.20 By resolution, the board must respond in writing within 60 days, in cases of nonconcurrence,  
 26.21 to each recommendation made by the committee and state its reasons for not implementing  
 26.22 the recommendations.

### 26.23 ARTICLE 3

### 26.24 TEACHERS

26.25 Section 1. **[120B.117] INCREASING THE PERCENTAGE OF TEACHERS OF**  
 26.26 **COLOR AND AMERICAN INDIAN TEACHERS IN MINNESOTA.**

26.27 Subdivision 1. **Purpose.** In order to address students' and families' persistent inequitable  
 26.28 access to diverse teachers, this section sets short-term and long-term state goals for increasing  
 26.29 the percentage of teachers of color and American Indian teachers in Minnesota toward  
 26.30 ensuring all students have equitable access to effective and diverse teachers who reflect the  
 26.31 diversity of students. The goals and report required under this section are also important

27.1 for meeting state goals for the world's best workforce under section 120B.11, achievement  
27.2 and integration under section 124D.861, and higher education attainment under section  
27.3 135A.012, all of which have been established to close persistent opportunity and achievement  
27.4 gaps that limit students' success in school and life and impede the state's economic growth.

27.5 Subd. 2. **Equitable access to diverse teachers.** The percentage of teachers who are of  
27.6 color or American Indian in Minnesota should increase at least two percentage points per  
27.7 year to have a teaching workforce that more closely reflects the state's increasingly diverse  
27.8 student population and ensure all students have equitable access to effective and diverse  
27.9 teachers by 2040.

27.10 Subd. 3. **Rights not created.** The attainment goal in this section is not to the exclusion  
27.11 of any other goals and does not confer a right or create a claim for any person.

27.12 Subd. 4. **Reporting.** Beginning in 2019 and every odd-numbered year thereafter, the  
27.13 Professional Educator Licensing and Standards Board must collaborate with the Department  
27.14 of Education and the Office of Higher Education to collate and summarize reports from the  
27.15 programs they each administer and any other programs receiving state appropriations that  
27.16 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's  
27.17 teacher workforce to more closely reflect the diversity of students. The report must include  
27.18 programs under sections 120B.113, 122A.2451, 122A.59, 122A.63, 122A.635, 122A.685,  
27.19 122A.70, 124D.09, 124D.861, 136A.1274, 136A.1275, and 136A.1791, along with any  
27.20 other programs or initiatives that receive state appropriations to address the shortage of  
27.21 teachers of color and American Indian teachers. The board must report on the effectiveness  
27.22 of state-funded programs to increase the recruitment, preparation, licensing, hiring, and  
27.23 retention of racially and ethnically diverse teachers and the state's progress toward meeting  
27.24 or exceeding the goals of this section. The report must also include recommendations for  
27.25 state policy and funding needed to achieve the goals of this section, as well as plans for  
27.26 sharing the report and activities of grant recipients, and opportunities among grant recipients  
27.27 of various programs to share effective practices with each other. The 2019 report must  
27.28 include a recommendation of whether or not a state advisory council should be established  
27.29 to address the shortage of racially and ethnically diverse teachers and what the composition  
27.30 and charge of such an advisory council would be if established. The board must consult  
27.31 with the state Indian Affairs and ethnic councils along with other community and stakeholder  
27.32 groups, including students of color, in developing the report. By October 1 of each  
27.33 odd-numbered year, the board must submit the report to the chairs and ranking minority  
27.34 members of the legislative committees with jurisdiction over education and higher education  
27.35 policy and finance. The report must be available to the public on the board's website.

28.1 Sec. 2. Minnesota Statutes 2018, section 122A.06, subdivision 2, is amended to read:

28.2 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional  
28.3 employee required to hold a license or permission from the Professional Educator Licensing  
28.4 and Standards Board.

28.5 Sec. 3. Minnesota Statutes 2018, section 122A.06, subdivision 5, is amended to read:

28.6 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in  
28.7 which a teacher may become licensed to teach.

28.8 Sec. 4. Minnesota Statutes 2018, section 122A.06, subdivision 7, is amended to read:

28.9 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a  
28.10 program approved by the Professional Educator Licensing and Standards Board for the  
28.11 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~  
28.12 ~~preparation programs include traditional programs delivered by postsecondary institutions,~~  
28.13 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

28.14 Sec. 5. Minnesota Statutes 2018, section 122A.06, subdivision 8, is amended to read:

28.15 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program  
28.16 provider" or "unit" means an entity that has primary responsibility for overseeing and  
28.17 delivering a teacher preparation program. Teacher preparation program providers include  
28.18 postsecondary institutions and alternative teacher preparation providers aligned to section  
28.19 122A.2451.

28.20 Sec. 6. Minnesota Statutes 2018, section 122A.07, subdivision 1, is amended to read:

28.21 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and  
28.22 Standards Board consists of ~~H~~ 14 members appointed by the governor, with the advice and  
28.23 consent of the senate. Membership terms, compensation of members, removal of members,  
28.24 the filling of membership vacancies, and fiscal year and reporting requirements are as  
28.25 provided in sections 214.07 to 214.09. No member may be reappointed for more than one  
28.26 additional term.

28.27 Sec. 7. Minnesota Statutes 2018, section 122A.07, subdivision 2, is amended to read:

28.28 Subd. 2. **Eligibility; board composition.** Each nominee, other than a public nominee,  
28.29 must be selected on the basis of professional experience and knowledge of teacher education,  
28.30 accreditation, and licensure. The board must be composed of:

29.1 (1) ~~six~~ eight teachers who are currently teaching in a Minnesota school or who were  
 29.2 teaching at the time of the appointment, have at least five years of teaching experience, and  
 29.3 were not serving in an administrative function at a school district or school when appointed.

29.4 The ~~six~~ eight teachers must include the following:

29.5 (i) one teacher in a charter school;

29.6 (ii) one teacher from the seven-county metropolitan area, as defined in section 473.121,  
 29.7 subdivision 2;

29.8 (iii) one teacher from outside the seven-county metropolitan area;

29.9 (iv) one teacher from a related service category licensed by the board;

29.10 (v) one special education teacher; and

29.11 (vi) three teachers that represent current or emerging trends in education;

29.12 ~~(vi)~~ (2) one teacher from educator currently teaching in a Minnesota-approved teacher  
 29.13 preparation program; who has previously taught for at least five years in a birth through  
 29.14 grade 12 setting;

29.15 ~~(2)~~ (3) one superintendent that alternates each term between a superintendent from the  
 29.16 seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a  
 29.17 superintendent from outside the metropolitan area;

29.18 ~~(3)~~ (4) one school district human resources director;

29.19 ~~(4)~~ (5) one administrator of a cooperative unit under section 123A.24, subdivision 2,  
 29.20 who oversees a special education program and who has previously taught for at least five  
 29.21 years in a birth through grade 12 setting;

29.22 ~~(5)~~ (6) one principal that alternates each term between an elementary and a secondary  
 29.23 school principal; and

29.24 ~~(6)~~ (7) one member of the public that may be a current or former school board member.

29.25 Sec. 8. Minnesota Statutes 2018, section 122A.07, subdivision 4a, is amended to read:

29.26 Subd. 4a. **Administration.** (a) The executive director of the board ~~shall~~ must be the  
 29.27 chief administrative officer for the board but ~~shall~~ must not be a member of the board. The  
 29.28 executive director ~~shall~~ must maintain the records of the board, account for all fees received  
 29.29 by the board, supervise and direct employees servicing the board, and perform other services  
 29.30 as directed by the board.

30.1 (b) The Department of Administration must provide administrative support in accordance  
30.2 with section 16B.371. The commissioner of administration must assess the board for services  
30.3 it provides under this section.

30.4 ~~(c) The Department of Education must provide suitable offices and other space to the~~  
30.5 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~  
30.6 ~~either the Department of Education or the Department of Administration for the provision~~  
30.7 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~  
30.8 ~~rooms.~~

30.9 Sec. 9. Minnesota Statutes 2018, section 122A.07, is amended by adding a subdivision to  
30.10 read:

30.11 Subd. 6. **Public employer compensation reduction prohibited.** The public employer  
30.12 of a member must not reduce the member's compensation or benefits for the member's  
30.13 absence from employment when engaging in the business of the board.

30.14 Sec. 10. Minnesota Statutes 2018, section 122A.09, subdivision 9, is amended to read:

30.15 **Subd. 9. Professional Educator Licensing and Standards Board must adopt rules.** (a)  
30.16 The Professional Educator Licensing and Standards Board must adopt rules subject to the  
30.17 provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092,  
30.18 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,  
30.19 122A.187, 122A.188, 122A.20, 122A.21, 122A.23, 122A.2451, 122A.26, 122A.28, and  
30.20 122A.29.

30.21 (b) The board must adopt rules relating to fields of licensure, including a process for  
30.22 granting permission to a licensed teacher to teach in a field that is different from the teacher's  
30.23 field of licensure without change to the teacher's license tier level.

30.24 (c) The board must adopt rules relating to the grade levels that a licensed teacher may  
30.25 teach.

30.26 (d) If a rule adopted by the board is in conflict with a session law or statute, the law or  
30.27 statute prevails. Terms adopted in rule must be clearly defined and must not be construed  
30.28 to conflict with terms adopted in statute or session law.

30.29 (e) The board must include a description of a proposed rule's probable effect on teacher  
30.30 supply and demand in the board's statement of need and reasonableness under section 14.131.

30.31 (f) The board must adopt rules only under the specific statutory authority.

31.1 Sec. 11. Minnesota Statutes 2018, section 122A.091, subdivision 1, is amended to read:

31.2 Subdivision 1. **Teacher and administrator preparation and performance data;**

31.3 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of

31.4 School Administrators, in cooperation with board-adopted teacher or administrator

31.5 preparation programs, annually must collect and report summary data on teacher and

31.6 administrator preparation and performance outcomes, consistent with this subdivision. The

31.7 Professional Educator Licensing and Standards Board and the Board of School Administrators

31.8 annually by June 1 must update and post the reported summary preparation and performance

31.9 data on teachers and administrators from the preceding school years on a website hosted

31.10 jointly by the boards.

31.11 (b) Publicly reported summary data on teacher preparation programs must include:

31.12 (1) student entrance requirements for each Professional Educator Licensing and Standards

31.13 Board-approved program, including grade point average for enrolling students in the

31.14 preceding year;

31.15 (2) the average board-adopted skills examination or ACT or SAT scores of students

31.16 entering the program in the preceding year;

31.17 (3) summary data on faculty qualifications, including at least the content areas of faculty

31.18 undergraduate and graduate degrees and their years of experience either as kindergarten

31.19 through grade 12 classroom teachers or school administrators;

31.20 (4) the average time resident and nonresident program graduates in the preceding year

31.21 needed to complete the program;

31.22 (5) the current number and percentage of students by program who graduated, received

31.23 a standard Minnesota teaching license, and were hired to teach full time in their licensure

31.24 field in a Minnesota district or school in the preceding year disaggregated by race, except

31.25 when disaggregation would not yield statistically reliable results or would reveal personally

31.26 identifiable information about an individual;

31.27 (6) the number of content area credits and other credits by undergraduate program that

31.28 students in the preceding school year needed to complete to graduate;

31.29 (7) students' pass rates on skills and subject matter exams required for graduation in

31.30 each program and licensure area in the preceding school year;

31.31 (8) survey results measuring student and ~~graduate~~ graduate program completer satisfaction with

31.32 the program in the preceding school year disaggregated by race, except when disaggregation

32.1 would not yield statistically reliable results or would reveal personally identifiable  
32.2 information about an individual;

32.3 (9) a standard measure of the satisfaction of school principals or supervising teachers  
32.4 with the ~~student teachers~~ program completer assigned to a school or supervising teacher;  
32.5 and

32.6 (10) information under subdivision 3, paragraphs (a) and (b).

32.7 Program reporting must be consistent with subdivision 2.

32.8 (c) Publicly reported summary data on administrator preparation programs approved by  
32.9 the Board of School Administrators must include:

32.10 (1) summary data on faculty qualifications, including at least the content areas of faculty  
32.11 undergraduate and graduate degrees and the years of experience either as kindergarten  
32.12 through grade 12 classroom teachers or school administrators;

32.13 (2) the average time program graduates in the preceding year needed to complete the  
32.14 program;

32.15 (3) the current number and percentage of students who graduated, received a standard  
32.16 Minnesota administrator license, and were employed as an administrator in a Minnesota  
32.17 school district or school in the preceding year disaggregated by race, except when  
32.18 disaggregation would not yield statistically reliable results or would reveal personally  
32.19 identifiable information about an individual;

32.20 (4) the number of credits by graduate program that students in the preceding school year  
32.21 needed to complete to graduate;

32.22 (5) survey results measuring student, graduate, and employer satisfaction with the  
32.23 program in the preceding school year disaggregated by race, except when disaggregation  
32.24 would not yield statistically reliable results or would reveal personally identifiable  
32.25 information about an individual; and

32.26 (6) information under subdivision 3, paragraphs (c) and (d).

32.27 Program reporting must be consistent with section 122A.14, subdivision 10.

32.28 Sec. 12. Minnesota Statutes 2018, section 122A.092, subdivision 5, is amended to read:

32.29 Subd. 5. **Reading strategies.** (a) All ~~colleges and universities~~ preparation providers  
32.30 approved by the Professional Educator Licensing and Standards Board to prepare persons  
32.31 for classroom teacher licensure must include in their teacher preparation programs



33.1 research-based best practices in reading, consistent with section 122A.06, subdivision 4,  
33.2 that enables the licensure candidate to teach reading in the candidate's content areas. Teacher  
33.3 candidates must be instructed in using students' native languages as a resource in creating  
33.4 effective differentiated instructional strategies for English learners developing literacy skills.  
33.5 These colleges and universities also must prepare early childhood and elementary teacher  
33.6 candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184,  
33.7 respectively, for the portion of the examination under section 122A.185, subdivision 1,  
33.8 paragraph (c), covering assessment of reading instruction.

33.9 (b) Board-approved teacher preparation programs for teachers of elementary education  
33.10 must require instruction in applying comprehensive, scientifically based, and balanced  
33.11 reading instruction programs that:

33.12 (1) teach students to read using foundational knowledge, practices, and strategies  
33.13 consistent with section 122A.06, subdivision 4, so that all students achieve continuous  
33.14 progress in reading; and

33.15 (2) teach specialized instruction in reading strategies, interventions, and remediations  
33.16 that enable students of all ages and proficiency levels to become proficient readers.

33.17 (c) Nothing in this section limits the authority of a school district to select a school's  
33.18 reading program or curriculum.

33.19 Sec. 13. Minnesota Statutes 2018, section 122A.092, subdivision 6, is amended to read:

33.20 Subd. 6. **Technology strategies.** All ~~colleges and universities~~ preparation providers  
33.21 approved by the Professional Educator Licensing and Standards Board to prepare persons  
33.22 for classroom teacher licensure must include in their teacher preparation programs the  
33.23 knowledge and skills teacher candidates need to engage students with technology and deliver  
33.24 digital and blended learning and curriculum.

33.25 Sec. 14. Minnesota Statutes 2018, section 122A.17, is amended to read:

33.26 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

33.27 ~~(a)~~ A rule adopted by the Board of Teaching or the Professional Educator Licensing and  
33.28 Standards Board must not affect the validity of certificates or licenses to teach in effect on  
33.29 July 1, 1974, or the rights and privileges of the holders thereof, except that any such  
33.30 certificate or license may be suspended or revoked for any of the causes and by the procedures  
33.31 specified by law.

34.1 ~~(b) All teacher licenses in effect on January 1, 2018, shall remain valid for one additional~~  
34.2 ~~year after the date the license is scheduled to expire.~~

34.3 Sec. 15. Minnesota Statutes 2018, section 122A.175, subdivision 2, is amended to read:

34.4 Subd. 2. **Background check account.** An educator licensure background check account  
34.5 is created in the special revenue fund. ~~The Department of Education, the Professional~~  
34.6 ~~Educator Licensing and Standards Board, and the Board of School Administrators must~~  
34.7 ~~deposit all payments submitted by license applicants for criminal background checks~~  
34.8 ~~conducted by the Bureau of Criminal Apprehension in the educator licensure background~~  
34.9 ~~check account. Amounts in the account are annually appropriated to the commissioner of~~  
34.10 ~~education for payment to the superintendent of the Bureau of Criminal Apprehension~~  
34.11 Professional Educator Licensing and Standards Board for the costs of background checks  
34.12 on applicants for licensure.

34.13 Sec. 16. Minnesota Statutes 2018, section 122A.18, subdivision 7c, is amended to read:

34.14 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and  
34.15 Standards Board shall establish a temporary license in accordance with section 197.4552  
34.16 for teaching. The fee for a temporary license under this subdivision shall be ~~\$87.90 for an~~  
34.17 ~~online application or \$86.40 for a paper application~~ \$57. The board must provide candidates  
34.18 for a license under this subdivision with information regarding the tiered licensure system  
34.19 provided in sections 122A.18 to 122A.184.

34.20 Sec. 17. Minnesota Statutes 2018, section 122A.18, subdivision 8, is amended to read:

34.21 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards  
34.22 Board and the Board of School Administrators must ~~request~~ obtain a criminal history  
34.23 background check ~~from the superintendent of the Bureau of Criminal Apprehension~~ on all  
34.24 first-time teaching applicants for licenses under their jurisdiction. Applicants must include  
34.25 with their licensure applications:

34.26 (1) an executed criminal history consent form, including fingerprints; and

34.27 (2) ~~a money order or cashier's check payable to the Bureau of Criminal Apprehension~~  
34.28 ~~for the fee for conducting the criminal history payment to conduct the~~ background check.

34.29 (b) ~~The superintendent of~~ background check for all first-time teaching applicants for  
34.30 licenses must include a review of information from the Bureau of Criminal Apprehension  
34.31 shall perform the background check required under paragraph (a) by retrieving, including  
34.32 criminal history data as defined in section 13.87 and shall must also ~~conduct a search~~ include

35.1 a review of the national criminal records repository. The superintendent of the Bureau of  
35.2 Criminal Apprehension is authorized to exchange fingerprints with the Federal Bureau of  
35.3 Investigation for purposes of the criminal history check. The superintendent shall recover  
35.4 the cost to the bureau of a background check through the fee charged to the applicant under  
35.5 paragraph (a).

35.6 ~~(e) The Professional Educator Licensing and Standards Board or the Board of School~~  
35.7 ~~Administrators may issue a license pending completion of a background check under this~~  
35.8 ~~subdivision, but must notify the individual and the school district or charter school employing~~  
35.9 ~~the individual that the individual's license may be revoked based on the result of the~~  
35.10 ~~background check.~~

35.11 (c) The Professional Educator Licensing and Standards Board may contract with the  
35.12 commissioner of human services to conduct background checks and obtain background  
35.13 check data required under this chapter.

35.14 Sec. 18. Minnesota Statutes 2018, section 122A.18, subdivision 10, is amended to read:

35.15 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards  
35.16 Board must adopt rules establishing a process for an eligible candidate to obtain ~~any teacher~~  
35.17 a Tier 3 license under subdivision 1, or to add a licensure field; via portfolio. The portfolio  
35.18 licensure application process must be consistent with the requirements in this subdivision.

