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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. **2**

05/23/2017 Authored by Loon and Erickson  
The bill was read for the first time  
Rules suspended, urgency declared  
Read for the Second Time  
Amended  
Read Third Time as Amended  
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments  
05/25/2017 Returned to the House as Amended by the Senate  
The House concurred in the Senate Amendments and repassed the bill as Amended by the Senate  
05/26/2017 Presented to Governor  
05/30/2017 Governor Approval

1.1 A bill for an act

1.2 relating to education finance; providing funding in early childhood, kindergarten

1.3 through grade 12, and adult education, including general education, education

1.4 excellence, teachers, special education, facilities and technology, nutrition, libraries,

1.5 early childhood and family support, community education and prevention,

1.6 self-sufficiency and lifelong learning, and state agencies; making forecast

1.7 adjustments; restructuring Minnesota's teacher licensing system; establishing and

1.8 transferring all teacher licensing and support personnel licensing and credentialing

1.9 authority to the Professional Educator Licensing and Standards Board; providing

1.10 for rulemaking; requiring a report; appropriating money; amending Minnesota

1.11 Statutes 2016, sections 120A.22, subdivision 9; 120A.41; 120B.021, subdivisions

1.12 1, 3; 120B.022, subdivision 1b; 120B.12, subdivisions 2, 2a, 3; 120B.125;

1.13 120B.132; 120B.22, subdivision 2; 120B.23, subdivision 3; 120B.232, subdivision

1.14 1; 120B.30, subdivision 1; 120B.31, subdivisions 4, 4a, by adding a subdivision;

1.15 120B.35, subdivision 3; 120B.36, subdivision 1; 120B.363, subdivision 1; 121A.22,

1.16 subdivision 2; 121A.221; 122A.06; 122A.07; 122A.08; 122A.09, subdivisions 1,

1.17 2, 3, 4, 4a, 6, 7, 9, 10; 122A.14, subdivision 9; 122A.17; 122A.18, subdivisions

1.18 1, 2, 2b, 7a, 7c, 8, by adding a subdivision; 122A.19; 122A.20; 122A.21,

1.19 subdivisions 1, 2, by adding a subdivision; 122A.22; 122A.23, subdivision 3;

1.20 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 122A.40, subdivision 10;

1.21 122A.41, by adding a subdivision; 122A.414, subdivision 2; 122A.415, subdivision

1.22 4; 123A.73, subdivision 2; 123B.41, subdivisions 2, 5a; 123B.52, subdivision 1,

1.23 by adding a subdivision; 123B.595, subdivisions 1, 4; 123B.71, subdivisions 11,

1.24 12; 123B.92, subdivision 1; 124D.03, subdivision 5a; 124D.09, subdivisions 3, 5,

1.25 10, 12, 13, by adding subdivisions; 124D.13, subdivision 11; 124D.151,

1.26 subdivisions 5, 6; 124D.165, subdivisions 1, 2, 3, 4; 124D.454, subdivision 12;

1.27 124D.52, subdivision 7; 124D.549; 124D.55; 124D.59, subdivision 2; 124D.68,

1.28 subdivision 2; 124D.695; 124D.75, subdivisions 1, 6; 124D.83, subdivision 2;

1.29 124E.03, subdivision 2; 124E.05, subdivision 7; 124E.11; 124E.22; 125A.083;

1.30 125A.0941; 125A.11, subdivision 1; 125A.21, subdivision 2; 125A.515; 125A.56,

1.31 subdivision 1; 125A.67, subdivision 2; 125A.74, subdivision 1; 125A.76,

1.32 subdivision 2c; 126C.05, subdivisions 1, 8; 126C.10, subdivisions 2, 2a, 3, 13a,

1.33 by adding a subdivision; 126C.17, subdivision 9; 127A.05, subdivision 6; 127A.41,

1.34 subdivision 3; 127A.45, subdivision 10; 129C.10, subdivisions 1, 4; 129C.105;

1.35 134.31, subdivision 2; 136A.1791, subdivisions 1, 2, 9; 214.04, subdivision 1;

1.36 214.045; 256B.0625, subdivision 26; 256J.08, subdivisions 38, 39; Laws 2015,

1.37 First Special Session chapter 3, article 1, section 27, subdivisions 2, as amended,

1.38 3, 4, as amended, 6, as amended, 7, as amended, 9, as amended; article 2, section

1.39 70, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 7,

2.1 as amended, 11, as amended; article 4, section 9, subdivision 2, as amended; article  
 2.2 5, section 30, subdivisions 2, as amended, 3, as amended, 5, as amended, 6; article  
 2.3 6, section 13, subdivisions 2, as amended, 3, as amended; article 7, section 7,  
 2.4 subdivisions 2, as amended, 3, as amended, 4, as amended; article 9, section 8,  
 2.5 subdivisions 5, as amended, 6, as amended; article 10, section 3, subdivision 2, as  
 2.6 amended; article 11, section 3, subdivision 2, as amended; Laws 2016, chapter  
 2.7 189, article 25, sections 58; 62, subdivisions 7, 11, 17; article 30, section 25,  
 2.8 subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 120A;  
 2.9 120B; 121A; 122A; 124D; 129C; 136A; repealing Minnesota Statutes 2016,  
 2.10 sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5; 122A.162;  
 2.11 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21, subdivision  
 2.12 2; 122A.23, subdivisions 1, 2; 122A.245; 122A.25; 122A.40, subdivision 11;  
 2.13 122A.41, subdivision 14; 123A.73, subdivision 3; 124D.73, subdivision 2;  
 2.14 125A.085; 125A.75, subdivision 7; 125A.76, subdivision 2b; 129C.10, subdivision  
 2.15 5a; 129C.30; Minnesota Rules, part 3500.3100, subpart 4.

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

2.17 **ARTICLE 1**

2.18 **GENERAL EDUCATION**

2.19 Section 1. Minnesota Statutes 2016, section 120A.41, is amended to read:

2.20 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

2.21 (a) A school board's annual school calendar must include at least 425 hours of instruction  
 2.22 for a kindergarten student without a disability, 935 hours of instruction for a student in  
 2.23 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not  
 2.24 including summer school. The school calendar for all-day kindergarten must include at least  
 2.25 850 hours of instruction for the school year. The school calendar for a prekindergarten  
 2.26 student under section 124D.151, if offered by the district, must include at least 350 hours  
 2.27 of instruction for the school year. A school board's annual calendar must include at least  
 2.28 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule  
 2.29 has been approved by the commissioner under section 124D.126.

2.30 (b) A school board's annual school calendar may include plans for up to five days of  
 2.31 instruction provided through online instruction due to inclement weather. The inclement  
 2.32 weather plans must be developed according to section 120A.414.

2.33 **Sec. 2. [120A.414] E-LEARNING DAYS.**

2.34 Subdivision 1. **Days.** "E-learning day" means a school day where a school offers full  
 2.35 access to online instruction provided by students' individual teachers due to inclement  
 2.36 weather. A school district or charter school that chooses to have e-learning days may have  
 2.37 up to five e-learning days in one school year. An e-learning day is counted as a day of  
 2.38 instruction and included in the hours of instruction under section 120A.41.

3.1 Subd. 2. **Plan.** A school board may adopt an e-learning day plan after consulting with  
3.2 the exclusive representative of the teachers. A charter school may adopt an e-learning day  
3.3 plan after consulting with its teachers. The plan must include accommodations for students  
3.4 without Internet access at home and for digital device access for families without the  
3.5 technology or an insufficient amount of technology for the number of children in the  
3.6 household. A school's e-learning day plan must provide accessible options for students with  
3.7 disabilities under chapter 125A.

3.8 Subd. 3. **Annual notice.** A school district or charter school must notify parents and  
3.9 students of the e-learning day plan at the beginning of the school year.

3.10 Subd. 4. **Daily notice.** On an e-learning day declared by the school, a school district or  
3.11 charter school must notify parents and students at least two hours prior to the normal school  
3.12 start time that students need to follow the e-learning day plan for that day.

3.13 Subd. 5. **Teacher access.** Each student's teacher must be accessible both online and by  
3.14 telephone during normal school hours on an e-learning day to assist students and parents.

3.15 **EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and later.