35.19 (b) A candidate for a Tier 3 license via portfolio must submit to the board one portfolio  
35.20 demonstrating pedagogical competence and one portfolio demonstrating content competence.

35.21 (c) A candidate seeking to add a licensure field via portfolio must submit to the board  
35.22 one portfolio demonstrating content competence for each licensure field the candidate seeks  
35.23 to add.

35.24 (d) The board must notify a candidate who submits a portfolio under paragraph (b) or  
35.25 (c) within 90 calendar days after the portfolio is received whether or not the portfolio is  
35.26 approved. If the portfolio is not approved, the board must immediately inform the candidate  
35.27 how to revise the portfolio to successfully demonstrate the requisite competence. The  
35.28 candidate may resubmit a revised portfolio at any time and the board must approve or  
35.29 disapprove the revised portfolio within 60 calendar days of receiving it.

35.30 (e) A candidate must pay ~~to the board a \$300 fee for the first portfolio submitted for~~  
35.31 ~~review and a \$200 fee for any portfolio submitted subsequently. The revenue generated~~  
35.32 ~~from the fee must be deposited in an education licensure portfolio account in the special~~  
35.33 ~~revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The~~

36.1 ~~board may waive or reduce fees for candidates based on financial need. a fee for a portfolio~~  
36.2 in accordance with section 122A.21, subdivision 4.

36.3 Sec. 19. Minnesota Statutes 2018, section 122A.181, subdivision 3, is amended to read:

36.4 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and  
36.5 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license  
36.6 may be renewed subject to paragraphs (b) and (c). The board may submit written comments  
36.7 to the district or charter school that requested the renewal regarding the candidate.

36.8 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1  
36.9 license if:

36.10 (1) the district or charter school requesting the renewal demonstrates that it has posted  
36.11 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license  
36.12 for the position;

36.13 (2) the teacher holding the Tier 1 license took a content examination in accordance with  
36.14 section 122A.185 and submitted the examination results to the teacher's employing district  
36.15 or charter school within one year of the board approving the request for the initial Tier 1  
36.16 license; and

36.17 (3) the teacher holding the Tier 1 license participated in cultural competency training  
36.18 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board  
36.19 approving the request for the initial Tier 1 license.

36.20 The requirement in clause (2) does not apply to a teacher that teaches a class in a career and  
36.21 technical education or career pathways course of study.

36.22 (c) A Tier 1 license must not be renewed more than ~~three times~~ one time, unless the  
36.23 requesting district or charter school can show good cause for additional renewals. ~~A Tier 1~~  
36.24 ~~license issued to teach (1) a class or course in a career and technical education or career~~  
36.25 ~~pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision~~  
36.26 ~~6, may be renewed without limitation.~~

36.27 Sec. 20. Minnesota Statutes 2018, section 122A.181, subdivision 5, is amended to read:

36.28 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter  
36.29 indicated on the application for the initial Tier 1 license under subdivision 1, clause (2), and  
36.30 limited to the district or charter school that requested the initial Tier 1 license.

37.1 (b) A Tier 1 license does not bring an individual within the definition of a teacher for  
37.2 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

37.3 ~~(c) A Tier 1 license does not bring an individual within the definition of a teacher under~~  
37.4 ~~section 179A.03, subdivision 18.~~

37.5 Sec. 21. Minnesota Statutes 2018, section 122A.182, subdivision 1, is amended to read:

37.6 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards  
37.7 Board must approve a request from a district or charter school to issue a Tier 2 license in a  
37.8 specified content area to a candidate if:

37.9 (1) the candidate meets the educational or professional requirements in paragraph (b)  
37.10 or (c);

37.11 (2) the candidate:

37.12 ~~(i) has completed the coursework required under subdivision 2;~~

37.13 ~~(ii) (i) is enrolled in a Minnesota-approved teacher preparation program, including an~~  
37.14 ~~alternative preparation program under section 122A.2451 or a state-approved teacher~~  
37.15 ~~preparation program if no licensure program exists in Minnesota; or~~

37.16 ~~(iii) has a master's degree in the specified content area~~ (ii) has completed a  
37.17 Minnesota-approved teacher preparation program but does not meet the requirements for a  
37.18 Tier 3 license; and

37.19 (3) the district or charter school demonstrates that a criminal background check under  
37.20 section 122A.18, subdivision 8, has been completed on the candidate.

37.21 (b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside  
37.22 a career and technical education or career pathways course of study.

37.23 (c) A candidate for a Tier 2 license must have one of the following credentials in a  
37.24 relevant content area to teach a class or course in a career and technical education or career  
37.25 pathways course of study:

37.26 (1) an associate's degree;

37.27 (2) a professional certification; or

37.28 (3) five years of relevant work experience.

38.1 Sec. 22. Minnesota Statutes 2018, section 122A.182, subdivision 3, is amended to read:

38.2 Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and  
38.3 Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license  
38.4 may be renewed ~~three~~ two times. Before a Tier 2 license is renewed for the first time, a  
38.5 teacher holding a Tier 2 license must participate in cultural competency training consistent  
38.6 with section 120B.30, subdivision 1, paragraph (q). The board must issue rules setting forth  
38.7 the conditions for additional renewals after the initial license has been renewed ~~three~~ two  
38.8 times.

38.9 Sec. 23. Minnesota Statutes 2018, section 122A.183, subdivision 2, is amended to read:

38.10 Subd. 2. **Coursework.** A candidate for a Tier 3 license must meet the coursework  
38.11 requirement by demonstrating one of the following:

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

38.13 (2) completion of a state-approved teacher preparation program that includes field-specific  
38.14 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher  
38.15 preparation programs. The field-specific student teaching requirement does not apply to a  
38.16 candidate that has two years of teaching experience;

38.17 (3) submission of a content-specific licensure portfolio; or

38.18 (4) a professional teaching license from another state, evidence that the candidate's  
38.19 license is in good standing, and two years of teaching experience; ~~or.~~

38.20 ~~(5) three years of teaching experience under a Tier 2 license and evidence of summative~~  
38.21 ~~teacher evaluations that did not result in placing or otherwise keeping the teacher on an~~  
38.22 ~~improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,~~  
38.23 ~~subdivision 5.~~

38.24 Sec. 24. Minnesota Statutes 2018, section 122A.183, subdivision 4, is amended to read:

38.25 Subd. 4. **Mentorship and evaluation.** A teacher holding a Tier 3 license must participate  
38.26 ~~in the employing district or charter school's~~ a mentorship and evaluation program, including  
38.27 an individual growth and development plan. A teacher holding a Tier 3 license may satisfy  
38.28 the mentorship requirement by participating in a mentorship program during the teacher's  
38.29 first year in a new district or charter school, including a school year when the teacher held  
38.30 a Tier 1 or Tier 2 license. No teacher holding a Tier 3 license may be required to serve as  
38.31 a mentor to another teacher in order to fulfill this requirement.

39.1 Sec. 25. Minnesota Statutes 2018, section 122A.184, subdivision 1, is amended to read:

39.2 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
39.3 Board must issue a Tier 4 license to a candidate who provides information sufficient to  
39.4 demonstrate all of the following:

39.5 (1) the candidate meets all requirements for a Tier 3 license under section 122A.183,  
39.6 and has completed a teacher preparation program under section 122A.183, subdivision 2,  
39.7 clause (1) or (2);

39.8 (2) the candidate has at least three years of teaching experience in Minnesota; and

39.9 (3) the candidate has obtained a passing score on all required licensure exams under  
39.10 section 122A.185; and.

39.11 ~~(4) the candidate's most recent summative teacher evaluation did not result in placing~~  
39.12 ~~or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,~~  
39.13 ~~subdivision 8, or 122A.41, subdivision 5.~~

39.14 Sec. 26. Minnesota Statutes 2018, section 122A.184, subdivision 3, is amended to read:

39.15 Subd. 3. **Mentorship and evaluation.** A teacher holding a Tier 4 license must participate  
39.16 ~~in the employing district or charter school's~~ a mentorship and evaluation program, including  
39.17 an individual growth and development plan. A teacher holding a Tier 4 license may satisfy  
39.18 the mentorship requirement by participating in a mentorship program during the teacher's  
39.19 first year in a new district or charter school, including a school year when the teacher held  
39.20 a Tier 1, 2, or 3 license. No teacher holding a Tier 4 license may be required to serve as a  
39.21 mentor to another teacher in order to fulfill this requirement.

39.22 Sec. 27. Minnesota Statutes 2018, section 122A.185, subdivision 1, is amended to read:

39.23 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board  
39.24 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted  
39.25 examination of skills in reading, writing, and mathematics before being granted a Tier 4  
39.26 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,  
39.27 secondary, or special education programs. An employing school or district may verify  
39.28 through satisfactory overall job performance a Tier 3 teacher's skills in reading, writing,  
39.29 and mathematics for teaching in the licensure field so the teacher may obtain a Tier 4 license.  
39.30 Candidates may obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to  
39.31 pupils in elementary, secondary, or special education programs if candidates meet the other  
39.32 requirements in section 122A.181, 122A.182, or 122A.183, respectively. All testing centers

40.1 must provide monthly opportunities for untimed skills examinations and must advertise  
40.2 those opportunities on the test registration website.

40.3 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to  
40.4 pass an examination or performance assessment of general pedagogical knowledge<sub>2</sub> and  
40.5 examinations of licensure field specific content. The content examination requirement does  
40.6 not apply if no relevant content exam exists. All testing centers must provide monthly  
40.7 opportunities for untimed pedagogy and content examinations and must advertise those  
40.8 opportunities on the test registration website.

40.9 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must  
40.10 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,  
40.11 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge  
40.12 and understanding of the foundations of reading development, development of reading  
40.13 comprehension and reading assessment and instruction, and the ability to integrate that  
40.14 knowledge and understanding into instruction strategies under section 122A.06, subdivision  
40.15 4.

40.16 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills  
40.17 examination does not apply to nonnative English speakers, as verified by qualified Minnesota  
40.18 school district personnel or Minnesota higher education faculty, who, after meeting the  
40.19 content and pedagogy requirements under this subdivision, apply for a teaching license to  
40.20 provide direct instruction in their native language or world language instruction under section  
40.21 120B.022, subdivision 1.

40.22 **EFFECTIVE DATE.** This section is effective January 1, 2020.

40.23 Sec. 28. Minnesota Statutes 2018, section 122A.187, subdivision 3, is amended to read:

40.24 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4  
40.25 license under sections 122A.183 and 122A.184, respectively, who have been employed as  
40.26 a teacher during the renewal period of the expiring license, as a condition of license renewal,  
40.27 must present to their local continuing education and relicensure committee or other local  
40.28 relicensure committee evidence of work that demonstrates professional reflection and growth  
40.29 in best teaching practices, ~~including among other things, cultural competence in accordance~~  
40.30 ~~with section 120B.30, subdivision 1, paragraph (c), and practices in meeting the varied~~  
40.31 ~~needs of English learners, from young children to adults under section 124D.59, subdivisions~~  
40.32 ~~2 and 2a.~~ A teacher may satisfy the requirements of this paragraph by submitting the teacher's  
40.33 most recent summative evaluation or improvement plan under section 122A.40, subdivision  
40.34 8, or 122A.41, subdivision 5.



41.1 (b) The Professional Educator Licensing and Standards Board must ensure that its teacher  
41.2 relicensing requirements include paragraph (a).

41.3 Sec. 29. Minnesota Statutes 2018, section 122A.187, is amended by adding a subdivision  
41.4 to read:

41.5 Subd. 7. **Cultural competency training.** The Professional Educator Licensing and  
41.6 Standards Board must adopt rules that require all licensed teachers who are renewing a Tier  
41.7 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include  
41.8 in the renewal requirements cultural competency training and meeting the varied needs of  
41.9 English learners from young children to adults under section 124D.59, subdivisions 2 and  
41.10 2a.

41.11 Sec. 30. Minnesota Statutes 2018, section 122A.19, subdivision 4, is amended to read:

41.12 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual  
41.13 and English as a second language teachers, the board may approve teacher preparation  
41.14 programs at colleges or universities designed for their training.

41.15 (b) Programs that prepare English as a second language teachers must provide instruction  
41.16 in implementing research-based practices designed specifically for English learners. The  
41.17 programs must focus on developing English learners' academic language proficiency in  
41.18 English, including oral academic language, giving English learners meaningful access to  
41.19 the full school curriculum, developing culturally relevant teaching practices appropriate for  
41.20 immigrant students, and providing more intensive instruction and resources to English  
41.21 learners with lower levels of academic English proficiency and varied needs, consistent  
41.22 with section 124D.59, subdivisions 2 and 2a.

41.23 Sec. 31. Minnesota Statutes 2018, section 122A.20, subdivision 1, is amended to read:

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

41.30 (1) immoral character or conduct;

41.31 (2) failure, without justifiable cause, to teach for the term of the teacher's contract;

- 42.1 (3) gross inefficiency or willful neglect of duty;
- 42.2 (4) failure to meet licensure requirements; ~~or~~
- 42.3 (5) fraud or misrepresentation in obtaining a license; or
- 42.4 (6) engagement in any sexual conduct or contact with a student.

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

42.6 (b) The Professional Educator Licensing and Standards Board or Board of School  
42.7 Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue,  
42.8 refuse to renew, or automatically revoke a teacher's license to teach without the right to a  
42.9 hearing upon receiving a certified copy of a conviction showing that the teacher has been  
42.10 convicted of:

42.11 (1) child abuse, as defined in section 609.185, provided that a conviction for a violation  
42.12 of section 609.224, subdivisions 1 and 2, assault in the fifth degree, or 609.2242, subdivisions  
42.13 1 and 2, domestic assault, must not result in the automatic revocation of a teacher's license;

42.14 (2) sex trafficking in the first degree under section 609.322, subdivision 1;

42.15 (3) sex trafficking in the second degree under section 609.322, subdivision 1a;

42.16 (4) engaging in hiring, ~~or~~ agreeing to hire a minor to engage in prostitution, or housing  
42.17 an unrelated minor engaged in prostitution under section 609.324, ~~subdivision~~ subdivisions  
42.18 1, and 1a;

42.19 (5) criminal sexual ~~abuse~~ conduct under section 609.342, 609.343, 609.344, 609.345,  
42.20 or 609.3451, subdivision 3, ~~or~~;

42.21 (6) indecent exposure under section 617.23, ~~subdivision~~ subdivisions 2 and 3;

42.22 (7) solicitation of children to engage in sexual conduct or communication of sexually  
42.23 explicit materials to children under section 609.352;

42.24 (8) interference with privacy under section 609.746 or stalking under section 609.749  
42.25 and the victim was a minor;

42.26 (9) using minors in a sexual performance under section 617.246;

42.27 (10) possessing pornographic works involving a minor under section 617.247; or

42.28 (11) any other offense not listed in this paragraph that requires the person to register as  
42.29 a predatory offender under section 243.166, or a crime under a similar law of another state  
42.30 or the United States. The board shall send notice of this licensing action to the district in  
42.31 which the teacher is currently employed.

43.1 (c) A person whose license to teach has been revoked, not issued, or not renewed under  
43.2 paragraph (b), may petition the board to reconsider the licensing action if the person's  
43.3 conviction for child abuse or sexual abuse is reversed by a final decision of the court of  
43.4 appeals or the supreme court or if the person has received a pardon for the offense. The  
43.5 petitioner shall attach a certified copy of the appellate court's final decision or the pardon  
43.6 to the petition. Upon receiving the petition and its attachment, the board shall schedule and  
43.7 hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the  
43.8 petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal  
43.9 of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified  
43.10 from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing  
43.11 action. If the board finds that the petitioner is not disqualified from teaching under paragraph  
43.12 (a), clause (1), it shall reverse its previous licensing action.

43.13 (d) The Professional Educator Licensing and Standards Board or Board of School  
43.14 Administrators, whichever has jurisdiction over a teacher's licensure, must review and may  
43.15 refuse to issue, refuse to renew, or revoke a teacher's license to teach, upon receiving a  
43.16 certified copy of a conviction showing that the teacher has been convicted of:

43.17 (1) a qualified, domestic violence-related offense as defined in section 609.02, subdivision  
43.18 16; or

43.19 (2) embezzlement of public funds under section 609.54, clause (1) or (2).

43.20 If an offense included in clauses (1) to (2) is already included in paragraph (b), the provisions  
43.21 of paragraph (b) apply to the conduct.

43.22 (e) The Professional Educator Licensing and Standards Board or Board of School  
43.23 Administrators, whichever has jurisdiction over a teacher's licensure, may suspend a teacher's  
43.24 license pending an investigation into a report of conduct that would be grounds for revocation  
43.25 under paragraph (b). The teacher's license is suspended until the licensing board completes  
43.26 its disciplinary investigation and determines whether disciplinary action is necessary.

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

43.29 Sec. 32. Minnesota Statutes 2018, section 122A.20, subdivision 2, is amended to read:

43.30 Subd. 2. **Mandatory reporting.** (a) A school board, a superintendent, a charter school  
43.31 board, a charter school executive director, or a charter school authorizer must report to the  
43.32 Professional Educator Licensing and Standards Board, the Board of School Administrators,  
43.33 or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has

44.1 jurisdiction over the teacher's or administrator's license, when its teacher or administrator  
44.2 is discharged or resigns from employment after a charge is filed with the school board under  
44.3 section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed  
44.4 that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses  
44.5 (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation  
44.6 is pending under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5); 122A.41,  
44.7 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator  
44.8 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),  
44.9 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate  
44.10 licensing board within ten days after the discharge, suspension, or resignation has occurred.  
44.11 The licensing board to which the report is made must investigate the report for violation of  
44.12 subdivision 1 and the reporting board, administrator, or authorizer must cooperate in the  
44.13 investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon  
44.14 written request from the licensing board having jurisdiction over the license, a board, charter  
44.15 school, authorizer, charter school executive director, or school superintendent shall provide  
44.16 the licensing board with information about the teacher or administrator from the district's  
44.17 files, any termination or disciplinary proceeding, any settlement or compromise, or any  
44.18 investigative file. Upon written request from the appropriate licensing board, a board or  
44.19 school superintendent may, at the discretion of the board or school superintendent, solicit  
44.20 the written consent of a student and the student's parent to provide the licensing board with  
44.21 information that may aid the licensing board in its investigation and license proceedings.  
44.22 The licensing board's request need not identify a student or parent by name. The consent  
44.23 of the student and the student's parent must meet the requirements of chapter 13 and Code  
44.24 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent  
44.25 form to the district. Any data transmitted to any board under this section is private data  
44.26 under section 13.02, subdivision 12, notwithstanding any other classification of the data  
44.27 when it was in the possession of any other agency.

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

45.1 (c) The Professional Educator Licensing and Standards Board and Board of School  
45.2 Administrators must report to the appropriate law enforcement authorities a revocation,  
45.3 suspension, or agreement involving a loss of license, relating to a teacher or administrator's  
45.4 inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement  
45.5 authority" means a police department, county sheriff, or tribal police department. A report  
45.6 by the Professional Educator Licensing and Standards Board to appropriate law enforcement  
45.7 authorities does not diminish, modify, or otherwise affect the responsibilities of a school  
45.8 board or any person mandated to report abuse under section 626.556.