3.16 Sec. 3. Minnesota Statutes 2016, section 121A.22, subdivision 2, is amended to read:

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

3.19 (1) purchased without a prescription;

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

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

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

3.26 (5) used off the school grounds;

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

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

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

4.1 (9) prescription asthma or reactive airway disease medications self-administered by a  
 4.2 pupil with an asthma inhaler, consistent with section 121A.221, if the district has received  
 4.3 a written authorization from the pupil's parent permitting the pupil to self-administer the  
 4.4 medication, the inhaler is properly labeled for that student, and the parent has not requested  
 4.5 school personnel to administer the medication to the pupil. The parent must submit written  
 4.6 authorization for the pupil to self-administer the medication each school year; or

4.7 (10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and  
 4.8 prescribing medical professional annually inform the pupil's school in writing that (i) the  
 4.9 pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and  
 4.10 requires immediate access to epinephrine auto-injectors that the parent provides properly  
 4.11 labeled to the school for the pupil as needed.

4.12 Sec. 4. Minnesota Statutes 2016, section 121A.221, is amended to read:

4.13 **121A.221 POSSESSION AND USE OF ASTHMA INHALERS BY ASTHMATIC**  
 4.14 **STUDENTS.**

4.15 (a) Consistent with section 121A.22, subdivision 2, clause (9), in a school district that  
 4.16 employs a school nurse or provides school nursing services under another arrangement, the  
 4.17 school nurse or other appropriate party must assess the student's knowledge and skills to  
 4.18 safely possess and use an asthma inhaler in a school setting and enter into the student's  
 4.19 school health record a plan to implement safe possession and use of asthma inhalers.

4.20 (b) Consistent with section 121A.22, subdivision 2, clause (9), in a school that does not  
 4.21 have a school nurse or school nursing services, the student's parent or guardian must submit  
 4.22 written verification from the prescribing professional that documents an assessment of the  
 4.23 student's knowledge and skills to safely possess and use an asthma inhaler in a school setting  
 4.24 has been completed.

4.25 Sec. 5. Minnesota Statutes 2016, section 123B.41, subdivision 2, is amended to read:

4.26 Subd. 2. **Textbook.** (a) "Textbook" means any book or book substitute, including  
 4.27 electronic books as well as other printed materials delivered electronically, which a pupil  
 4.28 uses as a text or text substitute in a particular class or program in the school regularly  
 4.29 attended and a copy of which is expected to be available for the individual use of each pupil  
 4.30 in this class or program. Textbook includes an online book with an annual subscription cost.

4.31 (b) For purposes of calculating the annual nonpublic pupil aid entitlement for textbooks,  
 4.32 the term shall be limited to books, workbooks, or manuals, whether bound or in loose-leaf

5.1 form, as well as electronic books and other printed materials delivered electronically,  
5.2 intended for use as a principal source of study material for a given class or a group of  
5.3 students.

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

5.7 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2018 and later.

5.8 Sec. 6. Minnesota Statutes 2016, section 123B.41, subdivision 5a, is amended to read:

5.9 Subd. 5a. **Software or other educational technology.** For purposes of sections 123B.42  
5.10 and 123B.43, "software or other educational technology" includes software, programs,  
5.11 applications, hardware, and any other electronic educational technology. Software or other  
5.12 educational technology includes course registration fees for advanced placement courses  
5.13 delivered online.

5.14 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2018 and later.

5.15 Sec. 7. Minnesota Statutes 2016, section 123B.92, subdivision 1, is amended to read:

5.16 Subdivision 1. **Definitions.** For purposes of this section and section 125A.76, the terms  
5.17 defined in this subdivision have the meanings given to them.

5.18 (a) "Actual expenditure per pupil transported in the regular and excess transportation  
5.19 categories" means the quotient obtained by dividing:

5.20 (1) the sum of:

5.21 (i) all expenditures for transportation in the regular category, as defined in paragraph  
5.22 (b), clause (1), and the excess category, as defined in paragraph (b), clause (2), plus

5.23 (ii) an amount equal to one year's depreciation on the district's school bus fleet and  
5.24 mobile units computed on a straight line basis at the rate of 15 percent per year for districts  
5.25 operating a program under section 124D.128 for grades 1 to 12 for all students in the district  
5.26 and 12-1/2 percent per year for other districts of the cost of the fleet, plus

5.27 (iii) an amount equal to one year's depreciation on the district's type III vehicles, as  
5.28 defined in section 169.011, subdivision 71, which must be used a majority of the time for  
5.29 pupil transportation purposes, computed on a straight line basis at the rate of 20 percent per  
5.30 year of the cost of the type three school buses by:

6.1 (2) the number of pupils eligible for transportation in the regular category, as defined  
6.2 in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause  
6.3 (2).

6.4 (b) "Transportation category" means a category of transportation service provided to  
6.5 pupils as follows:

6.6 (1) Regular transportation is:

6.7 (i) transportation to and from school during the regular school year for resident elementary  
6.8 pupils residing one mile or more from the public or nonpublic school they attend, and  
6.9 resident secondary pupils residing two miles or more from the public or nonpublic school  
6.10 they attend, excluding desegregation transportation and noon kindergarten transportation;  
6.11 but with respect to transportation of pupils to and from nonpublic schools, only to the extent  
6.12 permitted by sections 123B.84 to 123B.87;

6.13 (ii) transportation of resident pupils to and from language immersion programs;

6.14 (iii) transportation of a pupil who is a custodial parent and that pupil's child between the  
6.15 pupil's home and the child care provider and between the provider and the school, if the  
6.16 home and provider are within the attendance area of the school;

6.17 (iv) transportation to and from or board and lodging in another district, of resident pupils  
6.18 of a district without a secondary school; and

6.19 (v) transportation to and from school during the regular school year required under  
6.20 subdivision 3 for nonresident elementary pupils when the distance from the attendance area  
6.21 border to the public school is one mile or more, and for nonresident secondary pupils when  
6.22 the distance from the attendance area border to the public school is two miles or more,  
6.23 excluding desegregation transportation and noon kindergarten transportation.

6.24 For the purposes of this paragraph, a district may designate a licensed day care facility,  
6.25 school day care facility, respite care facility, the residence of a relative, or the residence of  
6.26 a person or other location chosen by the pupil's parent or guardian, or an after-school program  
6.27 for children operated by a political subdivision of the state, as the home of a pupil for part  
6.28 or all of the day, if requested by the pupil's parent or guardian, and if that facility, residence,  
6.29 or program is within the attendance area of the school the pupil attends.

6.30 (2) Excess transportation is:

6.31 (i) transportation to and from school during the regular school year for resident secondary  
6.32 pupils residing at least one mile but less than two miles from the public or nonpublic school  
6.33 they attend, and transportation to and from school for resident pupils residing less than one

7.1 mile from school who are transported because of full-service school zones, extraordinary  
7.2 traffic, drug, or crime hazards; and

7.3 (ii) transportation to and from school during the regular school year required under  
7.4 subdivision 3 for nonresident secondary pupils when the distance from the attendance area  
7.5 border to the school is at least one mile but less than two miles from the public school they  
7.6 attend, and for nonresident pupils when the distance from the attendance area border to the  
7.7 school is less than one mile from the school and who are transported because of full-service  
7.8 school zones, extraordinary traffic, drug, or crime hazards.

7.9 (3) Desegregation transportation is transportation within and outside of the district during  
7.10 the regular school year of pupils to and from schools located outside their normal attendance  
7.11 areas under a plan for desegregation mandated by the commissioner or under court order.

7.12 (4) "Transportation services for pupils with disabilities" is:

7.13 (i) transportation of pupils with disabilities who cannot be transported on a regular school  
7.14 bus between home or a respite care facility and school;

7.15 (ii) necessary transportation of pupils with disabilities from home or from school to  
7.16 other buildings, including centers such as developmental achievement centers, hospitals,  
7.17 and treatment centers where special instruction or services required by sections 125A.03 to  
7.18 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district  
7.19 where services are provided;

7.20 (iii) necessary transportation for resident pupils with disabilities required by sections  
7.21 125A.12, and 125A.26 to 125A.48;

7.22 (iv) board and lodging for pupils with disabilities in a district maintaining special classes;

7.23 (v) transportation from one educational facility to another within the district for resident  
7.24 pupils enrolled on a shared-time basis in educational programs, and necessary transportation  
7.25 required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils with disabilities  
7.26 122.10 who are provided special instruction and services on a shared-time basis or if resident  
7.27 pupils are not transported, the costs of necessary travel between public and private schools  
7.28 or neutral instructional sites by essential personnel employed by the district's program for  
7.29 children with a disability;

7.30 (vi) transportation for resident pupils with disabilities to and from board and lodging  
7.31 facilities when the pupil is boarded and lodged for educational purposes;

8.1 (vii) transportation of pupils for a curricular field trip activity on a school bus equipped  
8.2 with a power lift when the power lift is required by a student's disability or section 504 plan;  
8.3 and

8.4 (viii) services described in clauses (i) to (vii), when provided for pupils with disabilities  
8.5 in conjunction with a summer instructional program that relates to the pupil's individualized  
8.6 education program or in conjunction with a learning year program established under section  
8.7 124D.128.