45.9 Sec. 33. Minnesota Statutes 2018, section 122A.21, is amended to read:

45.10 **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

45.11 Subdivision 1. **Licensure applications.** Each applicant submitting an application to the  
45.12 Professional Educator Licensing and Standards Board to issue, renew, or extend a teaching  
45.13 license, including applications for licensure via portfolio under subdivision ~~2~~ 4, must include  
45.14 a processing fee of \$57. The processing fee for a teacher's license and for the licenses of  
45.15 supervisory personnel must be paid to the executive secretary of the appropriate board and  
45.16 deposited in the educator licensure account in the special revenue fund. The fees as set by  
45.17 the board are nonrefundable for applicants not qualifying for a license. However, the  
45.18 commissioner of management and budget must refund a fee in any case in which the applicant  
45.19 already holds a valid unexpired license. The board may waive or reduce fees for applicants  
45.20 who apply at the same time for more than one license.

45.21 Subd. 3. **Annual appropriations.** (a) The amounts collected under subdivision ~~2~~ 4 and  
45.22 deposited in the educator licensure account in the special revenue fund are annually  
45.23 appropriated to the Professional Educator Licensing and Standards Board.

45.24 (b) The appropriations in paragraph (a) must be reduced by the amount of any money  
45.25 specifically appropriated for the same purposes in any year from any state fund.

45.26 Subd. 4. **Licensure via portfolio.** A candidate must pay to the Professional Educator  
45.27 Licensing and Standards Board a \$300 fee for the first portfolio submitted for review and  
45.28 a \$200 fee for any portfolio submitted subsequently. The Professional Educator Licensing  
45.29 and Standards Board executive secretary must deposit the fee in the educator licensure  
45.30 account in the special revenue fund. The fees are nonrefundable for applicants not qualifying  
45.31 for a license. The Professional Educator Licensing and Standards Board may waive or  
45.32 reduce fees for candidates based on financial need.

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

46.1 Sec. 34. Minnesota Statutes 2018, section 122A.22, is amended to read:

46.2 **122A.22 DISTRICT VERIFICATION AND REPORTING OF TEACHER**  
46.3 **LICENSES.**

46.4 Subdivision 1. **Verification.** No person shall be accounted a qualified teacher until the  
46.5 school district or charter school contracting with the person for teaching services verifies  
46.6 through the Minnesota education licensing system available on the Professional Educator  
46.7 Licensing and Standards Board website that the person is a qualified teacher, consistent  
46.8 with sections 122A.16 and 122A.44, subdivision 1.

46.9 Subd. 2. **Reporting.** No later than October 1 of each school year, the superintendent or  
46.10 charter school must provide the school board with the number of teachers in each school  
46.11 building who hold Tier 1, 2, 3, and 4 licenses. The school board and the Department of  
46.12 Education must publish this data on their respective websites no later than January of each  
46.13 school year.

46.14 Sec. 35. Minnesota Statutes 2018, section 122A.26, subdivision 2, is amended to read:

46.15 Subd. 2. **Exceptions.** (a) A person who teaches in a community education program  
46.16 ~~which~~ that qualifies for aid pursuant to section 124D.52 shall continue to meet licensure  
46.17 requirements as a teacher. A person who teaches in an early childhood and family education  
46.18 program ~~which~~ that is offered through a community education program and ~~which~~ that  
46.19 qualifies for community education aid pursuant to section 124D.20 or early childhood and  
46.20 family education aid pursuant to section 124D.135 shall continue to meet licensure  
46.21 requirements as a teacher. A person who teaches in a community education course ~~which~~  
46.22 that is offered for credit for graduation to persons under 18 years of age shall continue to  
46.23 meet licensure requirements as a teacher.

46.24 (b) A person who teaches a driver training course ~~which~~ that is offered through a  
46.25 community education program to persons under 18 years of age shall be licensed by the  
46.26 Professional Educator Licensing and Standards Board or be subject to section 171.35. A  
46.27 license ~~which~~ that is required for an instructor in a community education program pursuant  
46.28 to this ~~subdivision~~ paragraph shall not be construed to bring an individual within the  
46.29 definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41,  
46.30 subdivision 1, ~~clause~~ paragraph (a).

46.31 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

47.1 Sec. 36. Minnesota Statutes 2018, section 122A.40, subdivision 8, is amended to read:

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

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

47.16 (1) must, for probationary teachers, provide for all evaluations required under subdivision  
47.17 5;

47.18 (2) must establish a three-year professional review cycle for each teacher that includes  
47.19 an individual growth and development plan, a peer review process, and at least one  
47.20 summative evaluation performed by a qualified and trained evaluator such as a school  
47.21 administrator. For the years when a tenured teacher is not evaluated by a qualified and  
47.22 trained evaluator, the teacher must be evaluated by a peer review;

47.23 (3) must be based on professional teaching standards established in rule;

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

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

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

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

48.1 (8) must include an option for teachers to develop and present a portfolio demonstrating  
48.2 evidence of reflection and professional growth, consistent with section 122A.187, subdivision  
48.3 3, and include teachers' own performance assessment based on student work samples and  
48.4 examples of teachers' work, which may include video among other activities for the  
48.5 summative evaluation;

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

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

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

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

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

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

48.27 (c) The department, in consultation with parents who may represent parent organizations  
48.28 and teacher and administrator representatives appointed by their respective organizations,  
48.29 representing the Professional Educator Licensing and Standards Board, the Minnesota  
48.30 Association of School Administrators, the Minnesota School Boards Association, the  
48.31 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and  
48.32 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,  
48.33 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with  
48.34 research expertise in teacher evaluation, must create and publish a teacher evaluation process



49.1 that complies with the requirements in paragraph (b) and applies to all teachers under this  
49.2 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual  
49.3 teacher evaluation and peer review process. The teacher evaluation process created under  
49.4 this subdivision does not create additional due process rights for probationary teachers under  
49.5 subdivision 5.

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

49.7 (1) for students in kindergarten through grade 4, a school administrator must not place  
49.8 or approve the placement of a student in the classroom of a teacher who holds a Tier 1 or  
49.9 Tier 2 license, is in the improvement process referenced in paragraph (b), clause (12), or  
49.10 has not had a summative evaluation if, in the prior year, that student was in the classroom  
49.11 of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other  
49.12 teacher at the school teaches that grade; and

49.13 (2) for students in grades 5 through 12, a school administrator must not place or approve  
49.14 the placement of a student in the classroom of a teacher who holds a Tier 1 or Tier 2 license,  
49.15 is in the improvement process referenced in paragraph (b), clause (12), or has not had a  
49.16 summative evaluation if, in the prior year, that student was in the classroom of a teacher  
49.17 who held a Tier 1 or Tier 2 license, received discipline pursuant to paragraph (b), clause  
49.18 (13), unless no other teacher at the school teaches that subject area and grade.

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

49.20 Sec. 37. Minnesota Statutes 2018, section 122A.41, subdivision 5, is amended to read:

49.21 **Subd. 5. Development, evaluation, and peer coaching for continuing contract**  
49.22 **teachers.** (a) To improve student learning and success, a school board and an exclusive  
49.23 representative of the teachers in the district, consistent with paragraph (b), may develop an  
49.24 annual teacher evaluation and peer review process for probationary and nonprobationary  
49.25 teachers through joint agreement. If a school board and the exclusive representative of the  
49.26 teachers in the district do not agree to an annual teacher evaluation and peer review process,  
49.27 then the school board and the exclusive representative of the teachers must implement the  
49.28 state teacher evaluation plan developed under paragraph (c). The process must include  
49.29 having trained observers serve as peer coaches or having teachers participate in professional  
49.30 learning communities, consistent with paragraph (b).

49.31 (b) To develop, improve, and support qualified teachers and effective teaching practices  
49.32 and improve student learning and success, and provide all enrolled students in a district or

50.1 school with improved and equitable access to more effective and diverse teachers, the annual  
50.2 evaluation process for teachers:

50.3 (1) must, for probationary teachers, provide for all evaluations required under subdivision  
50.4 2;

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

50.9 (3) must be based on professional teaching standards established in rule;

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

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

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

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

50.20 (8) must include an option for teachers to develop and present a portfolio demonstrating  
50.21 evidence of reflection and professional growth, consistent with section 122A.187, subdivision  
50.22 3, and include teachers' own performance assessment based on student work samples and  
50.23 examples of teachers' work, which may include video among other activities for the  
50.24 summative evaluation;

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

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

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

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

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

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

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

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

51.28 (1) for students in kindergarten through grade 4, a school administrator must not place  
51.29 or approve the placement of a student in the classroom of a teacher who holds a Tier 1 or  
51.30 Tier 2 license, is in the improvement process referenced in paragraph (b), clause (12), or  
51.31 has not had a summative evaluation if, in the prior year, that student was in the classroom  
51.32 of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other  
51.33 teacher at the school teaches that grade; and

52.1 (2) for students in grades 5 through 12, a school administrator must not place or approve  
52.2 the placement of a student in the classroom of a teacher who holds a Tier 1 or Tier 2 license,  
52.3 is in the improvement process referenced in paragraph (b), clause (12), or has not had a  
52.4 summative evaluation if, in the prior year, that student was in the classroom of a teacher  
52.5 who held a Tier 1 or Tier 2 license, received discipline pursuant to paragraph (b), clause  
52.6 (13), unless no other teacher at the school teaches that subject area and grade.

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

52.8 Sec. 38. [122A.59] CODE OF ETHICS FOR TEACHERS.

52.9 Subdivision 1. Scope. Each teacher, upon entering the teaching profession, assumes a  
52.10 number of obligations, one of which is to adhere to principles that define professional  
52.11 conduct. These principles are reflected in the code of ethics in subdivision 2, which sets  
52.12 forth to the education profession and the public it serves the standards of professional conduct  
52.13 and procedures for implementation. This code applies to all persons licensed according to  
52.14 rules established by the Professional Educator Licensing and Standards Board.

52.15 Subd. 2. Standards of professional conduct. (a) A teacher must provide professional  
52.16 education services in a nondiscriminatory manner.

52.17 (b) A teacher must make reasonable effort to protect a student from conditions harmful  
52.18 to health and safety.

52.19 (c) In accordance with state and federal laws, a teacher must disclose confidential  
52.20 information about individuals only when a compelling professional purpose is served or  
52.21 when required by law.

52.22 (d) A teacher must take reasonable disciplinary action in exercising the authority to  
52.23 provide an atmosphere conducive to learning.

52.24 (e) A teacher must not use a professional relationship with a student, parent, or colleague  
52.25 to private advantage.

52.26 (f) A teacher must delegate authority for teaching responsibilities only to licensed  
52.27 personnel.

52.28 (g) A teacher must not deliberately suppress or distort subject matter.

52.29 (h) A teacher must not knowingly falsify or misrepresent records or facts relating to the  
52.30 teacher's own qualifications or other teachers' qualifications.

52.31 (i) A teacher must not knowingly make a false or malicious statement about a student  
52.32 or colleague.

53.1 (j) A teacher must accept a contract for a teaching position that requires licensing only  
 53.2 if properly or provisionally licensed for that position.

53.3 (k) A teacher must not engage in any sexual conduct or contact with a student.

53.4 Sec. 39. Minnesota Statutes 2018, section 122A.63, subdivision 1, is amended to read:

53.5 Subdivision 1. **Establishment.** (a) A grant program is established to assist American  
 53.6 Indian people to become teachers and to provide additional education for American Indian  
 53.7 teachers. The commissioner may award a joint grant to each of the following:

53.8 (1) the Duluth campus of the University of Minnesota and Independent School District  
 53.9 No. 709, Duluth;

53.10 (2) Bemidji State University and Independent School District No. 38, Red Lake;

53.11 (3) Moorhead State University and one of the school districts located within the White  
 53.12 Earth Reservation; and

53.13 (4) Augsburg College, Independent School District No. 625, St. Paul, and Special School  
 53.14 District No. 1, Minneapolis.

53.15 (b) If additional funds are available, the commissioner may award additional joint grants  
 53.16 to other postsecondary institutions and school districts.

53.17 (c) Grantees may enter into contracts with tribal, technical, and community colleges and  
 53.18 four-year postsecondary institutions to identify and provide grants to students at those  
 53.19 institutions interested in the field of education. A grantee may contract with partner  
 53.20 institutions to provide professional development and supplemental services to a tribal,  
 53.21 technical, or community college or four-year postsecondary institution, including  
 53.22 identification of prospective students, provision of instructional supplies and materials, and  
 53.23 provision of grant money to students. A contract with a tribal, technical, or community  
 53.24 college or four-year postsecondary institution includes coordination of student identification,  
 53.25 professional development, and mentorship services.

53.26 Sec. 40. Minnesota Statutes 2018, section 122A.63, subdivision 4, is amended to read:

53.27 Subd. 4. **Grant amount.** The commissioner may award a joint grant in the amount it  
 53.28 determines to be appropriate. The grant ~~shall~~ must include money for the postsecondary  
 53.29 institution, school district, and student scholarships, ~~and student loans.~~

54.1 Sec. 41. Minnesota Statutes 2018, section 122A.63, subdivision 5, is amended to read:

54.2 Subd. 5. **Information to student applicants.** At the time a student applies for a  
 54.3 scholarship ~~and loan~~, the student ~~shall~~ must be provided information about the fields of  
 54.4 licensure needed by school districts in the part of the state within which the district receiving  
 54.5 the joint grant is located. The information ~~shall~~ must be acquired and periodically updated  
 54.6 by the recipients of the joint grant and their contracted partner institutions. Information  
 54.7 provided to students ~~shall~~ must clearly state that scholarship ~~and loan~~ decisions are not  
 54.8 based upon the field of licensure selected by the student.

54.9 Sec. 42. Minnesota Statutes 2018, section 122A.63, subdivision 6, is amended to read:

54.10 Subd. 6. **Eligibility for scholarships ~~and loans~~.** (a) The following American Indian  
 54.11 people are eligible for scholarships:

54.12 (1) a student having origins in any of the original peoples of North America and  
 54.13 maintaining cultural identification through tribal affiliation or community recognition;

54.14 ~~(1)~~ (2) a student, including a teacher aide employed by a district receiving a joint grant  
 54.15 or their contracted partner school, who intends to become a teacher or who is interested in  
 54.16 the field of education and who is enrolled in a postsecondary institution or their contracted  
 54.17 partner institutions receiving a joint grant;

54.18 ~~(2)~~ (3) a licensed employee of a district receiving a joint grant or a contracted partner  
 54.19 institution, who is enrolled in a master of education program; and

54.20 ~~(3)~~ (4) a student who, after applying for federal and state financial aid and an Indian  
 54.21 scholarship according to section 136A.126, has financial needs that remain unmet. Financial  
 54.22 need shall must be determined according to the congressional methodology for needs  
 54.23 determination or as otherwise set in federal law.

54.24 ~~A person who has actual living expenses in addition to those addressed by the~~  
 54.25 ~~congressional methodology for needs determination, or as otherwise set in federal law, may~~  
 54.26 ~~receive a loan according to criteria established by the commissioner. A contract shall be~~  
 54.27 ~~executed between the state and the student for the amount and terms of the loan.~~ (b) Priority  
 54.28 must be given to a student who is tribally enrolled and then to first- and second-generation  
 54.29 descendants.

55.1 Sec. 43. Minnesota Statutes 2018, section 122A.63, is amended by adding a subdivision  
55.2 to read:

55.3 Subd. 9. **Eligible programming.** (a) The grantee institutions and their contracted partner  
55.4 institutions may provide scholarships to students progressing toward educational goals in  
55.5 any area of teacher licensure, including an associate of arts, bachelor's, master's, or doctoral  
55.6 degree in the following:

55.7 (1) any educational certification necessary for employment;

55.8 (2) early childhood family education or prekindergarten licensure;

55.9 (3) elementary and secondary education;

55.10 (4) school administration; or

55.11 (5) any educational program that provides services to American Indian students in  
55.12 prekindergarten through grade 12.

55.13 (b) For purposes of recruitment, the grantees or their contracted partner institutions must  
55.14 agree to work with their respective organizations to hire an American Indian work-study  
55.15 student or other American Indian staff to conduct initial information queries and to contact  
55.16 persons working in schools to provide programming regarding education professions to  
55.17 high school students who may be interested in education as a profession.

55.18 (c) At least 80 percent of the grants awarded under this section must be used for student  
55.19 scholarships. No more than 20 percent of the grants awarded under this section may be used  
55.20 for recruitment or administration of the student scholarships.

55.21 Sec. 44. Minnesota Statutes 2018, section 122A.70, is amended to read:

55.22 **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE**  
55.23 **TEACHERS.**

55.24 Subdivision 1. **Teacher mentoring, induction, and retention programs.** (a) School  
55.25 districts are encouraged to develop teacher mentoring programs for teachers new to the  
55.26 profession or district, including teaching residents, teachers of color, teachers who are  
55.27 American Indian, teachers in license shortage areas, teachers with special needs, or  
55.28 experienced teachers in need of peer coaching.

55.29 (b) Teacher mentoring programs must be included in or aligned with districts' teacher  
55.30 evaluation and peer review processes under sections 122A.40, subdivision 8, and 122A.41,  
55.31 subdivision 5. A district may use staff development revenue under section 122A.61, special  
55.32 grant programs established by the legislature, or another funding source to pay a stipend to

56.1 a mentor who may be a current or former teacher who has taught at least three years and is  
 56.2 not on an improvement plan. Other initiatives using such funds or funds available under  
 56.3 sections 124D.861 and 124D.862 may include:

56.4 (1) additional stipends as incentives to mentors who are of color or who are American  
 56.5 Indian;

56.6 (2) financial supports for professional learning community affinity groups across schools  
 56.7 within and between districts for teachers from underrepresented racial and ethnic groups to  
 56.8 come together throughout the school year;

56.9 (3) programs for induction aligned with the district or school mentorship program during  
 56.10 the first three years of teaching, especially for teachers from underrepresented racial and  
 56.11 ethnic groups; or

56.12 (4) grants supporting licensed and nonlicensed educator participation in professional  
 56.13 development, such as workshops and graduate courses, related to increasing student  
 56.14 achievement for students of color and American Indian students in order to close opportunity  
 56.15 and achievement gaps.

56.16 (c) Schools or districts may negotiate additional retention strategies or protection from  
 56.17 unrequested leave of absences in the beginning years of employment for teachers of color  
 56.18 and teachers who are American Indian. Retention strategies may include providing financial  
 56.19 incentives for teachers of color and teachers who are American Indian to work in the school  
 56.20 or district for at least five years and placing American Indian educators at sites with other  
 56.21 American Indian educators and educators of color at sites with other educators of color to  
 56.22 reduce isolation and increase opportunity for collegial support.