8.8 For purposes of computing special education initial aid under section 125A.76, the cost  
8.9 of providing transportation for children with disabilities includes (A) the additional cost of  
8.10 transporting a student in a shelter care facility as defined in section 260C.007, subdivision  
8.11 30, a homeless student ~~from a temporary nonshelter home~~ in another district to the school  
8.12 of origin, or a formerly homeless student from a permanent home in another district to the  
8.13 school of origin but only through the end of the academic year; and (B) depreciation on  
8.14 district-owned school buses purchased after July 1, 2005, and used primarily for  
8.15 transportation of pupils with disabilities, calculated according to paragraph (a), clauses (ii)  
8.16 and (iii). Depreciation costs included in the disabled transportation category must be excluded  
8.17 in calculating the actual expenditure per pupil transported in the regular and excess  
8.18 transportation categories according to paragraph (a). For purposes of subitem (A), a school  
8.19 district may transport a child who does not have a school of origin to the same school  
8.20 attended by that child's sibling, if the siblings are homeless or in a shelter care facility.

8.21 (5) "Nonpublic nonregular transportation" is:

8.22 (i) transportation from one educational facility to another within the district for resident  
8.23 pupils enrolled on a shared-time basis in educational programs, excluding transportation  
8.24 for nonpublic pupils with disabilities under clause (4);

8.25 (ii) transportation within district boundaries between a nonpublic school and a public  
8.26 school or a neutral site for nonpublic school pupils who are provided pupil support services  
8.27 pursuant to section 123B.44; and

8.28 (iii) late transportation home from school or between schools within a district for  
8.29 nonpublic school pupils involved in after-school activities.

8.30 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for educational  
8.31 programs and services, including diagnostic testing, guidance and counseling services, and  
8.32 health services. A mobile unit located off nonpublic school premises is a neutral site as  
8.33 defined in section 123B.41, subdivision 13.



9.1 **EFFECTIVE DATE.** This section is effective retroactively from December 10, 2016.

9.2 Sec. 8. Minnesota Statutes 2016, section 126C.05, subdivision 8, is amended to read:

9.3 Subd. 8. **Average daily membership.** (a) Membership for pupils in grades kindergarten  
9.4 through 12 and for prekindergarten pupils with disabilities shall mean the number of pupils  
9.5 on the current roll of the school, counted from the date of entry until withdrawal. The date  
9.6 of withdrawal shall mean the day the pupil permanently leaves the school or the date it is  
9.7 officially known that the pupil has left or has been legally excused. However, a pupil,  
9.8 regardless of age, who has been absent from school for 15 consecutive school days during  
9.9 the regular school year or for five consecutive school days during summer school or  
9.10 intersession classes of flexible school year programs without receiving instruction in the  
9.11 home or hospital shall be dropped from the roll and classified as withdrawn. Nothing in this  
9.12 section shall be construed as waiving the compulsory attendance provisions cited in section  
9.13 120A.22. Average daily membership equals the sum for all pupils of the number of days  
9.14 of the school year each pupil is enrolled in the district's schools divided by the number of  
9.15 days the schools are in session or are providing e-learning days due to inclement weather.  
9.16 Days of summer school or intersession classes of flexible school year programs are only  
9.17 included in the computation of membership for pupils with a disability not appropriately  
9.18 served primarily in the regular classroom. A student must not be counted as more than 1.2  
9.19 pupils in average daily membership under this section and section 126C.10, subdivision 2a,  
9.20 paragraph (b). When the initial total average daily membership exceeds 1.2 for a pupil  
9.21 enrolled in more than one school district during the fiscal year, each district's average daily  
9.22 membership must be reduced proportionately.

9.23 (b) A student must not be counted as more than one pupil in average daily membership  
9.24 except for purposes of section 126C.10, subdivision 2a.

9.25 Sec. 9. Minnesota Statutes 2016, section 126C.10, subdivision 2, is amended to read:

9.26 Subd. 2. **Basic revenue.** The basic revenue for each district equals the formula allowance  
9.27 times the adjusted pupil units for the school year. ~~The formula allowance for fiscal year~~  
9.28 ~~2015 is \$5,831. The formula allowance for fiscal year 2016 is \$5,948. The formula allowance~~  
9.29 ~~for fiscal year 2017 and later is \$6,067. The formula allowance for fiscal year 2018 is \$6,188.~~  
9.30 The formula allowance for fiscal year 2019 and later is \$6,312.

9.31 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2018 and later.

10.1 Sec. 10. Minnesota Statutes 2016, section 126C.10, subdivision 2a, is amended to read:

10.2 Subd. 2a. **Extended time revenue.** (a) A school district's extended time revenue is equal  
10.3 to the product of \$5,117 and the sum of the adjusted pupil units of the district for each pupil  
10.4 in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05,  
10.5 subdivision 8.

10.6 (b) Extended time revenue for pupils placed in an on-site education program at the Prairie  
10.7 Lakes Education Center or the Lake Park School, located within the borders of Independent  
10.8 School District No. 347, Willmar, for instruction provided after the end of the preceding  
10.9 regular school year and before the beginning of the following regular school year equals  
10.10 membership hours divided by the minimum annual instructional hours in section 126C.05,  
10.11 subdivision 15, not to exceed 0.20, times the pupil unit weighting in section 126C.05,  
10.12 subdivision 1, times \$5,117.

10.13 (c) A school district's extended time revenue may be used for extended day programs,  
10.14 extended week programs, summer school, vacation break academies such as spring break  
10.15 academies and summer term academies, and other programming authorized under the  
10.16 learning year program.

10.17 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2018 and later.

10.18 Sec. 11. Minnesota Statutes 2016, section 126C.10, subdivision 3, is amended to read:

10.19 Subd. 3. **Compensatory education revenue.** (a) ~~For fiscal year 2014, the compensatory~~  
10.20 ~~education revenue for each building in the district equals the formula allowance minus \$415~~  
10.21 ~~times the compensation revenue pupil units computed according to section 126C.05,~~  
10.22 ~~subdivision 3. For fiscal year 2015 and later, The compensatory education revenue for each~~  
10.23 ~~building in the district equals the formula allowance minus \$839 times the compensation~~  
10.24 ~~revenue pupil units computed according to section 126C.05, subdivision 3. A district's~~  
10.25 compensatory revenue equals the sum of its compensatory revenue for each building in the  
10.26 district and the amounts designated under Laws 2015, First Special Session chapter 3, article  
10.27 2, section 70, subdivision 8, for fiscal year 2017. Revenue shall be paid to the district and  
10.28 must be allocated according to section 126C.15, subdivision 2.

10.29 (b) When the district contracting with an alternative program under section 124D.69  
10.30 changes prior to the start of a school year, the compensatory revenue generated by pupils  
10.31 attending the program shall be paid to the district contracting with the alternative program  
10.32 for the current school year, and shall not be paid to the district contracting with the alternative  
10.33 program for the prior school year.

11.1 (c) When the fiscal agent district for an area learning center changes prior to the start of  
 11.2 a school year, the compensatory revenue shall be paid to the fiscal agent district for the  
 11.3 current school year, and shall not be paid to the fiscal agent district for the prior school year.

11.4 (d) Of the amount of revenue under this subdivision, 1.7 percent for fiscal year 2018,  
 11.5 3.5 percent for fiscal year 2019, and for fiscal year 2020 and later, 3.5 percent plus the  
 11.6 percentage change in the formula allowance from fiscal year 2019, must be used for extended  
 11.7 time activities under subdivision 2a, paragraph (c).

11.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2018 and later.

11.9 Sec. 12. Minnesota Statutes 2016, section 126C.10, subdivision 13a, is amended to read:

11.10 Subd. 13a. **Operating capital levy.** To obtain operating capital revenue, a district may  
 11.11 levy an amount not more than the product of its operating capital revenue for the fiscal year  
 11.12 times the lesser of one or the ratio of its adjusted net tax capacity per adjusted pupil unit to  
 11.13 the operating capital equalizing factor. The operating capital equalizing factor equals \$15,740  
 11.14 for fiscal year 2017, ~~\$19,972~~ \$20,548 for fiscal year 2018, ~~and \$22,912~~ \$24,241 for fiscal  
 11.15 year 2019, and \$22,912 for fiscal year 2020 and later.

11.16 Sec. 13. Minnesota Statutes 2016, section 126C.10, is amended by adding a subdivision  
 11.17 to read:

11.18 Subd. 18a. **Pupil transportation adjustment.** (a) An independent, common, or special  
 11.19 school district's transportation sparsity revenue under Minnesota Statutes, section 126C.10,  
 11.20 subdivision 18, is increased by the greater of zero or 18.2 percent of the difference between:

11.21 (1) the lesser of the district's total cost for regular and excess pupil transportation under  
 11.22 section 123B.92, subdivision 1, paragraph (b), including depreciation, for the previous fiscal  
 11.23 year or 105 percent of the district's total cost for the second previous fiscal year; and

11.24 (2) the sum of:

11.25 (i) 4.66 percent of the district's basic revenue for the previous fiscal year;

11.26 (ii) transportation sparsity revenue under Minnesota Statutes, section 126C.10, subdivision  
 11.27 18, for the previous fiscal year; and

11.28 (iii) the district's charter school transportation adjustment for the previous fiscal year.

11.29 (b) A charter school's pupil transportation adjustment equals the school district per pupil  
 11.30 adjustment under paragraph (a).

11.31 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2018 and later.

12.1 Sec. 14. Minnesota Statutes 2016, section 126C.17, subdivision 9, is amended to read:

12.2 Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10,  
12.3 subdivision 1, may be increased in the amount approved by the voters of the district at a  
12.4 referendum called for the purpose. The referendum may be called by the board. The  
12.5 referendum must be conducted one or two calendar years before the increased levy authority,  
12.6 if approved, first becomes payable. Only one election to approve an increase may be held  
12.7 in a calendar year. Unless the referendum is conducted by mail under subdivision 11,  
12.8 paragraph (a), the referendum must be held on the first Tuesday after the first Monday in  
12.9 November. The ballot must state the maximum amount of the increased revenue per adjusted  
12.10 pupil unit. The ballot may state a schedule, determined by the board, of increased revenue  
12.11 per adjusted pupil unit that differs from year to year over the number of years for which the  
12.12 increased revenue is authorized or may state that the amount shall increase annually by the  
12.13 rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase  
12.14 calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum  
12.15 levy authority is expiring. In this case, the ballot may also compare the proposed levy  
12.16 authority to the existing expiring levy authority, and express the proposed increase as the  
12.17 amount, if any, over the expiring referendum levy authority. The ballot must designate the  
12.18 specific number of years, not to exceed ten, for which the referendum authorization applies.  
12.19 The ballot, including a ballot on the question to revoke or reduce the increased revenue  
12.20 amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per  
12.21 pupil." The notice required under section 275.60 may be modified to read, in cases of  
12.22 renewing existing levies at the same amount per pupil as in the previous year:

12.23 "BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO  
12.24 EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED  
12.25 TO EXPIRE."

12.26 The ballot may contain a textual portion with the information required in this subdivision  
12.27 and a question stating substantially the following:

12.28 "Shall the increase in the revenue proposed by (petition to) the board of ....., School  
12.29 District No. ..., be approved?"

12.30 If approved, an amount equal to the approved revenue per adjusted pupil unit times the  
12.31 adjusted pupil units for the school year beginning in the year after the levy is certified shall  
12.32 be authorized for certification for the number of years approved, if applicable, or until  
12.33 revoked or reduced by the voters of the district at a subsequent referendum.

13.1 (b) The board must ~~prepare and~~ deliver by ~~first class~~ mail at least 15 days but no more  
13.2 than 30 days before the day of the referendum to each taxpayer a notice of the referendum  
13.3 and the proposed revenue increase. The board need not mail more than one notice to any  
13.4 taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be  
13.5 those shown to be owners on the records of the county auditor or, in any county where tax  
13.6 statements are mailed by the county treasurer, on the records of the county treasurer. Every  
13.7 property owner whose name does not appear on the records of the county auditor or the  
13.8 county treasurer is deemed to have waived this mailed notice unless the owner has requested  
13.9 in writing that the county auditor or county treasurer, as the case may be, include the name  
13.10 on the records for this purpose. The notice must project the anticipated amount of tax increase  
13.11 in annual dollars for typical residential homesteads, agricultural homesteads, apartments,  
13.12 and commercial-industrial property within the school district.

13.13 The notice for a referendum may state that an existing referendum levy is expiring and  
13.14 project the anticipated amount of increase over the existing referendum levy in the first  
13.15 year, if any, in annual dollars for typical residential homesteads, agricultural homesteads,  
13.16 apartments, and commercial-industrial property within the district.

13.17 The notice must include the following statement: "Passage of this referendum will result  
13.18 in an increase in your property taxes." However, in cases of renewing existing levies, the  
13.19 notice may include the following statement: "Passage of this referendum extends an existing  
13.20 operating referendum at the same amount per pupil as in the previous year."

13.21 (c) A referendum on the question of revoking or reducing the increased revenue amount  
13.22 authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke  
13.23 or reduce the revenue amount must state the amount per adjusted pupil unit by which the  
13.24 authority is to be reduced. Revenue authority approved by the voters of the district pursuant  
13.25 to paragraph (a) must be available to the school district at least once before it is subject to  
13.26 a referendum on its revocation or reduction for subsequent years. Only one revocation or  
13.27 reduction referendum may be held to revoke or reduce referendum revenue for any specific  
13.28 year and for years thereafter.

13.29 (d) The approval of 50 percent plus one of those voting on the question is required to  
13.30 pass a referendum authorized by this subdivision.

13.31 (e) At least 15 days before the day of the referendum, the district must submit a copy of  
13.32 the notice required under paragraph (b) to the commissioner and to the county auditor of  
13.33 each county in which the district is located. Within 15 days after the results of the referendum  
13.34 have been certified by the board, or in the case of a recount, the certification of the results

14.1 of the recount by the canvassing board, the district must notify the commissioner of the  
14.2 results of the referendum.

14.3 **EFFECTIVE DATE.** This section is effective August 1, 2017.

14.4 Sec. 15. Minnesota Statutes 2016, section 127A.41, subdivision 3, is amended to read:

14.5 Subd. 3. **Audits.** The commissioner shall establish procedures for conducting and shall  
14.6 conduct audits of district records and files for the purpose of verifying district pupil counts,  
14.7 levy limitations, and aid entitlements. The commissioner shall establish procedures for  
14.8 selecting and shall select districts to be audited. Disparities, if any, between pupil counts,  
14.9 levy limitations, or aid entitlements determined by audit of district records and files and  
14.10 data reported by districts in reports, claims and other documents shall be reviewed by the  
14.11 commissioner who shall order increases or decreases accordingly. Whenever possible, the  
14.12 commissioner shall audit at least 25 districts each year pursuant to this subdivision.

14.13 Procedures adopted under this subdivision are not subject to chapter 14, including section  
14.14 14.386, and may differ from the procedures under section 127A.42.

14.15 **EFFECTIVE DATE.** This section is effective July 1, 2017.

14.16 Sec. 16. Minnesota Statutes 2016, section 127A.45, subdivision 10, is amended to read:

14.17 Subd. 10. **Payments to school nonoperating funds.** Each fiscal year state general fund  
14.18 payments for a district nonoperating fund must be made at the current year aid payment  
14.19 percentage of the estimated entitlement during the fiscal year of the entitlement. This amount  
14.20 shall be paid in ~~12~~ six equal monthly installments from July through December. The amount  
14.21 of the actual entitlement, after adjustment for actual data, minus the payments made during  
14.22 the fiscal year of the entitlement must be paid prior to October 31 of the following school  
14.23 year. The commissioner may make advance payments of debt service equalization aid and  
14.24 state-paid tax credits for a district's debt service fund earlier than would occur under the  
14.25 preceding schedule if the district submits evidence showing a serious cash flow problem in  
14.26 the fund. The commissioner may make earlier payments during the year and, if necessary,  
14.27 increase the percent of the entitlement paid to reduce the cash flow problem.

14.28 Sec. 17. **NEVIS SCHOOL DISTRICT; LEVY ADJUSTMENT.**

14.29 Notwithstanding Minnesota Statutes, section 126C.48, Independent School District No.  
14.30 308, Nevis, at the discretion of its school board, may spread any levy adjustment remaining  
14.31 from the conversion of its operating referendum revenue over three or fewer years beginning  
14.32 with school property taxes for taxes payable in 2018.

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

15.2 Sec. 18. **EAGLE VALLEY SCHOOL DISTRICT DISSOLUTION;**  
15.3 **REORGANIZATION; BONDS.**

15.4 Subdivision 1. **Reorganization operating debt determined.** Independent School District  
15.5 No. 2759, Eagle Valley, must estimate its reorganization operating debt according to  
15.6 Minnesota Statutes, section 123B.82, and submit that amount to the commissioner of  
15.7 education for approval. The commissioner of education may adjust this amount based on  
15.8 any other school funding and pupil information available to the commissioner. The  
15.9 commissioner may apportion the total operating debt between Independent School District  
15.10 Nos. 786, Bertha-Hewitt, and 787, Browerville.