56.23 Subd. 2. **Applications.** The Professional Educator Licensing and Standards Board must  
 56.24 make application forms available to sites interested in developing or expanding a mentorship  
 56.25 program. A school district;<sub>2</sub> a group of school districts;~~or;~~<sub>2</sub> a coalition of districts, teachers,<sub>2</sub>  
 56.26 and teacher education institutions; or a coalition of schools, teachers, or nonlicensed educators  
 56.27 may apply for a ~~teacher mentorship~~ program grant. The Professional Educator Licensing  
 56.28 and Standards Board, in consultation with the teacher mentoring task force, must approve  
 56.29 or disapprove the applications. To the extent possible, the approved applications must reflect  
 56.30 effective mentoring, professional development, and retention components, ~~include a variety~~  
 56.31 ~~of coalitions~~ and be geographically distributed throughout the state. The Professional  
 56.32 Educator Licensing and Standards Board must encourage the selected sites to consider the  
 56.33 use of its assessment procedures.



57.1 Subd. 3. **Criteria for selection.** At a minimum, applicants must express commitment  
57.2 to:

57.3 (1) allow staff participation;

57.4 (2) assess skills of both beginning and mentor teachers;

57.5 (3) provide appropriate in-service to needs identified in the assessment;

57.6 (4) provide leadership to the effort;

57.7 (5) cooperate with higher education institutions;

57.8 (6) provide facilities and other resources;

57.9 (7) share findings, materials, and techniques with other school districts; and

57.10 (8) retain teachers of color and teachers who are American Indian.

57.11 Subd. 4. **Additional funding.** Applicants are required to seek additional funding and  
57.12 assistance from sources such as school districts, postsecondary institutions, foundations,  
57.13 and the private sector.

57.14 Subd. 5. **Program implementation.** New and expanding mentorship sites that are funded  
57.15 to design, develop, implement, and evaluate their program must participate in activities that  
57.16 support program development and implementation. The Professional Educator Licensing  
57.17 and Standards Board must provide resources and assistance to support new sites in their  
57.18 program efforts. These activities and services may include, but are not limited to: planning,  
57.19 planning guides, media, training, conferences, institutes, and regional and statewide  
57.20 networking meetings. Nonfunded schools or districts interested in getting started may  
57.21 participate. Fees may be charged for meals, materials, and the like.

57.22 Subd. 6. **Report.** By June 30 of each year after receiving a grant, recipients must submit  
57.23 a report to the Professional Educator Licensing and Standards Board on program efforts  
57.24 that describes mentoring and induction activities and assesses the impact of these programs  
57.25 on teacher effectiveness and retention.

57.26 Sec. 45. Minnesota Statutes 2018, section 124D.09, subdivision 10, is amended to read:

57.27 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to  
57.28 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a  
57.29 postsecondary faculty member and offered at a secondary school, or another location,  
57.30 according to an agreement between a public school board and the governing body of an  
57.31 eligible public postsecondary system or an eligible private postsecondary institution, as

58.1 defined in subdivision 3. All provisions of this section ~~shall~~ apply to a pupil, public school  
58.2 board, district, and the governing body of a postsecondary institution, except as otherwise  
58.3 provided.

58.4 (b) To encourage students, especially American Indian students and students of color,  
58.5 to consider teaching as a profession, participating schools, school districts, and postsecondary  
58.6 institutions are encouraged to develop and offer an "Introduction to Teaching" or  
58.7 "Introduction to Education" course under this subdivision. ~~An institution that receives a~~ For  
58.8 the purpose of applying for grants under this paragraph, "eligible institution" includes schools  
58.9 and districts that partner with an accredited college or university in addition to postsecondary  
58.10 institutions identified in subdivision 3, paragraph (a). Grant to develop a course recipients  
58.11 under this paragraph must annually report to the commissioner in a form and manner  
58.12 determined by the commissioner on the participation rates of students in courses under this  
58.13 paragraph, including the number of students who apply for admission to colleges or  
58.14 universities with teacher preparation programs and the number of students of color and  
58.15 American Indian students who earned postsecondary credit. Grant recipients must also  
58.16 describe recruiting efforts intended to ensure that the percentage of participating students  
58.17 who are of color or American Indian meets or exceeds the overall percentage of students  
58.18 of color or American Indian students in the school.

58.19 Sec. 46. Minnesota Statutes 2018, section 124D.861, subdivision 2, is amended to read:

58.20 Subd. 2. **Plan implementation; components.** (a) The school board of each eligible  
58.21 district must formally develop and implement a long-term plan under this section. The plan  
58.22 must be incorporated into the district's comprehensive strategic plan under section 120B.11.  
58.23 Plan components may include:

58.24 (1) innovative and integrated prekindergarten through grade 12 learning environments  
58.25 that offer students school enrollment choices;

58.26 (2) family engagement initiatives that involve families in their students' academic life  
58.27 and success;

58.28 (3) professional development opportunities for teachers and administrators focused on  
58.29 improving the academic achievement of all students, including teachers and administrators  
58.30 who are members of populations underrepresented among the licensed teachers or  
58.31 administrators in the district or school and who reflect the diversity of students under section  
58.32 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

59.1 (4) increased programmatic opportunities and effective and more diverse instructors  
59.2 focused on rigor and college and career readiness for underserved students, including students  
59.3 enrolled in alternative learning centers under section 123A.05, public alternative programs  
59.4 under section 126C.05, subdivision 15, and contract alternative programs under section  
59.5 124D.69, among other underserved students; or

59.6 (5) recruitment and retention of teachers ~~and~~ administrators ~~with diverse, cultural and~~  
59.7 family liaisons, paraprofessionals, and other nonlicensed staff from racial and ethnic  
59.8 backgrounds represented in the student population.

59.9 (b) The plan must contain goals for:

59.10 (1) reducing the disparities in academic achievement and in equitable access to effective  
59.11 and more diverse teachers among all students and specific categories of students under  
59.12 section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender,  
59.13 disability, and English learners; and

59.14 (2) increasing racial and economic diversity and integration in schools and districts.

59.15 (c) The plan must include strategies to make schools' curriculum and learning and work  
59.16 environments more inclusive and respectful of students' racial and ethnic diversity and to  
59.17 address issues of structural inequities in schools that create opportunity and achievement  
59.18 gaps for students, families, and staff who are of color or who are American Indian, and  
59.19 program revenues may be used to implement such strategies. Examples of possible structural  
59.20 inequities include but are not limited to policies and practices that unintentionally result in  
59.21 disparate referrals and suspension, inequitable access to advanced coursework,  
59.22 overrepresentation in lower level coursework, participation in cocurricular activities, parent  
59.23 involvement, and lack of access to diverse teachers. Plans may include but are not limited  
59.24 to the following activities that may involve collaboration with or support from regional  
59.25 centers of excellence:

59.26 (1) creating opportunities for students, families, staff, and community members who are  
59.27 of color or who are American Indian to share their experiences in the school setting with  
59.28 school staff and administration to develop specific proposals for improving school  
59.29 environments to be more inclusive and respectful toward all students, families, and staff;

59.30 (2) implementing creative programs for increased parent engagement and improving  
59.31 relations between home and school;

59.32 (3) developing or expanding ethnic studies course offerings to provide all students with  
59.33 in-depth opportunities to learn about their own and others' cultures and historical experiences;

60.1 (4) examining and revising curricula in various subjects to be culturally relevant and  
 60.2 inclusive of various racial and ethnic groups;

60.3 (5) examining academic and discipline data, reexamining institutional policies and  
 60.4 practices that result in opportunity and achievement disparities between racial and ethnic  
 60.5 groups, and making necessary changes that increase access, meaningful participation,  
 60.6 representation, and positive outcomes for students of color, American Indian students, and  
 60.7 students who qualify for free or reduced-price lunch;

60.8 (6) providing professional development opportunities to learn more about various racial  
 60.9 and ethnic groups' experiences, assets, and issues and developing cross-cultural competence  
 60.10 with knowledge, collaborations, and relationships needed to serve students effectively who  
 60.11 are from diverse racial and ethnic backgrounds; and

60.12 (7) hiring more cultural liaisons to strengthen relationships with students, families, and  
 60.13 other members of the community.

60.14 ~~(b)~~ (d) Among other requirements, an eligible district must implement effective,  
 60.15 research-based interventions that include formative assessment practices to reduce the  
 60.16 disparities in student academic performance among the specific categories of students as  
 60.17 measured by student progress and growth on state reading and math assessments and as  
 60.18 aligned with section 120B.11.

60.19 ~~(e)~~ (e) Eligible districts must create efficiencies and eliminate duplicative programs and  
 60.20 services under this section, which may include forming collaborations or a single,  
 60.21 seven-county metropolitan areawide partnership of eligible districts for this purpose.

60.22 Sec. 47. Minnesota Statutes 2018, section 136A.1275, is amended to read:

60.23 **136A.1275 STUDENT TEACHER CANDIDATE GRANTS IN SHORTAGE**  
 60.24 **AREAS.**

60.25 Subdivision 1. **Establishment.** (a) The commissioner of the Office of Higher Education  
 60.26 must establish a grant program for student teaching stipends for low-income students enrolled  
 60.27 in a Professional Educator Licensing and Standards Board-approved teacher preparation  
 60.28 program who ~~intend to teach~~ are student teaching in a licensure shortage area after graduating  
 60.29 ~~and receiving their teaching license~~ or belong to an ~~underrepresented~~ a racial or ethnic group  
 60.30 underrepresented in the teacher workforce.

60.31 (b) ~~"Shortage~~ For purposes of this grant program, "licensure shortage area" means a  
 60.32 license field or economic development region within Minnesota defined as a shortage area  
 60.33 by the Department of Education using determined by the Professional Educator Licensing

61.1 and Standards Board in which the number of surveyed districts or schools within an economic  
61.2 development region reporting or predicting hiring a teacher for a specific licensure area as  
61.3 "very difficult" is equal to or greater than the number of districts or schools reporting or  
61.4 predicting such hiring as "easy" in data collected for the teacher supply and demand report  
61.5 under ~~section~~ sections 122A.091, subdivision 5, and 127A.05, subdivision 6, or other surveys  
61.6 conducted by the Department of Education or Professional Educator Licensing and Standards  
61.7 Board that provide indicators for teacher supply and demand.

61.8 Subd. 2. **Eligibility.** To be eligible for a grant under this section, a student teacher  
61.9 candidate must:

61.10 (1) be enrolled in a Professional Educator Licensing and Standards Board-approved  
61.11 teacher preparation program that requires at least 12 weeks of student teaching to complete  
61.12 the program in order to be recommended for ~~a full professional~~ any Tier 3 teaching license  
61.13 from early childhood through grade 12;

61.14 (2) demonstrate financial need based on criteria established by the commissioner under  
61.15 subdivision 3;

61.16 (3) ~~intend to teach in~~ be completing a program in a licensure shortage area existing  
61.17 within the economic development region where either the candidate's preparation program  
61.18 or permanent residence is located, or belong to ~~an underrepresented~~ a racial or ethnic group  
61.19 underrepresented in Minnesota's teacher workforce; and

61.20 (4) be meeting satisfactory academic progress as defined under section 136A.101,  
61.21 subdivision 10.

61.22 Subd. 3. **Administration; repayment.** (a) The commissioner must establish an  
61.23 application process and other guidelines for implementing this program, including repayment  
61.24 responsibilities for stipend recipients who do not complete student teaching or who leave  
61.25 Minnesota to teach in another state during the first year after student teaching.

61.26 (b) The commissioner must determine each academic year the stipend amount up to  
61.27 \$7,500 based on the amount of available funding, the number of eligible applicants, and the  
61.28 financial need of the applicants.

61.29 (c) In order to help improve all students' access to effective and diverse teachers, the  
61.30 percentage of the total award reserved for teacher candidates who identify as belonging to  
61.31 ~~an underrepresented~~ a racial or ethnic group underrepresented in the Minnesota teacher  
61.32 workforce must be equal to or greater than the total percentage of students ~~of~~ from all such  
61.33 underrepresented racial or ethnic groups as measured under section 120B.35, subdivision

62.1 3. If this percentage cannot be met because of a lack of qualifying candidates, the remaining  
 62.2 amount may be awarded to teacher candidates who intend to teach in a shortage area. Student  
 62.3 teacher candidates who are of color or American Indian who have made satisfactory academic  
 62.4 progress must have priority for receiving a grant from available funds to student teach and  
 62.5 complete their preparation programs if they meet eligibility requirements and participated  
 62.6 in the aspiring Minnesota teachers of color scholarship program under section 136A.1274.

62.7 Sec. 48. Minnesota Statutes 2018, section 136A.1791, subdivision 1, is amended to read:

62.8 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given  
 62.9 them in this subdivision.

62.10 (b) "Qualified educational loan" means a government, commercial, or foundation loan  
 62.11 for actual costs paid for tuition and reasonable educational and living expenses related to a  
 62.12 teacher's preparation or further education.

62.13 (c) "School district" means an independent school district, special school district,  
 62.14 intermediate district, education district, special education cooperative, service cooperative,  
 62.15 a cooperative center for vocational education, or a charter school located in Minnesota.

62.16 (d) "Teacher" means an individual holding a teaching license issued by the Professional  
 62.17 Educator Licensing and Standards Board who is employed by a school district to provide  
 62.18 classroom instruction or a Head Start or Early Head Start nonlicensed early childhood  
 62.19 professional employed by a Head Start program under section 119A.50.

62.20 (e) "Teacher shortage area" means any of the following experiencing a teacher shortage  
 62.21 as reported by the Professional Educator Licensing and Standards Board:

62.22 (1) ~~the licensure fields and specific to particular economic development regions reported~~  
 62.23 ~~by the commissioner of education as experiencing a teacher shortage; and;~~

62.24 (2) individual economic development regions; or

62.25 (3) economic development regions where there is a shortage of licensed teachers who  
 62.26 ~~reflect the racial or ethnic diversity of~~ are of color or who are American Indian where the  
 62.27 aggregate percentage of this group of teachers is lower than the aggregate percentage of  
 62.28 students of color and American Indian students in the region as reported by the commissioner  
 62.29 of education.

62.30 (f) "Commissioner" means the commissioner of the Office of Higher Education unless  
 62.31 indicated otherwise.

63.1 Sec. 49. Minnesota Statutes 2018, section 136A.1791, subdivision 2, is amended to read:

63.2 Subd. 2. **Program established; administration.** The commissioner ~~shall~~ must establish  
63.3 and administer a teacher shortage loan forgiveness program. A teacher is eligible for the  
63.4 program if the teacher is teaching in an identified teacher shortage area for the economic  
63.5 development region in which the teacher works as defined in subdivision 1 and reported  
63.6 under subdivision 3 and complies with the requirements of this section.

63.7 Sec. 50. Minnesota Statutes 2018, section 136A.1791, subdivision 3, is amended to read:

63.8 Subd. 3. **Use of report on teacher shortage areas.** The ~~commissioner of education~~  
63.9 ~~shall~~ Professional Educator Licensing and Standards Board must use the teacher supply and  
63.10 demand report to the legislature to identify the licensure fields and racial or ethnic groups  
63.11 in economic development regions in Minnesota experiencing a teacher shortage.

63.12 Sec. 51. Minnesota Statutes 2018, section 136A.1791, subdivision 4, is amended to read:

63.13 Subd. 4. **Application for loan forgiveness.** Each applicant for loan forgiveness, according  
63.14 to rules adopted by the commissioner, ~~shall~~ must:

63.15 (1) apply for teacher shortage loan forgiveness and promptly submit any additional  
63.16 information required by the commissioner; and

63.17 (2) submit to the commissioner a completed affidavit, prescribed by the commissioner,  
63.18 affirming the teacher is teaching in: ~~(i) a licensure field identified by the commissioner as~~  
63.19 ~~experiencing a teacher shortage; or (ii) an economic development region identified by the~~  
63.20 ~~commissioner as experiencing a teacher shortage~~ a shortage area.

63.21 Sec. 52. Minnesota Statutes 2018, section 136A.1791, subdivision 5, is amended to read:

63.22 Subd. 5. **Amount of loan forgiveness.** (a) To the extent funding is available, the annual  
63.23 amount of teacher shortage loan forgiveness for an approved applicant ~~shall~~ as a teacher in  
63.24 any shortage area must not exceed \$1,000 \$2,000 or the cumulative balance of the applicant's  
63.25 qualified educational loans, including principal and interest, whichever amount is less. To  
63.26 support the retention of teachers who are of color or American Indian and to the extent there  
63.27 are sufficient applications, the percentage of loan repayments granted to teachers of color  
63.28 and American Indian teachers must at least be equivalent to the aggregated percentage of  
63.29 students of color and American Indian students in the state.

63.30 (b) Notwithstanding paragraph (a), applicants who meet both licensure field and  
63.31 underrepresented racial or ethnic group eligibility in their economic development region

64.1 may receive an annual amount of up to \$4,000 or the cumulative balance of the applicant's  
 64.2 qualified educational loans, including principal and interest, whichever amount is less.

64.3 ~~(b)~~ (c) Recipients must secure their own qualified educational loans. Teachers who  
 64.4 graduate from an approved teacher preparation program or teachers who add a licensure  
 64.5 field, consistent with the teacher shortage requirements of this section, are eligible to apply  
 64.6 for the loan forgiveness program.

64.7 ~~(e)~~ (d) No teacher ~~shall~~ may receive more than ~~five~~ ten annual awards.

64.8 Sec. 53. Minnesota Statutes 2018, section 214.01, subdivision 3, is amended to read:

64.9 Subd. 3. **Non-health-related licensing board.** "Non-health-related licensing board"  
 64.10 means the Professional Educator Licensing and Standards Board established pursuant to  
 64.11 section 122A.07, the Board of School Administrators established pursuant to section 122A.14,  
 64.12 the Board of Barber Examiners established pursuant to section 154.001, the Board of  
 64.13 Cosmetologist Examiners established pursuant to section 155A.20, the Board of Assessors  
 64.14 established pursuant to section 270.41, the Board of Architecture, Engineering, Land  
 64.15 Surveying, Landscape Architecture, Geoscience, and Interior Design established pursuant  
 64.16 to section 326.04, the Private Detective and Protective Agent Licensing Board established  
 64.17 pursuant to section 326.33, the Board of Accountancy established pursuant to section  
 64.18 326A.02, and the Peace Officer Standards and Training Board established pursuant to section  
 64.19 626.841.

64.20 Sec. 54. **[245C.125] BACKGROUND STUDY; PROFESSIONAL EDUCATOR**  
 64.21 **LICENSING AND STANDARDS BOARD.**

64.22 The commissioner may contract with the Professional Educator Licensing and Standards  
 64.23 Board to conduct background studies and obtain background study data as required under  
 64.24 this chapter and chapter 122A. When required in chapter 122A, the commissioner must  
 64.25 conduct a national criminal history record check.