15.11 Subd. 2. **Bond sale; Bertha-Hewitt.** Independent School District No. 786, Bertha-Hewitt,  
15.12 may issue general obligation bonds without an election under Minnesota Statutes, chapter  
15.13 475, in an amount not to exceed the reorganization operating debt approved by the  
15.14 commissioner of education under subdivision 1 for that district. The bonds must be repaid  
15.15 within six years of issuance.

15.16 Subd. 3. **Bond sale; Browerville.** Independent School District No. 787, Browerville,  
15.17 may issue general obligation bonds without an election under Minnesota Statutes, chapter  
15.18 475, in an amount not to exceed the reorganization operating debt approved by the  
15.19 commissioner of education under subdivision 1 for that district. The bonds must be repaid  
15.20 within six years of issuance.

15.21 Subd. 4. **Repayment.** The bonded debt issued under this section remains payable by the  
15.22 taxable property located within the boundaries of former Independent School District No.  
15.23 2759, Eagle Valley.

15.24 Subd. 5. **Reorganization operating debt levy.** A school district that otherwise is eligible  
15.25 to levy for reorganization operating debt amounts of the former Independent School District  
15.26 No. 2759, Eagle Valley, may levy under Minnesota Statutes, section 123A.73, subdivision  
15.27 9, only upon approval of the commissioner of education and only for that portion of the  
15.28 reorganization operating debt not already included under subdivision 1.

15.29 Subd. 6. **Adjustments.** The commissioner may adjust the assignment of assets and  
15.30 liabilities under Minnesota Statutes, section 123A.46, to reflect the funds raised by the bonds  
15.31 authorized under this section.

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

16.1 Sec. 19. APPROPRIATIONS.

16.2 Subdivision 1. Department of Education. The sums indicated in this section are  
 16.3 appropriated from the general fund to the Department of Education for the fiscal years  
 16.4 designated.

16.5 Subd. 2. General education aid. For general education aid under Minnesota Statutes,  
 16.6 section 126C.13, subdivision 4:

16.7 \$ 7,032,051,000 ..... 2018

16.8 \$ 7,227,809,000 ..... 2019

16.9 The 2018 appropriation includes \$686,828,000 for 2017 and \$6,345,223,000 for 2018.

16.10 The 2019 appropriation includes \$705,024,000 for 2018 and \$6,522,785,000 for 2019.

16.11 Subd. 3. Enrollment options transportation. For transportation of pupils attending  
 16.12 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation  
 16.13 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

16.14 \$ 29,000 ..... 2018

16.15 \$ 31,000 ..... 2019

16.16 Subd. 4. Abatement aid. For abatement aid under Minnesota Statutes, section 127A.49:

16.17 \$ 2,374,000 ..... 2018

16.18 \$ 2,163,000 ..... 2019

16.19 The 2018 appropriation includes \$262,000 for 2017 and \$2,112,000 for 2018.

16.20 The 2019 appropriation includes \$234,000 for 2018 and \$1,929,000 for 2019.

16.21 Subd. 5. Consolidation transition aid. For districts consolidating under Minnesota  
 16.22 Statutes, section 123A.485:

16.23 \$ 185,000 ..... 2018

16.24 \$ 382,000 ..... 2019

16.25 The 2018 appropriation includes \$0 for 2017 and \$185,000 for 2018.

16.26 The 2019 appropriation includes \$20,000 for 2018 and \$362,000 for 2019.

16.27 Subd. 6. Nonpublic pupil education aid. For nonpublic pupil education aid under  
 16.28 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

16.29 \$ 18,197,000 ..... 2018

16.30 \$ 19,225,000 ..... 2019

16.31 The 2018 appropriation includes \$1,687,000 for 2017 and \$16,510,000 for 2018.



17.1 The 2019 appropriation includes \$1,834,000 for 2018 and \$17,391,000 for 2019.

17.2 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under  
 17.3 Minnesota Statutes, section 123B.92, subdivision 9:

17.4 \$ 18,372,000 ..... 2018

17.5 \$ 18,541,000 ..... 2019

17.6 The 2018 appropriation includes \$1,835,000 for 2017 and \$16,537,000 for 2018.

17.7 The 2019 appropriation includes \$1,837,000 for 2018 and \$16,704,000 for 2019.

17.8 Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No. 690,  
 17.9 Warroad, to operate the Angle Inlet School:

17.10 \$ 65,000 ..... 2018

17.11 \$ 65,000 ..... 2019

17.12 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota  
 17.13 Statutes, section 124D.4531, subdivision 1b:

17.14 \$ 4,561,000 ..... 2018

17.15 \$ 4,125,000 ..... 2019

17.16 The 2018 appropriation includes \$476,000 for 2017 and \$4,085,000 for 2018.

17.17 The 2019 appropriation includes \$453,000 for 2018 and \$3,672,000 for 2019.

17.18 **Sec. 20. REPEALER.**

17.19 Minnesota Statutes 2016, section 124D.73, subdivision 2, is repealed.

17.20 **ARTICLE 2**

17.21 **EDUCATION EXCELLENCE**

17.22 Section 1. Minnesota Statutes 2016, section 120A.22, subdivision 9, is amended to read:

17.23 Subd. 9. ~~Curriculum~~ **Knowledge and skills.** Instruction must be provided in at least  
 17.24 the following subject areas:

17.25 (1) basic communication skills including reading and writing, literature, and fine arts;

17.26 (2) mathematics and science;

17.27 (3) social studies including history, geography, ~~and~~ economics, government, and  
 17.28 citizenship; and

17.29 (4) health and physical education.

18.1 Instruction, textbooks, and materials must be in the English language. Another language  
18.2 may be used pursuant to sections 124D.59 to 124D.61.

18.3 Sec. 2. Minnesota Statutes 2016, section 120B.021, subdivision 1, is amended to read:

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

18.6 (1) language arts;

18.7 (2) mathematics;

18.8 (3) science;

18.9 (4) social studies, including history, geography, economics, and government and  
18.10 citizenship that includes civics consistent with section 120B.02, subdivision 3;

18.11 (5) physical education;

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

18.13 (7) the arts, for which statewide or locally developed academic standards apply, as  
18.14 determined by the school district. Public elementary and middle schools must offer at least  
18.15 three and require at least two of the following four arts areas: dance; music; theater; and  
18.16 visual arts. Public high schools must offer at least three and require at least one of the  
18.17 following five arts areas: media arts; dance; music; theater; and visual arts.

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

18.24 (c) ~~Beginning in the 2016-2017 school year,~~ The department must adopt the most recent  
18.25 ~~National Association of Sport and Physical Education~~ SHAPE America (Society of Health  
18.26 and Physical Educators) kindergarten through grade 12 standards and benchmarks for  
18.27 physical education as the required physical education academic standards. The department  
18.28 may modify and adapt the national standards to accommodate state interest. The modification  
18.29 and adaptations must maintain the purpose and integrity of the national standards. The  
18.30 department must make available sample assessments, which school districts may use as an  
18.31 alternative to local assessments, to assess students' mastery of the physical education  
18.32 standards beginning in the 2018-2019 school year.

19.1 (d) A school district may include child sexual abuse prevention instruction in a health  
 19.2 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention  
 19.3 instruction may include age-appropriate instruction on recognizing sexual abuse and assault,  
 19.4 boundary violations, and ways offenders groom or desensitize victims, as well as strategies  
 19.5 to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may  
 19.6 provide instruction under this paragraph in a variety of ways, including at an annual assembly  
 19.7 or classroom presentation. A school district may also provide parents information on the  
 19.8 warning signs of child sexual abuse and available resources.

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

19.12 Sec. 3. Minnesota Statutes 2016, section 120B.021, subdivision 3, is amended to read:

19.13 Subd. 3. **Rulemaking.** The commissioner, consistent with the requirements of this section  
 19.14 and section 120B.022, must adopt statewide rules under section 14.389 for implementing  
 19.15 statewide rigorous core academic standards in language arts, mathematics, science, social  
 19.16 studies, physical education, and the arts. After the rules authorized under this subdivision  
 19.17 are initially adopted, the commissioner may not amend or repeal these rules nor adopt new  
 19.18 rules on the same topic without specific legislative authorization. ~~The academic standards~~  
 19.19 ~~for language arts, mathematics, and the arts must be implemented for all students beginning~~  
 19.20 ~~in the 2003-2004 school year. The academic standards for science and social studies must~~  
 19.21 ~~be implemented for all students beginning in the 2005-2006 school year.~~

19.22 Sec. 4. Minnesota Statutes 2016, section 120B.022, subdivision 1b, is amended to read:

19.23 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive  
 19.24 for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph  
 19.25 (i), and close the academic achievement and opportunity gap under sections 124D.861 and  
 19.26 124D.862, voluntary state bilingual and multilingual seals are established to recognize high  
 19.27 school students in any school district, charter school, or nonpublic school who demonstrate  
 19.28 an advanced-low level or an intermediate high level of functional proficiency in listening,  
 19.29 speaking, reading, and writing on either assessments aligned with American Council on the  
 19.30 Teaching of Foreign Languages' (ACTFL) proficiency guidelines or on equivalent valid  
 19.31 and reliable assessments in one or more languages in addition to English. American Sign  
 19.32 Language is a language other than English for purposes of this subdivision and a world  
 19.33 language for purposes of subdivision 1a.