64.26 Sec. 55. Minnesota Statutes 2018, section 626.556, subdivision 10, is amended to read:

64.27 Subd. 10. **Duties of local welfare agency and local law enforcement agency upon**  
 64.28 **receipt of report; mandatory notification between police or sheriff and agency.** (a) The  
 64.29 police department or the county sheriff shall immediately notify the local welfare agency  
 64.30 or agency responsible for child protection reports under this section orally and in writing  
 64.31 when a report is received. The local welfare agency or agency responsible for child protection  
 64.32 reports shall immediately notify the local police department or the county sheriff orally and



65.1 in writing when a report is received. The county sheriff and the head of every local welfare  
65.2 agency, agency responsible for child protection reports, and police department shall each  
65.3 designate a person within their agency, department, or office who is responsible for ensuring  
65.4 that the notification duties of this paragraph are carried out. When the alleged maltreatment  
65.5 occurred on tribal land, the local welfare agency or agency responsible for child protection  
65.6 reports and the local police department or the county sheriff shall immediately notify the  
65.7 tribe's social services agency and tribal law enforcement orally and in writing when a report  
65.8 is received. When a police department or county sheriff determines that a child has been  
65.9 the subject of physical abuse, sexual abuse, or neglect by a person licensed by the  
65.10 Professional Educator Licensing and Standards Board or Board of School Administrators,  
65.11 it shall, in addition to its other duties under this section, immediately inform the licensing  
65.12 board. Law enforcement must work collaboratively with the board that has jurisdiction over  
65.13 the matter, including sharing documents and evidence to continue the investigation.

65.14 (b) Upon receipt of a report, the local welfare agency shall determine whether to conduct  
65.15 a family assessment or an investigation as appropriate to prevent or provide a remedy for  
65.16 child maltreatment. The local welfare agency:

65.17 (1) shall conduct an investigation on reports involving sexual abuse or substantial child  
65.18 endangerment;

65.19 (2) shall begin an immediate investigation if, at any time when it is using a family  
65.20 assessment response, it determines that there is reason to believe that sexual abuse or  
65.21 substantial child endangerment or a serious threat to the child's safety exists;

65.22 (3) may conduct a family assessment for reports that do not allege sexual abuse or  
65.23 substantial child endangerment. In determining that a family assessment is appropriate, the  
65.24 local welfare agency may consider issues of child safety, parental cooperation, and the need  
65.25 for an immediate response;

65.26 (4) may conduct a family assessment on a report that was initially screened and assigned  
65.27 for an investigation. In determining that a complete investigation is not required, the local  
65.28 welfare agency must document the reason for terminating the investigation and notify the  
65.29 local law enforcement agency if the local law enforcement agency is conducting a joint  
65.30 investigation; and

65.31 (5) shall provide immediate notice, according to section 260.761, subdivision 2, to an  
65.32 Indian child's tribe when the agency has reason to believe the family assessment or  
65.33 investigation may involve an Indian child. For purposes of this clause, "immediate notice"  
65.34 means notice provided within 24 hours.

66.1 If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or  
66.2 individual functioning within the family unit as a person responsible for the child's care, or  
66.3 sexual abuse by a person with a significant relationship to the child when that person resides  
66.4 in the child's household or by a sibling, the local welfare agency shall immediately conduct  
66.5 a family assessment or investigation as identified in clauses (1) to (4). In conducting a family  
66.6 assessment or investigation, the local welfare agency shall gather information on the existence  
66.7 of substance abuse and domestic violence and offer services for purposes of preventing  
66.8 future child maltreatment, safeguarding and enhancing the welfare of the abused or neglected  
66.9 minor, and supporting and preserving family life whenever possible. If the report alleges a  
66.10 violation of a criminal statute involving sexual abuse, physical abuse, or neglect or  
66.11 endangerment, under section 609.378, the local law enforcement agency and local welfare  
66.12 agency shall coordinate the planning and execution of their respective investigation and  
66.13 assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews.  
66.14 Each agency shall prepare a separate report of the results of its investigation or assessment.  
66.15 In cases of alleged child maltreatment resulting in death, the local agency may rely on the  
66.16 fact-finding efforts of a law enforcement investigation to make a determination of whether  
66.17 or not maltreatment occurred. When necessary the local welfare agency shall seek authority  
66.18 to remove the child from the custody of a parent, guardian, or adult with whom the child is  
66.19 living. In performing any of these duties, the local welfare agency shall maintain appropriate  
66.20 records.

66.21 If the family assessment or investigation indicates there is a potential for abuse of alcohol  
66.22 or other drugs by the parent, guardian, or person responsible for the child's care, the local  
66.23 welfare agency shall conduct a chemical use assessment pursuant to Minnesota Rules, part  
66.24 9530.6615.

66.25 (c) When a local agency receives a report or otherwise has information indicating that  
66.26 a child who is a client, as defined in section 245.91, has been the subject of physical abuse,  
66.27 sexual abuse, or neglect at an agency, facility, or program as defined in section 245.91, it  
66.28 shall, in addition to its other duties under this section, immediately inform the ombudsman  
66.29 established under sections 245.91 to 245.97. The commissioner of education shall inform  
66.30 the ombudsman established under sections 245.91 to 245.97 of reports regarding a child  
66.31 defined as a client in section 245.91 that maltreatment occurred at a school as defined in  
66.32 section 120A.05, subdivisions 9, 11, and 13, and chapter 124E.

66.33 (d) Authority of the local welfare agency responsible for assessing or investigating the  
66.34 child abuse or neglect report, the agency responsible for assessing or investigating the report,  
66.35 and of the local law enforcement agency for investigating the alleged abuse or neglect

67.1 includes, but is not limited to, authority to interview, without parental consent, the alleged  
67.2 victim and any other minors who currently reside with or who have resided with the alleged  
67.3 offender. The interview may take place at school or at any facility or other place where the  
67.4 alleged victim or other minors might be found or the child may be transported to, and the  
67.5 interview conducted at, a place appropriate for the interview of a child designated by the  
67.6 local welfare agency or law enforcement agency. The interview may take place outside the  
67.7 presence of the alleged offender or parent, legal custodian, guardian, or school official. For  
67.8 family assessments, it is the preferred practice to request a parent or guardian's permission  
67.9 to interview the child prior to conducting the child interview, unless doing so would  
67.10 compromise the safety assessment. Except as provided in this paragraph, the parent, legal  
67.11 custodian, or guardian shall be notified by the responsible local welfare or law enforcement  
67.12 agency no later than the conclusion of the investigation or assessment that this interview  
67.13 has occurred. Notwithstanding rule 32 of the Minnesota Rules of Procedure for Juvenile  
67.14 Courts, the juvenile court may, after hearing on an ex parte motion by the local welfare  
67.15 agency, order that, where reasonable cause exists, the agency withhold notification of this  
67.16 interview from the parent, legal custodian, or guardian. If the interview took place or is to  
67.17 take place on school property, the order shall specify that school officials may not disclose  
67.18 to the parent, legal custodian, or guardian the contents of the notification of intent to interview  
67.19 the child on school property, as provided under this paragraph, and any other related  
67.20 information regarding the interview that may be a part of the child's school record. A copy  
67.21 of the order shall be sent by the local welfare or law enforcement agency to the appropriate  
67.22 school official.

67.23 (e) When the local welfare, local law enforcement agency, or the agency responsible  
67.24 for assessing or investigating a report of maltreatment determines that an interview should  
67.25 take place on school property, written notification of intent to interview the child on school  
67.26 property must be received by school officials prior to the interview. The notification shall  
67.27 include the name of the child to be interviewed, the purpose of the interview, and a reference  
67.28 to the statutory authority to conduct an interview on school property. For interviews  
67.29 conducted by the local welfare agency, the notification shall be signed by the chair of the  
67.30 local social services agency or the chair's designee. The notification shall be private data  
67.31 on individuals subject to the provisions of this paragraph. School officials may not disclose  
67.32 to the parent, legal custodian, or guardian the contents of the notification or any other related  
67.33 information regarding the interview until notified in writing by the local welfare or law  
67.34 enforcement agency that the investigation or assessment has been concluded, unless a school  
67.35 employee or agent is alleged to have maltreated the child. Until that time, the local welfare  
67.36 or law enforcement agency or the agency responsible for assessing or investigating a report

68.1 of maltreatment shall be solely responsible for any disclosures regarding the nature of the  
68.2 assessment or investigation.

68.3 Except where the alleged offender is believed to be a school official or employee, the  
68.4 time and place, and manner of the interview on school premises shall be within the discretion  
68.5 of school officials, but the local welfare or law enforcement agency shall have the exclusive  
68.6 authority to determine who may attend the interview. The conditions as to time, place, and  
68.7 manner of the interview set by the school officials shall be reasonable and the interview  
68.8 shall be conducted not more than 24 hours after the receipt of the notification unless another  
68.9 time is considered necessary by agreement between the school officials and the local welfare  
68.10 or law enforcement agency. Where the school fails to comply with the provisions of this  
68.11 paragraph, the juvenile court may order the school to comply. Every effort must be made  
68.12 to reduce the disruption of the educational program of the child, other students, or school  
68.13 staff when an interview is conducted on school premises.

68.14 (f) Where the alleged offender or a person responsible for the care of the alleged victim  
68.15 or other minor prevents access to the victim or other minor by the local welfare agency, the  
68.16 juvenile court may order the parents, legal custodian, or guardian to produce the alleged  
68.17 victim or other minor for questioning by the local welfare agency or the local law  
68.18 enforcement agency outside the presence of the alleged offender or any person responsible  
68.19 for the child's care at reasonable places and times as specified by court order.

68.20 (g) Before making an order under paragraph (f), the court shall issue an order to show  
68.21 cause, either upon its own motion or upon a verified petition, specifying the basis for the  
68.22 requested interviews and fixing the time and place of the hearing. The order to show cause  
68.23 shall be served personally and shall be heard in the same manner as provided in other cases  
68.24 in the juvenile court. The court shall consider the need for appointment of a guardian ad  
68.25 litem to protect the best interests of the child. If appointed, the guardian ad litem shall be  
68.26 present at the hearing on the order to show cause.

68.27 (h) The commissioner of human services, the ombudsman for mental health and  
68.28 developmental disabilities, the local welfare agencies responsible for investigating reports,  
68.29 the commissioner of education, and the local law enforcement agencies have the right to  
68.30 enter facilities as defined in subdivision 2 and to inspect and copy the facility's records,  
68.31 including medical records, as part of the investigation. Notwithstanding the provisions of  
68.32 chapter 13, they also have the right to inform the facility under investigation that they are  
68.33 conducting an investigation, to disclose to the facility the names of the individuals under  
68.34 investigation for abusing or neglecting a child, and to provide the facility with a copy of  
68.35 the report and the investigative findings.

69.1 (i) The local welfare agency responsible for conducting a family assessment or  
69.2 investigation shall collect available and relevant information to determine child safety, risk  
69.3 of subsequent child maltreatment, and family strengths and needs and share not public  
69.4 information with an Indian's tribal social services agency without violating any law of the  
69.5 state that may otherwise impose duties of confidentiality on the local welfare agency in  
69.6 order to implement the tribal state agreement. The local welfare agency or the agency  
69.7 responsible for investigating the report shall collect available and relevant information to  
69.8 ascertain whether maltreatment occurred and whether protective services are needed.  
69.9 Information collected includes, when relevant, information with regard to the person reporting  
69.10 the alleged maltreatment, including the nature of the reporter's relationship to the child and  
69.11 to the alleged offender, and the basis of the reporter's knowledge for the report; the child  
69.12 allegedly being maltreated; the alleged offender; the child's caretaker; and other collateral  
69.13 sources having relevant information related to the alleged maltreatment. The local welfare  
69.14 agency or the agency responsible for investigating the report may make a determination of  
69.15 no maltreatment early in an investigation, and close the case and retain immunity, if the  
69.16 collected information shows no basis for a full investigation.

69.17 Information relevant to the assessment or investigation must be asked for, and may  
69.18 include:

69.19 (1) the child's sex and age; prior reports of maltreatment, including any maltreatment  
69.20 reports that were screened out and not accepted for assessment or investigation; information  
69.21 relating to developmental functioning; credibility of the child's statement; and whether the  
69.22 information provided under this clause is consistent with other information collected during  
69.23 the course of the assessment or investigation;

69.24 (2) the alleged offender's age, a record check for prior reports of maltreatment, and  
69.25 criminal charges and convictions. The local welfare agency or the agency responsible for  
69.26 assessing or investigating the report must provide the alleged offender with an opportunity  
69.27 to make a statement. The alleged offender may submit supporting documentation relevant  
69.28 to the assessment or investigation;

69.29 (3) collateral source information regarding the alleged maltreatment and care of the  
69.30 child. Collateral information includes, when relevant: (i) a medical examination of the child;  
69.31 (ii) prior medical records relating to the alleged maltreatment or the care of the child  
69.32 maintained by any facility, clinic, or health care professional and an interview with the  
69.33 treating professionals; and (iii) interviews with the child's caretakers, including the child's  
69.34 parent, guardian, foster parent, child care provider, teachers, counselors, family members,

70.1 relatives, and other persons who may have knowledge regarding the alleged maltreatment  
70.2 and the care of the child; and

70.3 (4) information on the existence of domestic abuse and violence in the home of the child,  
70.4 and substance abuse.

70.5 Nothing in this paragraph precludes the local welfare agency, the local law enforcement  
70.6 agency, or the agency responsible for assessing or investigating the report from collecting  
70.7 other relevant information necessary to conduct the assessment or investigation.

70.8 Notwithstanding sections 13.384 or 144.291 to 144.298, the local welfare agency has access  
70.9 to medical data and records for purposes of clause (3). Notwithstanding the data's  
70.10 classification in the possession of any other agency, data acquired by the local welfare  
70.11 agency or the agency responsible for assessing or investigating the report during the course  
70.12 of the assessment or investigation are private data on individuals and must be maintained  
70.13 in accordance with subdivision 11. Data of the commissioner of education collected or  
70.14 maintained during and for the purpose of an investigation of alleged maltreatment in a school  
70.15 are governed by this section, notwithstanding the data's classification as educational,  
70.16 licensing, or personnel data under chapter 13.

70.17 In conducting an assessment or investigation involving a school facility as defined in  
70.18 subdivision 2, paragraph (c), the commissioner of education shall collect investigative  
70.19 reports and data that are relevant to a report of maltreatment and are from local law  
70.20 enforcement and the school facility.

70.21 (j) Upon receipt of a report, the local welfare agency shall conduct a face-to-face contact  
70.22 with the child reported to be maltreated and with the child's primary caregiver sufficient to  
70.23 complete a safety assessment and ensure the immediate safety of the child. The face-to-face  
70.24 contact with the child and primary caregiver shall occur immediately if sexual abuse or  
70.25 substantial child endangerment is alleged and within five calendar days for all other reports.  
70.26 If the alleged offender was not already interviewed as the primary caregiver, the local welfare  
70.27 agency shall also conduct a face-to-face interview with the alleged offender in the early  
70.28 stages of the assessment or investigation. At the initial contact, the local child welfare agency  
70.29 or the agency responsible for assessing or investigating the report must inform the alleged  
70.30 offender of the complaints or allegations made against the individual in a manner consistent  
70.31 with laws protecting the rights of the person who made the report. The interview with the  
70.32 alleged offender may be postponed if it would jeopardize an active law enforcement  
70.33 investigation.

71.1 (k) When conducting an investigation, the local welfare agency shall use a question and  
71.2 answer interviewing format with questioning as nondirective as possible to elicit spontaneous  
71.3 responses. For investigations only, the following interviewing methods and procedures must  
71.4 be used whenever possible when collecting information:

71.5 (1) audio recordings of all interviews with witnesses and collateral sources; and

71.6 (2) in cases of alleged sexual abuse, audio-video recordings of each interview with the  
71.7 alleged victim and child witnesses.

71.8 (l) In conducting an assessment or investigation involving a school facility as defined  
71.9 in subdivision 2, paragraph (c), the commissioner of education shall collect available and  
71.10 relevant information and use the procedures in paragraphs (j) and (k), and subdivision 3d,  
71.11 except that the requirement for face-to-face observation of the child and face-to-face interview  
71.12 of the alleged offender is to occur in the initial stages of the assessment or investigation  
71.13 provided that the commissioner may also base the assessment or investigation on investigative  
71.14 reports and data received from the school facility and local law enforcement, to the extent  
71.15 those investigations satisfy the requirements of paragraphs (j) and (k), and subdivision 3d.

71.16 Sec. 56. Minnesota Statutes 2018, section 626.556, subdivision 11, is amended to read:

71.17 Subd. 11. **Records.** (a) Except as provided in paragraph (b) and subdivisions 10b, 10d,  
71.18 10g, and 11b, all records concerning individuals maintained by a local welfare agency or  
71.19 agency responsible for assessing or investigating the report under this section, including  
71.20 any written reports filed under subdivision 7, shall be private data on individuals, except  
71.21 insofar as copies of reports are required by subdivision 7 to be sent to the local police  
71.22 department or the county sheriff. All records concerning determinations of maltreatment  
71.23 by a facility are nonpublic data as maintained by the Department of Education, except insofar  
71.24 as copies of reports are required by subdivision 7 to be sent to the local police department  
71.25 or the county sheriff. Reports maintained by any police department or the county sheriff  
71.26 shall be private data on individuals except the reports shall be made available to the  
71.27 investigating, petitioning, or prosecuting authority, including county medical examiners or  
71.28 county coroners. Section 13.82, subdivisions 8, 9, and 14, apply to law enforcement data  
71.29 other than the reports. The local social services agency or agency responsible for assessing  
71.30 or investigating the report shall make available to the investigating, petitioning, or prosecuting  
71.31 authority, including county medical examiners or county coroners or their professional  
71.32 delegates, any records which contain information relating to a specific incident of neglect  
71.33 or abuse which is under investigation, petition, or prosecution and information relating to  
71.34 any prior incidents of neglect or abuse involving any of the same persons. The records shall

72.1 be collected and maintained in accordance with the provisions of chapter 13. In conducting  
72.2 investigations and assessments pursuant to this section, the notice required by section 13.04,  
72.3 subdivision 2, need not be provided to a minor under the age of ten who is the alleged victim  
72.4 of abuse or neglect. An individual subject of a record shall have access to the record in  
72.5 accordance with those sections, except that the name of the reporter shall be confidential  
72.6 while the report is under assessment or investigation except as otherwise permitted by this  
72.7 subdivision. Any person conducting an investigation or assessment under this section who  
72.8 intentionally discloses the identity of a reporter prior to the completion of the investigation  
72.9 or assessment is guilty of a misdemeanor. After the assessment or investigation is completed,  
72.10 the name of the reporter shall be confidential. The subject of the report may compel disclosure  
72.11 of the name of the reporter only with the consent of the reporter or upon a written finding  
72.12 by the court that the report was false and that there is evidence that the report was made in  
72.13 bad faith. This subdivision does not alter disclosure responsibilities or obligations under  
72.14 the Rules of Criminal Procedure.

72.15 (b) Upon request of the legislative auditor, data on individuals maintained under this  
72.16 section must be released to the legislative auditor in order for the auditor to fulfill the auditor's  
72.17 duties under section 3.971. The auditor shall maintain the data in accordance with chapter  
72.18 13.