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

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

20.3 (2) students must demonstrate mastery of Minnesota's English language proficiency  
20.4 standards.

20.5 (c) Consistent with this subdivision, a high school student who demonstrates an  
20.6 intermediate high ACTFL level of functional proficiency in one language in addition to  
20.7 English is eligible to receive the state bilingual gold seal. A high school student who  
20.8 demonstrates an intermediate high ACTFL level of functional native proficiency in more  
20.9 than one language in addition to English is eligible to receive the state multilingual gold  
20.10 seal. A high school student who demonstrates an advanced-low ACTFL level of functional  
20.11 proficiency in one language in addition to English is eligible to receive the state bilingual  
20.12 platinum seal. A high school student who demonstrates an advanced-low ACTFL level of  
20.13 functional proficiency in more than one language in addition to English is eligible to receive  
20.14 the state multilingual platinum seal.

20.15 (d) School districts and charter schools may give students periodic opportunities to  
20.16 demonstrate their level of proficiency in listening, speaking, reading, and writing in a  
20.17 language in addition to English. Where valid and reliable assessments are unavailable, a  
20.18 school district or charter school may rely on evaluators trained in assessing under ACTFL  
20.19 proficiency guidelines to assess a student's level of foreign, heritage, or indigenous language  
20.20 proficiency under this section. School districts and charter schools must maintain appropriate  
20.21 records to identify high school students eligible to receive the state bilingual or multilingual  
20.22 gold and platinum seals. The school district or charter school must affix the appropriate seal  
20.23 to the transcript of each high school student who meets the requirements of this subdivision  
20.24 and may affix the seal to the student's diploma. A school district or charter school must not  
20.25 charge the high school student a fee for this seal.

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

20.29 (f) A school district or charter school may award community service credit to a student  
20.30 who demonstrates an intermediate high or advanced-low ACTFL level of functional  
20.31 proficiency in listening, speaking, reading, and writing in a language other than English  
20.32 and who participates in community service activities that are integrated into the curriculum,  
20.33 involve the participation of teachers, and support biliteracy in the school or local community.

21.1 (g) The commissioner must list on the Web page those assessments that are aligned to  
21.2 ACTFL proficiency guidelines.

21.3 (h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges  
21.4 and Universities system must establish criteria to translate the seals into college credits  
21.5 based on the world language course equivalencies identified by the Minnesota State Colleges  
21.6 and Universities faculty and staff and, upon request from an enrolled student, the Minnesota  
21.7 State Colleges and Universities may award foreign language credits to a student who receives  
21.8 a Minnesota World Language Proficiency Certificate under subdivision 1a. A student who  
21.9 demonstrated the requisite level of language proficiency in grade 10, 11, or 12 to receive a  
21.10 seal or certificate and is enrolled in a Minnesota State Colleges and Universities institution  
21.11 must request college credits for the student's seal or proficiency certificate within three  
21.12 academic years after graduating from high school. The University of Minnesota is encouraged  
21.13 to award students foreign language academic credits consistent with this paragraph.

21.14 Sec. 5. Minnesota Statutes 2016, section 120B.12, subdivision 2, is amended to read:

21.15 Subd. 2. **Identification; report.** (a) Each school district shall identify before the end of  
21.16 kindergarten, grade 1, and grade 2 students who are not reading at grade level before the  
21.17 end of the current school year and shall identify students in grade 3 or higher who  
21.18 demonstrate a reading difficulty to a classroom teacher. Reading assessments in English,  
21.19 and in the predominant languages of district students where practicable, must identify and  
21.20 evaluate students' areas of academic need related to literacy. The district also must monitor  
21.21 the progress and provide reading instruction appropriate to the specific needs of English  
21.22 learners. The district must use a locally adopted, developmentally appropriate, and culturally  
21.23 responsive assessment and annually report summary assessment results to the commissioner  
21.24 by July 1. The district also must annually report to the commissioner by July 1 a summary  
21.25 of the district's efforts to screen and identify students with:

21.26 (1) dyslexia, using screening tools such as those recommended by the department's  
21.27 dyslexia and literacy specialist; or

21.28 (2) convergence insufficiency disorder to the commissioner by July 1.

21.29 (b) A student identified under this subdivision must be provided with alternate instruction  
21.30 under section 125A.56, subdivision 1.

22.1 Sec. 6. Minnesota Statutes 2016, section 120B.12, subdivision 2a, is amended to read:

22.2 Subd. 2a. **Parent notification and involvement.** Schools, at least annually, must give  
22.3 the parent of each student who is not reading at or above grade level timely information  
22.4 about:

22.5 (1) the student's reading proficiency as measured by a locally adopted assessment;

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

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

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

22.12 Sec. 7. Minnesota Statutes 2016, section 120B.12, subdivision 3, is amended to read:

22.13 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district  
22.14 shall provide reading intervention to accelerate student growth and reach the goal of reading  
22.15 at or above grade level by the end of the current grade and school year. If a student does  
22.16 not read at or above grade level by the end of grade 3, the district must continue to provide  
22.17 reading intervention until the student reads at grade level. District intervention methods  
22.18 shall encourage family engagement and, where possible, collaboration with appropriate  
22.19 school and community programs. Intervention methods may include, but are not limited to,  
22.20 requiring attendance in summer school, intensified reading instruction that may require that  
22.21 the student be removed from the regular classroom for part of the school day, extended-day  
22.22 programs, or programs that strengthen students' cultural connections.

22.23 (b) A school district or charter school is strongly encouraged to provide a personal  
22.24 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured  
22.25 by the statewide reading assessment in grade 3. The district or charter school must determine  
22.26 the format of the personal learning plan in collaboration with the student's educators and  
22.27 other appropriate professionals. The school must develop the learning plan in consultation  
22.28 with the student's parent or guardian. The personal learning plan must address knowledge  
22.29 gaps and skill deficiencies through strategies such as specific exercises and practices during  
22.30 and outside of the regular school day, periodic assessments, and reasonable timelines. The  
22.31 personal learning plan may include grade retention, if it is in the student's best interest. A  
22.32 school must maintain and regularly update and modify the personal learning plan until the

23.1 student reads at grade level. This paragraph does not apply to a student under an  
 23.2 individualized education program.

23.3 **Sec. 8. [120B.122] DYSLEXIA SPECIALIST.**

23.4 Subdivision 1. **Purpose.** The department must employ a dyslexia specialist to provide  
 23.5 technical assistance for dyslexia and related disorders and to serve as the primary source of  
 23.6 information and support for schools in addressing the needs of students with dyslexia and  
 23.7 related disorders. The dyslexia specialist shall also act to increase professional awareness  
 23.8 and instructional competencies to meet the educational needs of students with dyslexia or  
 23.9 identified with risk characteristics associated with dyslexia and shall develop implementation  
 23.10 guidance and make recommendations to the commissioner consistent with section 122A.06,  
 23.11 subdivision 4, to be used to assist general education teachers and special education teachers  
 23.12 to recognize educational needs and to improve literacy outcomes for students with dyslexia  
 23.13 or identified with risk characteristics associated with dyslexia, including recommendations  
 23.14 related to increasing the availability of online and asynchronous professional development  
 23.15 programs and materials.

23.16 Subd. 2. **Definition.** For purposes of this section, a "dyslexia specialist" means a dyslexia  
 23.17 therapist, licensed psychologist, licensed speech-language pathologist, or certified dyslexia  
 23.18 training specialist who has a minimum of three years of field experience in screening,  
 23.19 identifying, and treating dyslexia and related disorders.

23.20 Subd. 3. **Requirements.** A dyslexia specialist shall be highly trained in dyslexia and  
 23.21 related disorders and in using interventions and treatments that are evidence-based,  
 23.22 multisensory, direct, explicit, structured, and sequential in the areas of phonics, phonemic  
 23.23 awareness, vocabulary, fluency, and comprehension.

23.24 Sec. 9. Minnesota Statutes 2016, section 120B.125, is amended to read:

23.25 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO**  
 23.26 **POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING**  
 23.27 **PLANS.**

23.28 (a) Consistent with sections 120B.13, 120B.131, 120B.132, 120B.14, 120B.15, 120B.30,  
 23.29 subdivision 1, paragraph (c), 125A.08, and other related sections, school districts, beginning  
 23.30 in the 2013-2014 school year, must assist all students by no later than grade 9 to explore  
 23.31 their educational, college, and career interests, aptitudes, and aspirations and develop a plan  
 23.32 for a smooth and successful transition to postsecondary education or employment. All  
 23.33 students' plans must:

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

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

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

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

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

24.15 (6) integrate strong academic content into career-focused courses and applied and  
24.16 experiential learning opportunities and integrate relevant career-focused courses and applied  
24.17 and experiential learning opportunities into strong academic content;

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

24.22 (8) help identify collaborative partnerships among prekindergarten through grade 12  
24.23 schools, postsecondary institutions, economic development agencies, and local and regional  
24.24 employers that support students' transition to postsecondary education and employment and  
24.25 provide students with applied and experiential learning opportunities; and

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

24.31 (b) A school district may develop grade-level curricula or provide instruction that  
24.32 introduces students to various careers, but must not require any curriculum, instruction, or



25.1 employment-related activity that obligates an elementary or secondary student to involuntarily  
 25.2 select or pursue a career, career interest, employment goals, or related job training.

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

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

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

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

25.19 **EFFECTIVE DATE.** This section is effective July 1, 2017.

25.20 Sec. 10. Minnesota Statutes 2016, section 120B.132, is amended to read:

25.21 **120B.132 RAISED ACADEMIC ACHIEVEMENT; ADVANCED PLACEMENT**  
 25.22 **AND INTERNATIONAL BACCALAUREATE PROGRAMS.**

25.23 Subdivision 1. **Establishment; eligibility.** A program is established to raise kindergarten  
 25.24 through grade 12 academic achievement through increased student participation in  
 25.25 preadvanced placement, advanced placement, and international baccalaureate programs,  
 25.26 consistent with section 120B.13. Schools and charter schools eligible to participate under  
 25.27 this section:

25.28 (1) must have a three-year plan approved by the local school board to establish a new  
 25.29 international baccalaureate program leading to international baccalaureate authorization,  
 25.30 expand an existing program that leads to international baccalaureate authorization, or expand  
 25.31 an existing authorized international baccalaureate program; or

26.1 (2) must have a three-year plan approved by the local school board to create a new or  
26.2 expand an existing program to implement the college board advanced placement courses  
26.3 and exams or preadvanced placement initiative; and

26.4 (3) must propose to further raise students' academic achievement by:

26.5 (i) increasing the availability of and all students' access to advanced placement or  
26.6 international baccalaureate courses or programs;

26.7 (ii) expanding the breadth of advanced placement or international baccalaureate courses  
26.8 or programs that are available to students;

26.9 (iii) increasing the number and the diversity of the students who participate in advanced  
26.10 placement or international baccalaureate courses or programs and succeed;

26.11 (iv) providing low-income and other disadvantaged students with increased access to  
26.12 advanced placement or international baccalaureate courses and programs; or

26.13 (v) increasing the number of high school students, including low-income and other  
26.14 disadvantaged students, who receive college credit by successfully completing advanced  
26.15 placement or international baccalaureate courses or programs and achieving satisfactory  
26.16 scores on related exams.

26.17 Subd. 2. **Application and review process; funding priority.** (a) Charter schools and  
26.18 school districts in which eligible schools under subdivision 1 are located may apply to the  
26.19 commissioner, in the form and manner the commissioner determines, for competitive funding  
26.20 to further raise students' academic achievement. The application must detail the specific  
26.21 efforts the applicant intends to undertake in further raising students' academic achievement,  
26.22 consistent with subdivision 1, and a proposed budget detailing the district or charter school's  
26.23 current and proposed expenditures for advanced placement, preadvanced placement, and  
26.24 international baccalaureate courses and programs. The proposed budget must demonstrate  
26.25 that the applicant's efforts will support implementation of advanced placement, preadvanced  
26.26 placement, and international baccalaureate courses and programs. Expenditures for  
26.27 administration must not exceed five percent of the proposed budget. The commissioner may  
26.28 require an applicant to provide additional information.

26.29 (b) When reviewing applications, the commissioner must determine whether the applicant  
26.30 satisfied all the requirements in this subdivision and subdivision 1. The commissioner may  
26.31 give funding priority to an otherwise qualified applicant that demonstrates:

26.32 (1) a focus on developing or expanding preadvanced placement, advanced placement,  
26.33 or international baccalaureate courses or programs or increasing students' participation in,

27.1 access to, or success with the courses or programs, including the participation, access, or  
 27.2 success of low-income and other disadvantaged students;

27.3 (2) a compelling need for access to preadvanced placement, advanced placement, or  
 27.4 international baccalaureate courses or programs;

27.5 (3) an effective ability to actively involve local business and community organizations  
 27.6 in student activities that are integral to preadvanced placement, advanced placement, or  
 27.7 international baccalaureate courses or programs;

27.8 (4) access to additional public or nonpublic funds or in-kind contributions that are  
 27.9 available for preadvanced placement, advanced placement, or international baccalaureate  
 27.10 courses or programs; ~~or~~

27.11 (5) an intent to implement activities that target low-income and other disadvantaged  
 27.12 students; or

27.13 (6) an intent to increase the advanced placement and international baccalaureate course  
 27.14 offerings in science, technology, engineering, and math to low-income and other  
 27.15 disadvantaged students.

27.16 Subd. 3. **Funding; permissible funding uses.** (a) The commissioner shall award grants  
 27.17 to applicant school districts and charter schools that meet the requirements of subdivisions  
 27.18 1 and 2. The commissioner must award grants on an equitable geographical basis to the  
 27.19 extent feasible and consistent with this section. Grant awards must not exceed the lesser of:

27.20 (1) \$85 times the number of pupils enrolled at the participating sites on October 1 of the  
 27.21 previous fiscal year; ~~or~~

27.22 (2) the approved supplemental expenditures based on the budget submitted under  
 27.23 subdivision 2. For charter schools in their first year of operation, the maximum funding  
 27.24 award must be calculated using the number of pupils enrolled on October 1 of the current  
 27.25 fiscal year. The commissioner may adjust the maximum funding award computed using  
 27.26 prior year data for changes in enrollment attributable to school closings, school openings,  
 27.27 grade level reconfigurations, or school district reorganizations between the prior fiscal year  
 27.28 and the current fiscal year; or

27.29 (3) \$150,000 per district or charter school.

27.30 (b) School districts and charter schools that submit an application and receive funding  
 27.31 under this section must use the funding, consistent with the application, to:

28.1 (1) provide teacher training and instruction to more effectively serve students, including  
 28.2 low-income and other disadvantaged students, who participate in preadvanced placement,  
 28.3 advanced placement, or international baccalaureate courses or programs;

28.4 (2) further develop preadvanced placement, advanced placement, or international  
 28.5 baccalaureate courses or programs;

28.6 (3) improve the transition between grade levels to better prepare students, including  
 28.7 low-income and other disadvantaged students, for succeeding in preadvanced placement,  
 28.8 advanced placement, or international baccalaureate courses or programs;

28.9 (4) purchase books and supplies;

28.10 (5) pay course or program fees;

28.11 (6) increase students' participation in and success with preadvanced placement, advanced  
 28.12 placement, or international baccalaureate courses or programs;

28.13 (7) expand students' access to preadvanced placement, advanced placement, or  
 28.14 international baccalaureate courses or programs through online learning;

28.15 (8) hire appropriately licensed personnel to teach additional advanced placement or  
 28.16 international baccalaureate courses or programs; or

28.17 (9) engage in other ~~activity directly related~~ activities to expanding expand low-income  
 28.18 or disadvantaged students' access to, participation in, and success with preadvanced  
 28.19 placement, advanced placement, or international baccalaureate courses or programs,  
 28.20 including. Other activities may include but are not limited to preparing and disseminating  
 28.21 promotional materials to low-income and other disadvantaged students and their families.

28.22 Subd. 4. **Grants; annual reports.** (a) Each school district and charter school that receives  
 28.23 a grant under this section annually must collect demographic and other student data to  
 28.24 demonstrate and measure the extent to which the district or charter school raised students'  
 28.25 academic achievement under this program and must report the data to the commissioner in  
 28.26 the form and manner the commissioner determines. The commissioner annually by February  
 28.27 15 must make summary data about this program available to the education policy and finance  
 28.28 committees of the legislature.