72.19 (c) The commissioner of education must be provided with all requested data that are  
72.20 relevant to a report of maltreatment and are in possession of a school facility as defined in  
72.21 subdivision 2, paragraph (c), when the data is requested pursuant to an assessment or  
72.22 investigation of a maltreatment report of a student in a school. If the commissioner of  
72.23 education makes a determination of maltreatment involving an individual performing work  
72.24 within a school facility who is licensed by a board or other agency, the commissioner shall  
72.25 provide ~~necessary and relevant information to the licensing entity to enable the entity to~~  
72.26 fulfill with the full investigative file including but not limited to witness statements, all  
72.27 documents provided by witnesses or the district, a witness list, the full and complete  
72.28 maltreatment determination report including the witness name key, and other information  
72.29 the licensing agency deems necessary in completing its statutory duties. Upon written request  
72.30 from the appropriate licensing board, the commissioner of education may solicit the written  
72.31 consent of a student and the student's parent to provide the licensing board with information  
72.32 that may aid the licensing board in its investigation and license proceedings, including the  
72.33 student's name. Notwithstanding section 13.03, subdivision 4, data received by a licensing  
72.34 entity under this paragraph are governed by section 13.41 or other applicable law governing



73.1 data of the receiving entity, except that this section applies to the classification of and access  
73.2 to data on the reporter of the maltreatment.

73.3 Sec. 57. Minnesota Statutes 2018, section 631.40, subdivision 4, is amended to read:

73.4 Subd. 4. **Licensed teachers.** When a person is convicted of child abuse, as defined in  
73.5 section 609.185, or sexual abuse under section 609.342, 609.343, 609.344, 609.345,  
73.6 609.3451, subdivision 3, or 617.23, subdivision 3, sex trafficking in the first degree under  
73.7 section 609.322, subdivision 1; sex trafficking in the second degree under section 609.322,  
73.8 subdivision 1a; engaging in hiring, or agreeing to hire a minor to engage in prostitution  
73.9 under section 609.324, subdivisions 1 and 1a; exposure under section 617.23, subdivisions  
73.10 2 and 3; solicitation of children to engage in sexual conduct or communication of sexually  
73.11 explicit materials to children under section 609.352; interference with privacy under section  
73.12 609.746; or stalking under section 609.749, and the victim was a minor; using minors in a  
73.13 sexual performance under section 617.246; possessing pornographic works involving a  
73.14 minor under section 617.247; or any other offense not listed in this paragraph that requires  
73.15 the person to register as a predatory offender under section 243.166; the court shall determine  
73.16 whether the person is licensed to teach under chapter 122A. If the offender is a licensed  
73.17 teacher, the court administrator shall send a certified copy of the conviction to the  
73.18 Professional Educator Licensing and Standards Board or the Board of School Administrators,  
73.19 whichever has jurisdiction over the teacher's license, within ten days after the conviction.

73.20 Sec. 58. **REPEALER.**

73.21 (a) Laws 2017, First Special Session chapter 5, article 11, section 6, is repealed.

73.22 (b) Minnesota Statutes 2018, sections 122A.09, subdivision 1; and 122A.182, subdivision  
73.23 2, are repealed.

73.24 (c) Minnesota Rules, part 8710.2100, subparts 1 and 2, are repealed.

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

## 73.26 ARTICLE 4

### 73.27 SPECIAL EDUCATION

73.28 Section 1. Minnesota Statutes 2018, section 125A.08, is amended to read:

73.29 **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

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

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

74.2 (1) all students with disabilities are provided the special instruction and services which  
74.3 are appropriate to their needs. Where the individualized education program team has  
74.4 determined appropriate goals and objectives based on the student's needs, including the  
74.5 extent to which the student can be included in the least restrictive environment, and where  
74.6 there are essentially equivalent and effective instruction, related services, or assistive  
74.7 technology devices available to meet the student's needs, cost to the district may be among  
74.8 the factors considered by the team in choosing how to provide the appropriate services,  
74.9 instruction, or devices that are to be made part of the student's individualized education  
74.10 program. The individualized education program team shall consider and may authorize  
74.11 services covered by medical assistance according to section 256B.0625, subdivision 26.  
74.12 Before a school district evaluation team makes a determination of other health disability  
74.13 under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation  
74.14 team must seek written documentation of the student's medically diagnosed chronic or acute  
74.15 health condition signed by a licensed physician or a licensed health care provider acting  
74.16 within the scope of the provider's practice. The student's needs and the special education  
74.17 instruction and services to be provided must be agreed upon through the development of  
74.18 an individualized education program. The program must address the student's need to develop  
74.19 skills to live and work as independently as possible within the community. The individualized  
74.20 education program team must consider positive behavioral interventions, strategies, and  
74.21 supports that address behavior needs for children. During grade 9, the program must address  
74.22 the student's needs for transition from secondary services to postsecondary education and  
74.23 training, employment, community participation, recreation, and leisure and home living. In  
74.24 developing the program, districts must inform parents of the full range of transitional goals  
74.25 and related services that should be considered. The program must include a statement of  
74.26 the needed transition services, including a statement of the interagency responsibilities or  
74.27 linkages or both before secondary services are concluded. If the individualized education  
74.28 program meets the plan components in section 120B.125, the individualized education  
74.29 program satisfies the requirement and no additional transition plan is needed; An  
74.30 individualized education program team, after affirmative approval of the parent, may  
74.31 eliminate benchmarks or short-term objectives, except for students who take alternative  
74.32 assessments. The individualized education program may report the student's performance  
74.33 on general state or districtwide assessments related to the student's educational needs;

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

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

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

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

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

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

75.20 (c) For all paraprofessionals employed to work in programs whose role in part is to  
75.21 provide direct support to students with disabilities, the school board in each district shall  
75.22 ensure that:

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

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

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

76.4 (d) A school district may conduct a functional behavior assessment as defined in  
76.5 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting  
76.6 a comprehensive evaluation of the student.

76.7 Sec. 2. Minnesota Statutes 2018, section 125A.091, subdivision 3a, is amended to read:

76.8 Subd. 3a. **Additional requirements for prior written notice.** In addition to federal law  
76.9 requirements, a prior written notice shall:

76.10 (1) inform the parent that except for the initial placement of a child in special education,  
76.11 the school district will proceed with its proposal for the child's placement or for providing  
76.12 special education services unless the child's parent notifies the district of an objection within  
76.13 14 days of when the district sends the prior written notice to the parent; and

76.14 (2) state that a parent who objects to a proposal or refusal in the prior written notice  
76.15 may:

76.16 (i) request a conciliation conference under subdivision 7 or another alternative dispute  
76.17 resolution procedure under subdivision 8 or 9; or

76.18 (ii) identify the specific part of the proposal or refusal the parent objects to and request  
76.19 a meeting with appropriate members of the individualized education program team.

76.20 Sec. 3. Minnesota Statutes 2018, section 125A.091, subdivision 7, is amended to read:

76.21 Subd. 7. **Conciliation conference.** A parent must have an opportunity to request a  
76.22 meeting of the individualized education program team or meet with appropriate district staff  
76.23 in at least one conciliation conference if the parent objects to any proposal of which the  
76.24 parent receives notice under subdivision 3a. A district must hold a conciliation conference  
76.25 within ten calendar days from the date the district receives a parent's ~~objection to a proposal~~  
76.26 ~~or refusal in the prior written notice~~ request for a conciliation conference. Except as provided  
76.27 in this section, all discussions held during a conciliation conference are confidential and  
76.28 are not admissible in a due process hearing. Within five school days after the final conciliation  
76.29 conference, the district must prepare and provide to the parent a conciliation conference  
76.30 memorandum that describes the district's final proposed offer of service. This memorandum  
76.31 is admissible in evidence in any subsequent proceeding.

77.1 Sec. 4. Minnesota Statutes 2018, section 125A.50, subdivision 1, is amended to read:

77.2 Subdivision 1. **Commissioner approval.** The commissioner may approve applications  
77.3 from districts initiating or significantly changing a program to provide prevention services  
77.4 as an alternative to special education and other compensatory programs. A district with an  
77.5 approved program may provide instruction and services in a regular education classroom,  
77.6 or an area learning center, to eligible pupils. Pupils eligible to participate in the program  
77.7 are pupils who need additional academic or behavioral support to succeed in the general  
77.8 education environment and who may eventually qualify for special education instruction  
77.9 or related services under sections 125A.03 to 125A.24 and 125A.65 if the intervention  
77.10 services authorized by this section were unavailable. A pupil with an individualized education  
77.11 program may participate in the program in a service area which the individualized education  
77.12 program team has determined is not an educational need that results from the pupil's  
77.13 disability. Pupils may be provided services during extended school days and throughout the  
77.14 entire year and through the assurance of mastery program under sections 125A.03 to 125A.24  
77.15 and 125A.65.

77.16 Sec. 5. Minnesota Statutes 2018, section 136D.01, is amended to read:

77.17 **136D.01 INTERMEDIATE SCHOOL DISTRICT.**

77.18 "Intermediate school district" means a district with a cooperative program ~~which has~~  
77.19 ~~been established under Laws 1967, chapter 822, as amended; Laws 1969, chapter 775, as~~  
77.20 ~~amended; and Laws 1969, chapter 1060, as amended~~ this chapter, offering integrated services  
77.21 for secondary, postsecondary, and adult students in the areas of vocational education, special  
77.22 education, and other authorized services.

77.23 Sec. 6. Minnesota Statutes 2018, section 136D.49, is amended to read:

77.24 **136D.49 OTHER MEMBERSHIP AND POWERS.**

77.25 In addition to the districts listed in sections 136D.21, 136D.41, 136D.71, and 136D.81,  
77.26 the agreement of an intermediate school district established under this chapter may provide  
77.27 for the membership of other school districts and cities, counties, and other governmental  
77.28 units as defined in section 471.59. In addition to the powers listed in sections ~~136D.25,~~  
77.29 136D.24, 136D.44, 136D.73, and 136D.84, an intermediate school board may provide the  
77.30 services defined in section 123A.21, subdivisions 7 and 8.

78.1 **Sec. 7. PRIOR WRITTEN NOTICE WORKING GROUP.**

78.2 (a) The commissioner of education must appoint a working group by July 1, 2019, that  
78.3 includes the following:

78.4 (1) special education administrators;

78.5 (2) special education teachers;

78.6 (3) school board members;

78.7 (4) parents of children with disabilities receiving special instruction and services in  
78.8 accordance with chapter 125A;

78.9 (5) organizations that work with the parents of children with disabilities; and

78.10 (6) Department of Education staff with expertise in special education compliance.

78.11 (b) The commissioner of education must convene the first meeting of the working group  
78.12 no later than July 15, 2019, and must provide support and meeting space for the working  
78.13 group. The meetings of the working group are subject to the requirements of Minnesota  
78.14 Statutes, chapter 13D.

78.15 (c) Members of the working group serve without compensation, but may be reimbursed  
78.16 for allowed actual and necessary expenses incurred in the performance of the member's  
78.17 duties for the working group in the same manner and amount as authorized by the  
78.18 commissioner's plan under Minnesota Statutes, section 43A.18, subdivision 2.

78.19 (d) The working group must make recommendations for improving alignment between  
78.20 state guidance and federal law requirements on prior written notice by January 15, 2020.  
78.21 The working group must report its recommendations to the chairs and ranking minority  
78.22 members of the legislative committees or divisions with jurisdiction over kindergarten  
78.23 through grade 12 education.

78.24 (e) This section expires January 16, 2020, or the day after submitting its report required  
78.25 by this section, whichever is earlier.

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

78.27 **Sec. 8. INDIVIDUALIZED EDUCATION PROGRAM; RULE AMENDMENT.**

78.28 The commissioner of education must amend Minnesota Rules, part 3525.2810, subpart  
78.29 2, item A, to allow but not require an individualized education program to report a student's  
78.30 performance on general state or districtwide assessments.

79.1      Sec. 9. REVISOR'S INSTRUCTION.

79.2           (a) The revisor of statutes shall renumber the provisions of Minnesota Statutes listed in  
 79.3 column A to the references listed in column B.

79.4	<u>Column A</u>	<u>Column B</u>
79.5	<u>136D.01</u>	<u>123C.01</u>
79.6	<u>136D.21</u>	<u>123C.20</u>
79.7	<u>136D.22, subdivisions 1 and 2</u>	<u>123C.21, subdivisions 1 and 2</u>
79.8	<u>136D.23</u>	<u>123C.22</u>
79.9	<u>136D.24</u>	<u>123C.23</u>
79.10	<u>136D.25</u>	<u>123C.24</u>
79.11	<u>136D.26</u>	<u>123C.25</u>
79.12	<u>136D.29</u>	<u>123C.26</u>
79.13	<u>136D.31</u>	<u>123C.27</u>
79.14	<u>136D.41</u>	<u>123C.30</u>
79.15	<u>136D.42</u>	<u>123C.31</u>
79.16	<u>136D.43</u>	<u>123C.32</u>
79.17	<u>136D.44</u>	<u>123C.33</u>
79.18	<u>136D.45</u>	<u>123C.34</u>
79.19	<u>136D.46</u>	<u>123C.35</u>
79.20	<u>136D.47</u>	<u>123C.36</u>
79.21	<u>136D.48</u>	<u>123C.37</u>
79.22	<u>136D.49</u>	<u>123C.02</u>
79.23	<u>136D.71, subdivision 1</u>	<u>123C.60, subdivision 1</u>
79.24	<u>136D.72</u>	<u>123C.61</u>
79.25	<u>136D.73, subdivision 1</u>	<u>123C.63, subdivision 1</u>
79.26	<u>136D.73, subdivision 2</u>	<u>123C.63, subdivision 3</u>
79.27	<u>136D.73, subdivision 4</u>	<u>123C.63, subdivision 4</u>
79.28	<u>136D.73, subdivision 4a</u>	<u>123C.63, subdivision 5</u>
79.29	<u>136D.73, subdivision 4b</u>	<u>123C.63, subdivision 6</u>
79.30	<u>136D.73, subdivision 4c</u>	<u>123C.63, subdivision 7</u>
79.31	<u>136D.73, subdivision 5</u>	<u>123C.63, subdivision 8</u>
79.32	<u>136D.74, subdivision 1</u>	<u>123C.62, subdivision 1</u>
79.33	<u>136D.74, subdivision 1a</u>	<u>123C.62, subdivision 2</u>
79.34	<u>136D.74, subdivision 1b</u>	<u>123C.62, subdivision 3</u>
79.35	<u>136D.76, subdivision 1</u>	<u>123C.63, subdivision 2</u>
79.36	<u>136D.76, subdivision 2</u>	<u>123C.60, subdivision 2</u>
79.37	<u>136D.81, subdivision 1</u>	<u>123C.70</u>

80.1	<u>136D.82, subdivisions 1 and 2</u>	<u>123C.71, subdivisions 1 and 2</u>
80.2	<u>136D.83</u>	<u>123C.72</u>
80.3	<u>136D.84</u>	<u>123C.73</u>
80.4	<u>136D.85</u>	<u>123C.74</u>
80.5	<u>136D.86</u>	<u>123C.75</u>
80.6	<u>136D.90, subdivision 1</u>	<u>123C.76</u>
80.7	<u>136D.92</u>	<u>123C.77</u>

80.8 (b) The revisor of statutes shall make necessary cross-reference changes in Minnesota  
80.9 Statutes consistent with the renumbering in this section, and if Minnesota Statutes, chapter  
80.10 136D, is further amended in the 2019 legislative session, shall codify the amendments in a  
80.11 manner consistent with this act. The revisor may make necessary changes to sentence  
80.12 structure to preserve the meaning of the text.

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

80.14 Sec. 10. **REPEALER.**

80.15 Minnesota Statutes 2018, section 136D.93, is repealed.

## 80.16 **ARTICLE 5**

### 80.17 **HEALTH AND SAFETY**

80.18 Section 1. Minnesota Statutes 2018, section 120B.21, is amended to read:

#### 80.19 **120B.21 MENTAL HEALTH EDUCATION.**

80.20 School districts and charter schools are encouraged to provide mental health instruction  
80.21 for students in grades ~~6~~ 4 through 12 aligned with local health standards and integrated into  
80.22 existing programs, curriculum, or the general school environment of a district or charter  
80.23 school. The commissioner, in consultation with the commissioner of human services and  
80.24 mental health organizations, ~~is encouraged to~~ must, by July 1, 2020, and July 1 of each  
80.25 even-numbered year thereafter, provide districts and charter schools with:

80.26 (1) age-appropriate model learning activities for grades ~~6~~ 4 through 12 that encompass  
80.27 the mental health components of the National Health Education Standards and the  
80.28 benchmarks developed by the department's quality teaching network in health and best  
80.29 practices in mental health education; and

80.30 (2) a directory of resources for planning and implementing age-appropriate mental health  
80.31 curriculum and instruction in grades ~~6~~ 4 through 12, which includes resources on suicide  
80.32 and self-harm prevention.



81.1 Sec. 2. [120B.211] SEXUAL HEALTH EDUCATION.

81.2 Subdivision 1. Model program. (a) The commissioner of education must, in consultation  
81.3 with the commissioner of health and other qualified experts, identify one or more model  
81.4 comprehensive sexual health education programs for elementary and secondary school  
81.5 students. The commissioner must use the rulemaking process under section 14.389, including  
81.6 a hearing under subdivision 5, to identify a model program under this section. The  
81.7 commissioner must provide school districts and charter schools with access to the model  
81.8 program, including written materials, curriculum resources, and training for instructors by  
81.9 June 1, 2021.

81.10 (b) The model program must include medically accurate instruction that is age and  
81.11 developmentally appropriate on:

81.12 (1) human anatomy, reproduction, and sexual development;

81.13 (2) consent, bodily autonomy, and healthy relationships, including relationships involving  
81.14 diverse sexual orientations and gender identities;

81.15 (3) abstinence and other methods for preventing unintended pregnancy and sexually  
81.16 transmitted infections; and

81.17 (4) the relationship between substance use and sexual behavior and health.

81.18 (c) "Consent" as used in this section means affirmative, conscious, and voluntary  
81.19 agreement to engage in interpersonal, physical, or sexual activity.

81.20 Subd. 2. School programs. (a) Starting in the 2021-2022 school year, a school district  
81.21 or charter school must implement a comprehensive sexual health education program for  
81.22 students in elementary and secondary school, including students with disabilities and students  
81.23 enrolled in a state-approved alternative program. The sexual health education program must  
81.24 include instruction on the topics listed in subdivision 1, paragraph (b), and must:

81.25 (1) respect community values and encourage students to communicate with parents or  
81.26 guardians; faith, health, and social services professionals; and other trusted adults about  
81.27 sexuality and intimate relationships;

81.28 (2) respond to culturally diverse individuals, families, and communities in an inclusive,  
81.29 respectful, and effective manner; and

81.30 (3) provide students with information about local resources where students may obtain  
81.31 medically accurate information and services related to sexual and reproductive health, dating  
81.32 violence, and sexual assault.

82.1 (b) A school district or charter school sexual health education program must include  
82.2 notification to:

82.3 (1) students and school employees regarding criminal penalties for engaging in sexual  
82.4 contact with minors and the availability of mistake as to age or consent of the minors as a  
82.5 defense; and

82.6 (2) school employees and administrators that a teacher or administrator who engages in  
82.7 sexual contact with a student may be found in violation of the teacher code of ethics and  
82.8 that such conduct may be grounds for suspension or revocation of a teaching license in  
82.9 accordance with section 122A.20, subdivision 1, paragraph (a), clause (1).

82.10 (c) The superintendent of a school district or person having administrative control over  
82.11 a charter school must submit to the commissioner an annual assurance of compliance with  
82.12 the requirements of this section. The assurance must state whether the district or charter  
82.13 school adopted a model program identified in accordance with subdivision 1, or whether  
82.14 the district or charter school adopted a different program. The assurances must be in the  
82.15 form and manner prescribed by the commissioner.

82.16 (d) Notwithstanding any law to the contrary, instruction in a sexual health education  
82.17 program under this section may be provided by a person without a teaching license, who is  
82.18 employed by the school district, charter school, or a community organization if the school  
82.19 administration determines the school employee or community organization has necessary  
82.20 content expertise.

82.21 Subd. 3. **Parental review.** A school district or charter school must provide instruction  
82.22 under this section consistent with the parental curriculum review requirements in section  
82.23 120B.20.

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

82.25 Sec. 3. **[121A.032] SCHOOL SEXUAL HARASSMENT AND SEX**  
82.26 **DISCRIMINATION POLICY COMPLIANCE.**

82.27 Subdivision 1. **Duties.** To support school compliance with state and federal sexual  
82.28 harassment and sex discrimination laws, the Department of Education must:

82.29 (1) provide leadership, consultation, and technical assistance to districts on the  
82.30 responsibilities of district Title IX coordinators;

82.31 (2) collaborate with state experts on sexual violence, including the Minnesota Department  
82.32 of Health Sexual Violence Prevention Unit and Minnesota Department of Human Rights,

83.1 to establish model protocols, material development, and training to district-designated Title  
83.2 IX coordinators as appropriate;

83.3 (3) disseminate guidance from the federal government on Title IX, including school-based  
83.4 sexual harassment and sexual violence;

83.5 (4) collect and maintain an updated statewide list of Title IX coordinators for all public  
83.6 school districts;

83.7 (5) serve as the state lead on Title IX for schools, parents, students, and community  
83.8 organizations; and

83.9 (6) upon request from a school district, provide specific training to public schools on  
83.10 preventing and responding to sexual violence, conducting trauma-informed investigations,  
83.11 and provide redress for victims, including but not limited to accommodations during the  
83.12 investigation as requested.

83.13 Subd. 2. **Training.** The Department of Education must provide training to Title IX  
83.14 coordinators on state and federal sexual harassment and sex discrimination laws every other  
83.15 year. The training must include responding to allegations, conducting investigations, and  
83.16 reviewing and implementing prevention policies focused on changing culture.

83.17 Sec. 4. Minnesota Statutes 2018, section 121A.22, subdivision 1, is amended to read:

83.18 Subdivision 1. **Applicability.** (a) This section applies only:

83.19 (1) when the parent of a pupil requests school personnel to administer drugs or medicine  
83.20 to the pupil; or

83.21 (2) when administration is allowed by the individualized education program of a child  
83.22 with a disability.

83.23 The request of a parent may be oral or in writing. An oral request must be reduced to  
83.24 writing within two school days, provided that the district may rely on an oral request until  
83.25 a written request is received.

83.26 (b) If the administration of a drug or medication described in paragraph (a) requires the  
83.27 school to store the drugs or medication, the parent or legal guardian must inform the school  
83.28 if the drug or medication is a controlled substance. For drugs or medications that are not  
83.29 controlled substances, the request must include a provision designating the school district  
83.30 as an authorized entity to transport the drug or medication for the purpose of destruction if  
83.31 any unused drug or medication is left in the possession of school personnel. For drugs or

84.1 medications that are controlled substances, the request must specify that the parent or legal  
84.2 guardian is required to retrieve the drug when requested by the school.

84.3 Sec. 5. Minnesota Statutes 2018, section 121A.22, is amended by adding a subdivision to  
84.4 read:

84.5 Subd. 4a. **Unclaimed drugs or medications.** (a) Each school district shall adopt a  
84.6 procedure for the collection and transport of any unclaimed or abandoned prescription drugs  
84.7 or over-the-counter medications left in the possession of school personnel in accordance  
84.8 with this subdivision. The procedure must ensure that before the transportation of any  
84.9 prescription drug under this subdivision, the school district shall make a reasonable attempt  
84.10 to return the unused prescription drug to the student's parent or legal guardian. The procedure  
84.11 must provide that transportation of unclaimed or unused prescription drugs or  
84.12 over-the-counter medications occur at least annually, or more frequently as determined by  
84.13 the school district.

84.14 (b) If the unclaimed or abandoned prescription drug is not a controlled substance as  
84.15 defined under section 152.01, subdivision 4, or is an over-the-counter medication, the school  
84.16 district may designate an individual who shall be responsible for transporting the drugs or  
84.17 medications to a designated drop-off box or collection site or may request that a law  
84.18 enforcement agency transport the drugs or medications to a drop-off box or collection site  
84.19 on behalf of the school district.

84.20 (c) If the unclaimed or abandoned prescription drug is a controlled substance as defined  
84.21 in section 152.01, subdivision 4, a school district or school personnel is prohibited from  
84.22 transporting the prescription drug to a drop-off box or collection site for prescription drugs  
84.23 identified under this paragraph. The school district must request that a law enforcement  
84.24 agency transport the prescription drug or medication to a collection bin that complies with  
84.25 Drug Enforcement Agency regulations, or if a site is not available, under the agency's  
84.26 procedure for transporting drugs.

84.27 Sec. 6. [121A.223] POSSESSION AND USE OF SUNSCREEN.

84.28 A school district must allow a student to possess and apply a topical sunscreen product  
84.29 during the school day, while on school property, or at a school-sponsored event without a  
84.30 prescription, physician's note, or other documentation from a licensed health care  
84.31 professional. A school district may adopt a policy related to student possession and use of  
84.32 sunscreen consistent with this section. Nothing in this section requires school personnel to  
84.33 provide sunscreen or assist students in applying sunscreen.

85.1 Sec. 7. Minnesota Statutes 2018, section 626.556, subdivision 2, is amended to read:

85.2 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings  
85.3 given them unless the specific content indicates otherwise:

85.4 (a) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence  
85.5 or event which:

85.6 (1) is not likely to occur and could not have been prevented by exercise of due care; and

85.7 (2) if occurring while a child is receiving services from a facility, happens when the  
85.8 facility and the employee or person providing services in the facility are in compliance with  
85.9 the laws and rules relevant to the occurrence or event.

85.10 (b) "Commissioner" means the commissioner of human services.

85.11 (c) "Facility" means:

85.12 (1) a licensed or unlicensed day care facility, certified license-exempt child care center,  
85.13 residential facility, agency, hospital, sanitarium, or other facility or institution required to  
85.14 be licensed under sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16, or chapter  
85.15 144H, 245D, or 245H;

85.16 (2) a school as defined in section 120A.05, subdivisions 9, 11, and 13; and chapter 124E;  
85.17 or

85.18 (3) a nonlicensed personal care provider organization as defined in section 256B.0625,  
85.19 subdivision 19a.

85.20 (d) "Family assessment" means a comprehensive assessment of child safety, risk of  
85.21 subsequent child maltreatment, and family strengths and needs that is applied to a child  
85.22 maltreatment report that does not allege sexual abuse or substantial child endangerment.  
85.23 Family assessment does not include a determination as to whether child maltreatment  
85.24 occurred but does determine the need for services to address the safety of family members  
85.25 and the risk of subsequent maltreatment.

85.26 (e) "Investigation" means fact gathering related to the current safety of a child and the  
85.27 risk of subsequent maltreatment that determines whether child maltreatment occurred and  
85.28 whether child protective services are needed. An investigation must be used when reports  
85.29 involve sexual abuse or substantial child endangerment, and for reports of maltreatment in  
85.30 facilities required to be licensed or certified under chapter 245A, 245D, or 245H; under  
85.31 sections 144.50 to 144.58 and 241.021; in a school as defined in section 120A.05,

86.1 subdivisions 9, 11, and 13, and chapter 124E; or in a nonlicensed personal care provider  
86.2 association as defined in section 256B.0625, subdivision 19a.

86.3 (f) "Mental injury" means an injury to the psychological capacity or emotional stability  
86.4 of a child as evidenced by an observable or substantial impairment in the child's ability to  
86.5 function within a normal range of performance and behavior with due regard to the child's  
86.6 culture.

86.7 (g) "Neglect" means the commission or omission of any of the acts specified under  
86.8 clauses (1) to (9), other than by accidental means:

86.9 (1) failure by a person responsible for a child's care to supply a child with necessary  
86.10 food, clothing, shelter, health, medical, or other care required for the child's physical or  
86.11 mental health when reasonably able to do so;

86.12 (2) failure to protect a child from conditions or actions that seriously endanger the child's  
86.13 physical or mental health when reasonably able to do so, including a growth delay, which  
86.14 may be referred to as a failure to thrive, that has been diagnosed by a physician and is due  
86.15 to parental neglect;

86.16 (3) failure to provide for necessary supervision or child care arrangements appropriate  
86.17 for a child after considering factors as the child's age, mental ability, physical condition,  
86.18 length of absence, or environment, when the child is unable to care for the child's own basic  
86.19 needs or safety, or the basic needs or safety of another child in their care;

86.20 (4) failure to ensure that the child is educated as defined in sections 120A.22 and  
86.21 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's  
86.22 child with sympathomimetic medications, consistent with section 125A.091, subdivision  
86.23 5;

86.24 (5) nothing in this section shall be construed to mean that a child is neglected solely  
86.25 because the child's parent, guardian, or other person responsible for the child's care in good  
86.26 faith selects and depends upon spiritual means or prayer for treatment or care of disease or  
86.27 remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker,  
86.28 or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of  
86.29 medical care may cause serious danger to the child's health. This section does not impose  
86.30 upon persons, not otherwise legally responsible for providing a child with necessary food,  
86.31 clothing, shelter, education, or medical care, a duty to provide that care;

86.32 (6) prenatal exposure to a controlled substance, as defined in section 253B.02, subdivision  
86.33 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in

87.1 the child at birth, results of a toxicology test performed on the mother at delivery or the  
87.2 child at birth, medical effects or developmental delays during the child's first year of life  
87.3 that medically indicate prenatal exposure to a controlled substance, or the presence of a  
87.4 fetal alcohol spectrum disorder;

87.5 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

87.6 (8) chronic and severe use of alcohol or a controlled substance by a parent or person  
87.7 responsible for the care of the child that adversely affects the child's basic needs and safety;  
87.8 or

87.9 (9) emotional harm from a pattern of behavior which contributes to impaired emotional  
87.10 functioning of the child which may be demonstrated by a substantial and observable effect  
87.11 in the child's behavior, emotional response, or cognition that is not within the normal range  
87.12 for the child's age and stage of development, with due regard to the child's culture.

87.13 (h) "Nonmaltreatment mistake" means:

87.14 (1) at the time of the incident, the individual was performing duties identified in the  
87.15 center's child care program plan required under Minnesota Rules, part 9503.0045;

87.16 (2) the individual has not been determined responsible for a similar incident that resulted  
87.17 in a finding of maltreatment for at least seven years;

87.18 (3) the individual has not been determined to have committed a similar nonmaltreatment  
87.19 mistake under this paragraph for at least four years;

87.20 (4) any injury to a child resulting from the incident, if treated, is treated only with  
87.21 remedies that are available over the counter, whether ordered by a medical professional or  
87.22 not; and

87.23 (5) except for the period when the incident occurred, the facility and the individual  
87.24 providing services were both in compliance with all licensing requirements relevant to the  
87.25 incident.

87.26 This definition only applies to child care centers licensed under Minnesota Rules, chapter  
87.27 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated  
87.28 maltreatment by the individual, the commissioner of human services shall determine that a  
87.29 nonmaltreatment mistake was made by the individual.

87.30 (i) "Operator" means an operator or agency as defined in section 245A.02.

87.31 (j) "Person responsible for the child's care" means (1) an individual functioning within  
87.32 the family unit and having responsibilities for the care of the child such as a parent, guardian,

88.1 or other person having similar care responsibilities, or (2) an individual functioning outside  
88.2 the family unit and having responsibilities for the care of the child such as a teacher, school  
88.3 administrator, other school employees or agents, or other lawful custodian of a child having  
88.4 either full-time or short-term care responsibilities including, but not limited to, day care,  
88.5 babysitting whether paid or unpaid, counseling, teaching, and coaching.

88.6 (k) "Physical abuse" means any physical injury, mental injury, or threatened injury,  
88.7 inflicted by a person responsible for the child's care on a child other than by accidental  
88.8 means, or any physical or mental injury that cannot reasonably be explained by the child's  
88.9 history of injuries, or any aversive or deprivation procedures, or regulated interventions,  
88.10 that have not been authorized under section 125A.0942 or 245.825.

88.11 Abuse does not include reasonable and moderate physical discipline of a child  
88.12 administered by a parent or legal guardian which does not result in an injury. Abuse does  
88.13 not include the use of reasonable force by a teacher, principal, or school employee as allowed  
88.14 by section 121A.582. Actions which are not reasonable and moderate include, but are not  
88.15 limited to, any of the following:

88.16 (1) throwing, kicking, burning, biting, or cutting a child;

88.17 (2) striking a child with a closed fist;

88.18 (3) shaking a child under age three;

88.19 (4) striking or other actions which result in any nonaccidental injury to a child under 18  
88.20 months of age;

88.21 (5) unreasonable interference with a child's breathing;

88.22 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

88.23 (7) striking a child under age one on the face or head;

88.24 (8) striking a child who is at least age one but under age four on the face or head, which  
88.25 results in an injury;

88.26 (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled  
88.27 substances which were not prescribed for the child by a practitioner, in order to control or  
88.28 punish the child; or other substances that substantially affect the child's behavior, motor  
88.29 coordination, or judgment or that results in sickness or internal injury, or subjects the child  
88.30 to medical procedures that would be unnecessary if the child were not exposed to the  
88.31 substances;



89.1 (10) unreasonable physical confinement or restraint not permitted under section 609.379,  
89.2 including but not limited to tying, caging, or chaining; or

89.3 (11) in a school facility or school zone, an act by a person responsible for the child's  
89.4 care that is a violation under section 121A.58.

89.5 (l) "Practice of social services," for the purposes of subdivision 3, includes but is not  
89.6 limited to employee assistance counseling and the provision of guardian ad litem and  
89.7 parenting time expeditor services.

89.8 (m) "Report" means any communication received by the local welfare agency, police  
89.9 department, county sheriff, or agency responsible for child protection pursuant to this section  
89.10 that describes neglect or physical or sexual abuse of a child and contains sufficient content  
89.11 to identify the child and any person believed to be responsible for the neglect or abuse, if  
89.12 known.

89.13 (n) "Sexual abuse" means the subjection of a child by a person responsible for the child's  
89.14 care, by a person who has a significant relationship to the child, as defined in section 609.341,  
89.15 or by a person in a position of authority, as defined in section 609.341, subdivision 10, to  
89.16 any act which constitutes a violation of section 609.342 (criminal sexual conduct in the first  
89.17 degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual  
89.18 conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), ~~or~~  
89.19 609.3451 (criminal sexual conduct in the fifth degree), or 609.352 (solicitation of children  
89.20 to engage in sexual conduct; communication of sexually explicit materials to children).

89.21 Sexual abuse also includes any act which involves a minor which constitutes a violation of  
89.22 prostitution offenses under sections 609.321 to 609.324 or 617.246. Effective May 29, 2017,  
89.23 sexual abuse includes all reports of known or suspected child sex trafficking involving a  
89.24 child who is identified as a victim of sex trafficking. Sexual abuse includes child sex  
89.25 trafficking as defined in section 609.321, subdivisions 7a and 7b. Sexual abuse includes  
89.26 threatened sexual abuse which includes the status of a parent or household member who  
89.27 has committed a violation which requires registration as an offender under section 243.166,  
89.28 subdivision 1b, paragraph (a) or (b), or required registration under section 243.166,  
89.29 subdivision 1b, paragraph (a) or (b).

89.30 (o) "Substantial child endangerment" means a person responsible for a child's care, by  
89.31 act or omission, commits or attempts to commit an act against a child under their care that  
89.32 constitutes any of the following:

89.33 (1) egregious harm as defined in section 260C.007, subdivision 14;

89.34 (2) abandonment under section 260C.301, subdivision 2;

90.1 (3) neglect as defined in paragraph (g), clause (2), that substantially endangers the child's  
90.2 physical or mental health, including a growth delay, which may be referred to as failure to  
90.3 thrive, that has been diagnosed by a physician and is due to parental neglect;

90.4 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

90.5 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

90.6 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

90.7 (7) solicitation, inducement, and promotion of prostitution under section 609.322;

90.8 (8) criminal sexual conduct under sections 609.342 to 609.3451;

90.9 (9) solicitation of children to engage in sexual conduct under section 609.352;

90.10 (10) malicious punishment or neglect or endangerment of a child under section 609.377  
90.11 or 609.378;

90.12 (11) use of a minor in sexual performance under section 617.246; or

90.13 (12) parental behavior, status, or condition which mandates that the county attorney file  
90.14 a termination of parental rights petition under section 260C.503, subdivision 2.

90.15 (p) "Threatened injury" means a statement, overt act, condition, or status that represents  
90.16 a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes,  
90.17 but is not limited to, exposing a child to a person responsible for the child's care, as defined  
90.18 in paragraph (j), clause (1), who has:

90.19 (1) subjected a child to, or failed to protect a child from, an overt act or condition that  
90.20 constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a similar law  
90.21 of another jurisdiction;

90.22 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph  
90.23 (b), clause (4), or a similar law of another jurisdiction;

90.24 (3) committed an act that has resulted in an involuntary termination of parental rights  
90.25 under section 260C.301, or a similar law of another jurisdiction; or

90.26 (4) committed an act that has resulted in the involuntary transfer of permanent legal and  
90.27 physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201,  
90.28 subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law  
90.29 of another jurisdiction.

91.1 A child is the subject of a report of threatened injury when the responsible social services  
91.2 agency receives birth match data under paragraph (q) from the Department of Human  
91.3 Services.

91.4 (q) Upon receiving data under section 144.225, subdivision 2b, contained in a birth  
91.5 record or recognition of parentage identifying a child who is subject to threatened injury  
91.6 under paragraph (p), the Department of Human Services shall send the data to the responsible  
91.7 social services agency. The data is known as "birth match" data. Unless the responsible  
91.8 social services agency has already begun an investigation or assessment of the report due  
91.9 to the birth of the child or execution of the recognition of parentage and the parent's previous  
91.10 history with child protection, the agency shall accept the birth match data as a report under  
91.11 this section. The agency may use either a family assessment or investigation to determine  
91.12 whether the child is safe. All of the provisions of this section apply. If the child is determined  
91.13 to be safe, the agency shall consult with the county attorney to determine the appropriateness  
91.14 of filing a petition alleging the child is in need of protection or services under section  
91.15 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is  
91.16 determined not to be safe, the agency and the county attorney shall take appropriate action  
91.17 as required under section 260C.503, subdivision 2.

91.18 (r) Persons who conduct assessments or investigations under this section shall take into  
91.19 account accepted child-rearing practices of the culture in which a child participates and  
91.20 accepted teacher discipline practices, which are not injurious to the child's health, welfare,  
91.21 and safety.

91.22 **Sec. 8. SEXUAL HEALTH EDUCATION REPORT.**

91.23 The commissioner of education must submit a report to the committees of the legislature  
91.24 having jurisdiction over kindergarten through grade 12 education on the sexual health  
91.25 education program required under Minnesota Statutes, section 120B.211. The report must  
91.26 include:

91.27 (1) a description of how the model sexual health education program or programs were  
91.28 identified;

91.29 (2) assistance provided to school districts and charter schools implementing a sexual  
91.30 health education program;

91.31 (3) the number of school districts and charter schools that adopted each model program;  
91.32 and

91.33 (4) a list of the school districts and charter schools that did not adopt the model program.

92.1 The commissioner must submit the report no later than January 15, 2022, and must submit  
92.2 the report in accordance with Minnesota Statutes, section 3.195.

## 92.3 **ARTICLE 6**

### 92.4 **FACILITIES**

92.5 Section 1. Minnesota Statutes 2018, section 121A.335, subdivision 3, is amended to read:

92.6 Subd. 3. **Frequency of testing.** (a) The plan under subdivision 2 must include a testing  
92.7 schedule for every building serving prekindergarten through grade 12 students. The schedule  
92.8 must require that each building be tested at least once every five years. A school district or  
92.9 charter school must begin testing school buildings by July 1, 2018, and complete testing of  
92.10 all buildings that serve students within five years.

92.11 (b) A school district or charter school that finds lead at a specific location providing  
92.12 cooking or drinking water within a facility must formulate, make publicly available, and  
92.13 implement a plan that is consistent with established guidelines and recommendations to  
92.14 ensure that student exposure to lead is minimized. This includes, when a school district or  
92.15 charter school finds the presence of lead at a level where action should be taken as set by  
92.16 the guidance in any water source that can provide cooking or drinking water, immediately  
92.17 shutting off the water source or making it unavailable until the hazard has been minimized.

92.18 Sec. 2. Minnesota Statutes 2018, section 121A.335, subdivision 5, is amended to read:

92.19 Subd. 5. **Reporting.** A school district or charter school that has tested its buildings for  
92.20 the presence of lead shall make the results of the testing available to the public for review  
92.21 and must notify parents of the availability of the information. School districts and charter  
92.22 schools must follow the actions outlined in guidance from the commissioners of health and  
92.23 education. If a test conducted under subdivision 3, paragraph (a), reveals the presence of  
92.24 lead above a level where action should be taken as set by the guidance, the school district  
92.25 or charter must, within 30 days of receiving the test result, either remediate the presence of  
92.26 lead to below the level set in guidance, verified by retest, or directly notify parents of the  
92.27 test result. The school district or charter school must make the water source unavailable  
92.28 until the hazard has been minimized.

92.29 Sec. 3. Minnesota Statutes 2018, section 123B.52, subdivision 6, is amended to read:

92.30 Subd. 6. **Disposing of surplus school computers.** (a) Notwithstanding section 471.345,  
92.31 governing school district contracts made upon sealed bid or otherwise complying with the  
92.32 requirements for competitive bidding, other provisions of this section governing school

93.1 district contracts, or other law to the contrary, a school district under this subdivision may  
93.2 dispose of school computers, including a tablet device.

93.3 (b) A school district may dispose of a surplus school computer and related equipment  
93.4 if the district disposes of the surplus property by conveying the property and title to:

93.5 (1) another school district;

93.6 (2) the state Department of Corrections;

93.7 (3) the Board of Trustees of the Minnesota State Colleges and Universities; or

93.8 (4) the family of a student residing in the district whose total family income meets the  
93.9 federal definition of poverty.

93.10 (c) If surplus school computers are not disposed of under paragraph (b), upon adoption  
93.11 of a written resolution of the school board, when updating or replacing school computers,  
93.12 including tablet devices, used primarily by students, a school district may sell or give used  
93.13 computers or tablets to qualifying students at the price specified in the written resolution.

93.14 A student is eligible to apply to the school board for a computer or tablet under this  
93.15 subdivision if the student is currently enrolled in the school and intends to enroll in the  
93.16 school in the year following the receipt of the computer or tablet. If more students apply  
93.17 for computers or tablets than are available, the school must first qualify students whose  
93.18 families are eligible for free or reduced-price meals, and then dispose of the remaining  
93.19 computers or tablets by lottery.

93.20 **EFFECTIVE DATE.** This section is effective July 1, 2019.

93.21 Sec. 4. Minnesota Statutes 2018, section 123B.571, is amended to read:

93.22 **123B.571 RADON TESTING.**

93.23 Subdivision 1. **Voluntary Plan.** The commissioners of health and education may jointly  
93.24 develop a plan to encourage school districts and charter schools to accurately and efficiently  
93.25 test for the presence of radon in public school buildings serving students in kindergarten  
93.26 through grade 12. For purposes of this section, buildings also include the Minnesota State  
93.27 Academies in Faribault and the Perpich Center for Arts Education in Golden Valley. To the  
93.28 extent possible, the commissioners ~~shall~~ must base the plan on the standards established by  
93.29 the United States Environmental Protection Agency.

93.30 Subd. 2. **Radon testing.** A school district may include radon testing as a part of its  
93.31 ten-year facility plan under section 123B.595, subdivision 4. If a school district receives  
93.32 authority to use long-term facilities maintenance revenue to conduct radon testing, the

94.1 district shall conduct the testing according to the radon testing plan developed by the  
94.2 commissioners of health and education.

94.3 Subd. 3. **Reporting.** A school district ~~that has tested~~ or charter school must test its school  
94.4 buildings for the presence of radon ~~shall~~ and must report the results of its tests to the  
94.5 Department of Health in a form and manner prescribed by the commissioner of health. A  
94.6 school district that has tested for the presence of radon ~~shall~~ must also report the results of  
94.7 its testing at a school board meeting.

94.8 Subd. 4. **Testing requirements.** (a) A school district or charter school must adopt a  
94.9 radon testing schedule requiring a short-term or long-term test be conducted in every building  
94.10 serving students at least once every five years. A school district or charter school must begin  
94.11 testing school buildings by July 1, 2020, and complete testing of all buildings that serve  
94.12 students within five years.

94.13 (b) Tests must be conducted with certified radon testing devices as listed by either the  
94.14 National Radon Proficiency Program or the National Radon Safety Board. Tests must test  
94.15 all frequently occupied rooms with ground contact and rooms immediately above unoccupied  
94.16 spaces that are in contact with the ground, such as crawl spaces and tunnels.

94.17 (c) If a radon test shows that a frequently occupied room has a radon level above four  
94.18 picocuries per liter, a school district or charter school must mitigate or take corrective action,  
94.19 and retest after corrective measures to show radon reductions. A school district or charter  
94.20 school must follow the Radon Mitigation Standards for Schools and Large Buildings released  
94.21 by the American National Standards Institute/American Association of Radon Scientists  
94.22 and Technologists. The district or charter school must conduct follow-up testing within two  
94.23 years.

94.24 Sec. 5. Minnesota Statutes 2018, section 471.345, subdivision 1, is amended to read:

94.25 Subdivision 1. **Municipality defined.** For purposes of this section, "municipality" means  
94.26 a county, town, city, school district, charter school, or other municipal corporation or political  
94.27 subdivision of the state authorized by law to enter into contracts.

## ARTICLE 7

## NUTRITION

Section 1. Minnesota Statutes 2018, section 124D.111, is amended to read:

**124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE ACCOUNTING.**

Subdivision 1. ~~School lunch aid computation~~ **meals policies.** (a) Each Minnesota participant in the national school lunch program must adopt and post to its website, or the website of the organization where the meal is served, a school meals policy.

(b) The policy must be in writing and clearly communicate student meal charges when payment cannot be collected at the point of service. The policy must be reasonable and well-defined and maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student.

(c) The policy must address whether the participant uses a collections agency to collect unpaid school meals debt.

(d) The policy must ensure that once a participant has placed a meal on a tray or otherwise served the meal to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

(e) The policy must ensure that a student who has been determined eligible for free and reduced-price lunch must always be served a reimbursable meal even if the student has an outstanding debt.

(f) If a school contracts with a third party for its meal services, it must provide the vendor with its school meals policy. Any contract between the school and a third-party provider entered into or modified after July 1, 2019, must ensure that the third-party provider adheres to the participant's school meals policy.

**Subd. 1a. School lunch aid amounts.** Each school year, the state must pay participants in the national school lunch program the amount of 12.5 cents for each full paid and free student lunch and 52.5 cents for each reduced-price lunch served to students.

**Subd. 2. Application.** A school district, charter school, nonpublic school, or other participant in the national school lunch program shall apply to the department for this payment on forms provided by the department.

96.1 Subd. 2a. **Federal child and adult care food program; criteria and notice.** The  
96.2 commissioner must post on the department's website eligibility criteria and application  
96.3 information for nonprofit organizations interested in applying to the commissioner for  
96.4 approval as a multisite sponsoring organization under the federal child and adult care food  
96.5 program. The posted criteria and information must inform interested nonprofit organizations  
96.6 about:

96.7 (1) the criteria the commissioner uses to approve or disapprove an application, including  
96.8 how an applicant demonstrates financial viability for the Minnesota program, among other  
96.9 criteria;

96.10 (2) the commissioner's process and time line for notifying an applicant when its  
96.11 application is approved or disapproved and, if the application is disapproved, the explanation  
96.12 the commissioner provides to the applicant; and

96.13 (3) any appeal or other recourse available to a disapproved applicant.

96.14 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision must  
96.15 be recorded as provided in this subdivision.

96.16 (b) In each district, the expenses for a school food service program for pupils must be  
96.17 attributed to a school food service fund. Under a food service program, the school food  
96.18 service may prepare or serve milk, meals, or snacks in connection with school or community  
96.19 service activities.

96.20 (c) Revenues and expenditures for food service activities must be recorded in the food  
96.21 service fund. The costs of processing applications, accounting for meals, preparing and  
96.22 serving food, providing kitchen custodial services, and other expenses involving the preparing  
96.23 of meals or the kitchen section of the lunchroom may be charged to the food service fund  
96.24 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial  
96.25 services, lunchroom utilities, and other administrative costs of the food service program  
96.26 must be charged to the general fund.

96.27 That portion of superintendent and fiscal manager costs that can be documented as  
96.28 attributable to the food service program may be charged to the food service fund provided  
96.29 that the school district does not employ or contract with a food service director or other  
96.30 individual who manages the food service program, or food service management company.  
96.31 If the cost of the superintendent or fiscal manager is charged to the food service fund, the  
96.32 charge must be at a wage rate not to exceed the statewide average for food service directors  
96.33 as determined by the department.



97.1 (d) Capital expenditures for the purchase of food service equipment must be made from  
97.2 the general fund and not the food service fund, unless the restricted balance in the food  
97.3 service fund at the end of the last fiscal year is greater than the cost of the equipment to be  
97.4 purchased.

97.5 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased  
97.6 from the food service fund.

97.7 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit  
97.8 is not eliminated by revenues from food service operations in the next fiscal year, then the  
97.9 deficit must be eliminated by a permanent fund transfer from the general fund at the end of  
97.10 that second fiscal year. However, if a district contracts with a food service management  
97.11 company during the period in which the deficit has accrued, the deficit must be eliminated  
97.12 by a payment from the food service management company.

97.13 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund  
97.14 for up to three years without making the permanent transfer if the district submits to the  
97.15 commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at  
97.16 the end of the third fiscal year.

97.17 (h) If a surplus in the food service fund exists at the end of a fiscal year for three  
97.18 successive years, a district may recode for that fiscal year the costs of lunchroom supervision,  
97.19 lunchroom custodial services, lunchroom utilities, and other administrative costs of the food  
97.20 service program charged to the general fund according to paragraph (c) and charge those  
97.21 costs to the food service fund in a total amount not to exceed the amount of surplus in the  
97.22 food service fund.

97.23 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must  
97.24 make lunch available without charge and must not deny a school lunch to all participating  
97.25 students who qualify for free or reduced-price meals, whether or not that student has an  
97.26 outstanding balance in the student's meals account attributable to a la carte purchases or for  
97.27 any other reason.

97.28 Subd. 5. **Respectful treatment.** (a) The participant must also provide meals to students  
97.29 in a respectful manner according to the policy adopted under subdivision 1. The participant  
97.30 must ensure that any reminders for payment of outstanding student meal balances do not  
97.31 demean or stigmatize any child participating in the school lunch program; including but  
97.32 not limited to dumping meals, withdrawing a meal that has been served, announcing or  
97.33 listing students names publicly, or affixing stickers, stamps, or pins. The participant must  
97.34 not impose any other restriction prohibited under section 123B.37 due to unpaid student

98.1 meal balances. The participant must not limit a student's participation in any school activities,  
98.2 graduation ceremonies or other graduation activities, field trips, athletics, activity clubs, or  
98.3 other extracurricular activities or access to materials, technology, or other items provided  
98.4 to students due to an unpaid student meal balance.

98.5 (b) If the commissioner or the commissioner's designee determines a participant has  
98.6 violated the requirement to provide meals to participating students in a respectful manner,  
98.7 the commissioner or the commissioner's designee must send a letter of noncompliance to  
98.8 the participant. The participant is required to respond and, if applicable, remedy the practice  
98.9 within 60 days.

98.10 **EFFECTIVE DATE.** This section is effective July 1, 2019.

## 98.11 **ARTICLE 8**

### 98.12 **STATE AGENCIES**

98.13 Section 1. Minnesota Statutes 2018, section 120B.122, subdivision 1, is amended to read:

98.14 Subdivision 1. **Purpose Duties.** (a) The department must employ a dyslexia specialist  
98.15 to provide technical assistance for dyslexia and related disorders and to serve as the primary  
98.16 source of information and support for schools in addressing the needs of students with  
98.17 dyslexia and related disorders.

98.18 (b) The dyslexia specialist ~~shall also act to~~ must increase professional awareness and  
98.19 instructional competencies to meet the educational needs of students with dyslexia or  
98.20 identified with risk characteristics associated with dyslexia and ~~shall~~ must develop  
98.21 implementation guidance and make recommendations to the commissioner consistent with  
98.22 section 122A.06, subdivision 4, to be used to assist general education teachers and special  
98.23 education teachers to recognize educational needs and to improve literacy outcomes for  
98.24 students with dyslexia or identified with risk characteristics associated with dyslexia,  
98.25 including recommendations related to increasing the availability of online and asynchronous  
98.26 professional development programs and materials.

98.27 (c) The dyslexia specialist must provide guidance to school districts and charter schools  
98.28 on how to:

98.29 (1) access tools to screen and identify students showing characteristics associated with  
98.30 dyslexia in accordance with section 120B.12, subdivision 2, paragraph (a);

99.1 (2) implement screening for characteristics associated with dyslexia in accordance with  
 99.2 section 120B.12, subdivision 2, paragraph (a), and in coordination with other early childhood  
 99.3 screenings; and

99.4 (3) participate in professional development opportunities pertaining to intervention  
 99.5 strategies and accommodations for students with dyslexia or characteristics associated with  
 99.6 dyslexia.

99.7 (d) The dyslexia specialist must provide guidance to the Professional Educator Licensing  
 99.8 and Standards Board on developing licensing renewal requirements under section 122A.187,  
 99.9 subdivision 5, on understanding dyslexia, recognizing dyslexia characteristics in students,  
 99.10 and using evidence-based best practices.

99.11 (e) Nothing in this subdivision limits the ability of the dyslexia specialist to do other  
 99.12 dyslexia related work as directed by the commissioner.

99.13 Sec. 2. Minnesota Statutes 2018, section 127A.052, is amended to read:

99.14 **127A.052 SCHOOL SAFETY TECHNICAL ASSISTANCE CENTER.**

99.15 (a) The commissioner shall establish a school safety technical assistance center at the  
 99.16 department to help districts and schools under section 121A.031 provide a safe and supportive  
 99.17 learning environment and foster academic achievement for all students by focusing on  
 99.18 prevention, intervention, support, and recovery efforts to develop and maintain safe and  
 99.19 supportive schools. The center must work collaboratively with implicated state agencies  
 99.20 identified by the center and schools, communities, and interested individuals and  
 99.21 organizations to determine how to best use available resources.

99.22 (b) The center's services shall include:

99.23 (1) evidence-based policy review, development, and dissemination;

99.24 (2) single, point-of-contact services designed for schools, parents, and students seeking  
 99.25 information or other help;

99.26 (3) qualitative and quantitative data gathering, interpretation, and dissemination of  
 99.27 summary data for existing reporting systems and student surveys and the identification and  
 99.28 pursuit of emerging trends and issues;

99.29 (4) assistance to districts and schools in using Minnesota student survey results to inform  
 99.30 intervention and prevention programs;

99.31 (5) education and skill building;

100.1 (6) multisector and multiagency planning and advisory activities incorporating best  
100.2 practices and research; and

100.3 (7) administrative and financial support for school and district planning, schools  
100.4 recovering from incidents of violence, and school and district violence prevention education.

100.5 (c) The center shall:

100.6 (1) compile and make available to all districts and schools evidence-based elements and  
100.7 resources to develop and maintain safe and supportive schools;

100.8 (2) establish and maintain a central repository for collecting and analyzing information  
100.9 about prohibited conduct under section 121A.031, including, but not limited to:

100.10 (i) training materials on strategies and techniques to prevent and appropriately address  
100.11 prohibited conduct under section 121A.031;

100.12 (ii) model programming;

100.13 (iii) remedial responses consistent with section 121A.031, subdivision 2, paragraph (i);  
100.14 and

100.15 (iv) other resources for improving the school climate and preventing prohibited conduct  
100.16 under section 121A.031;

100.17 (3) assist districts and schools to develop strategies and techniques for effectively  
100.18 communicating with and engaging parents in efforts to protect and deter students from  
100.19 prohibited conduct under section 121A.031; and

100.20 (4) solicit input from social media experts on implementing this section.

100.21 (d) The commissioner shall provide administrative services including personnel, budget,  
100.22 payroll and contract services, and staff support for center activities including developing  
100.23 and disseminating materials, providing seminars, and developing and maintaining a website.  
100.24 Center staff shall include a center director, a data analyst coordinator, and trainers who  
100.25 provide training to affected state and local organizations under a fee-for-service agreement.  
100.26 The financial, administrative, and staff support the commissioner provides under this section  
100.27 must be based on an annual budget and work program developed by the center and submitted  
100.28 to the commissioner by the center director.

100.29 (e) School safety technical assistance center staff may consult with school safety center  
100.30 staff at the Department of Public Safety in providing services under this section.

100.31 (f) The center is voluntary and advisory. The center does not have enforcement,  
100.32 rulemaking, oversight, or regulatory authority.

101.1 ~~(g) The center expires on June 30, 2019.~~

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

101.3 Sec. 3. **REPEALER.**

101.4 Minnesota Statutes 2018, section 127A.051, subdivision 7, is repealed.

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