28.29 (b) Each school district and charter school that receives a grant under this section annually  
 28.30 must report to the commissioner, consistent with the Uniform Financial Accounting and  
 28.31 Reporting Standards, its actual expenditures for advanced placement, preadvanced placement,  
 28.32 and international baccalaureate courses and programs. The report must demonstrate that  
 28.33 the school district or charter school has maintained its effort from other sources for advanced

29.1 placement, preadvanced placement, and international baccalaureate courses and programs  
29.2 compared with the previous fiscal year, and the district or charter school has expended all  
29.3 grant funds, consistent with its approved budget.

29.4 (c) Notwithstanding any law to the contrary, a grant under this section is available for  
29.5 three years from the date of the grant if the district or charter school meets the annual  
29.6 benchmarks in its plan under subdivision 1.

29.7 Sec. 11. Minnesota Statutes 2016, section 120B.22, subdivision 2, is amended to read:

29.8 Subd. 2. **In-service training.** Each district is encouraged to provide training for district  
29.9 staff and school board members ~~to help~~ on the following:

29.10 (1) helping students identify violence in the family and the community so that students  
29.11 may learn to resolve conflicts in effective, nonviolent ways;

29.12 (2) responding to a disclosure of child sexual abuse in a supportive, appropriate manner;  
29.13 and

29.14 (3) complying with mandatory reporting requirements under section 626.556.

29.15 The in-service training must be ongoing and involve experts familiar with sexual abuse,  
29.16 domestic violence, and personal safety issues.

29.17 Sec. 12. Minnesota Statutes 2016, section 120B.23, subdivision 3, is amended to read:

29.18 Subd. 3. **Grant awards.** (a) The commissioner may award grants for a violence  
29.19 prevention education program to eligible applicants as defined in subdivision 2. Grant  
29.20 amounts may not exceed \$3 per resident pupil unit in the district or group of districts in the  
29.21 prior school year. Grant recipients should be geographically distributed throughout the state.

29.22 (b) School districts and charter schools may accept funds from private and other public  
29.23 sources for child sexual abuse prevention programs developed and implemented under  
29.24 sections 120B.021, subdivision 1, paragraph (d), and 120B.234, including federal funding  
29.25 under the Every Student Succeeds Act.

29.26 Sec. 13. Minnesota Statutes 2016, section 120B.232, subdivision 1, is amended to read:

29.27 Subdivision 1. **Character development education.** (a) Character education is the shared  
29.28 responsibility of parents, teachers, and members of the community. The legislature  
29.29 encourages districts to integrate or offer instruction on character education including, but  
29.30 not limited to, character qualities such as attentiveness, truthfulness, respect for authority,  
29.31 diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking,

30.1 and resourcefulness. Instruction should be integrated into a district's existing programs,  
 30.2 curriculum, or the general school environment. To the extent practicable, instruction should  
 30.3 be integrated into positive behavioral intervention strategies, under section 122A.627. The  
 30.4 commissioner shall provide assistance at the request of a district to develop character  
 30.5 education curriculum and programs.

30.6 (b) Character development education under paragraph (a) may include a voluntary  
 30.7 elementary, middle, and high school program that incorporates the history and values of  
 30.8 Congressional Medal of Honor recipients and may be offered as part of the social studies,  
 30.9 English language arts, or other curriculum, as a schoolwide character building and veteran  
 30.10 awareness initiative, or as an after-school program, among other possibilities.

30.11 **Sec. 14. [120B.234] CHILD SEXUAL ABUSE PREVENTION EDUCATION.**

30.12 Subdivision 1. Purpose. The purpose of this section, which may be cited as "Erin's  
 30.13 Law," is to encourage districts to integrate or offer instruction on child sexual abuse  
 30.14 prevention to students and training to all school personnel on recognizing and preventing  
 30.15 sexual abuse and sexual violence.

30.16 Subd. 2. Curriculum. School districts may consult with other federal, state, or local  
 30.17 agencies and community-based organizations, including the Child Information Gateway  
 30.18 Web site maintained by the United States Department of Health and Human Services, to  
 30.19 identify research-based tools, curricula, and programs to prevent child sexual abuse for use  
 30.20 under section 120B.021, subdivision 1, paragraph (d).

30.21 Subd. 3. Other state programs. The child sexual abuse prevention instruction provided  
 30.22 under this section is part of preventing sexual violence against children, which includes,  
 30.23 but is not limited to, the following activities:

30.24 (1) training on mandated reporting requirements provided on the Department of  
 30.25 Education's Web site;

30.26 (2) the Code of Ethics for Minnesota Teachers; and

30.27 (3) consultation by the commissioner of education with the commissioners of health,  
 30.28 human services, and public safety, and other state agencies to prevent violence against  
 30.29 children.

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

31.1 Sec. 15. Minnesota Statutes 2016, section 120B.30, subdivision 1, is amended to read:

31.2 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with  
31.3 appropriate technical qualifications and experience and stakeholders, consistent with  
31.4 subdivision 1a, shall include in the comprehensive assessment system, for each grade level  
31.5 to be tested, state-constructed tests developed as computer-adaptive reading and mathematics  
31.6 assessments for students that are aligned with the state's required academic standards under  
31.7 section 120B.021, include multiple choice questions, and are administered annually to all  
31.8 students in grades 3 through 8. State-developed high school tests aligned with the state's  
31.9 required academic standards under section 120B.021 and administered to all high school  
31.10 students in a subject other than writing must include multiple choice questions. The  
31.11 commissioner shall establish one or more months during which schools shall administer  
31.12 the tests to students each school year.

31.13 (1) Students enrolled in grade 8 through the 2009-2010 school year are eligible to be  
31.14 assessed under (i) the graduation-required assessment for diploma in reading, mathematics,  
31.15 or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1, paragraphs (c),  
31.16 clauses (1) and (2), and (d), (ii) the WorkKeys job skills assessment, (iii) the Compass  
31.17 college placement test, (iv) the ACT assessment for college admission, (v) a nationally  
31.18 recognized armed services vocational aptitude test.

31.19 (2) Students enrolled in grade 8 in the 2010-2011 or 2011-2012 school year are eligible  
31.20 to be assessed under (i) the graduation-required assessment for diploma in reading,  
31.21 mathematics, or writing under Minnesota Statutes 2012, section 120B.30, subdivision 1,  
31.22 paragraph (c), clauses (1) and (2), (ii) the WorkKeys job skills assessment, (iii) the Compass  
31.23 college placement test, (iv) the ACT assessment for college admission, (v) a nationally  
31.24 recognized armed services vocational aptitude test.

31.25 (3) For students under clause (1) or (2), a school district may substitute a score from an  
31.26 alternative, equivalent assessment to satisfy the requirements of this paragraph.

31.27 (b) The state assessment system must be aligned to the most recent revision of academic  
31.28 standards as described in section 120B.023 in the following manner:

31.29 (1) mathematics;

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

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

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

32.1 (3) language arts and reading; grades 3 through 8 and high school level beginning in the  
32.2 2012-2013 school year.

32.3 (c) For students enrolled in grade 8 in the 2012-2013 school year and later, students'  
32.4 state graduation requirements, based on a longitudinal, systematic approach to student  
32.5 education and career planning, assessment, instructional support, and evaluation, include  
32.6 the following:

32.7 (1) ~~an opportunity to participate on a nationally normed college entrance exam, in grade~~  
32.8 ~~11 or grade 12;~~

32.9 ~~(2)~~ achievement and career and college readiness in mathematics, reading, and writing,  
32.10 consistent with paragraph (k) and to the extent available, to monitor students' continuous  
32.11 development of and growth in requisite knowledge and skills; analyze students' progress  
32.12 and performance levels, identifying students' academic strengths and diagnosing areas where  
32.13 students require curriculum or instructional adjustments, targeted interventions, or  
32.14 remediation; and, based on analysis of students' progress and performance data, determine  
32.15 students' learning and instructional needs and the instructional tools and best practices that  
32.16 support academic rigor for the student; and

32.17 ~~(3)~~ (2) consistent with this paragraph and section 120B.125, age-appropriate exploration  
32.18 and planning activities and career assessments to encourage students to identify personally  
32.19 relevant career interests and aptitudes and help students and their families develop a regularly  
32.20 reexamined transition plan for postsecondary education or employment without need for  
32.21 postsecondary remediation.

32.22 Based on appropriate state guidelines, students with an individualized education program  
32.23 may satisfy state graduation requirements by achieving an individual score on the  
32.24 state-identified alternative assessments.

32.25 (d) Expectations of schools, districts, and the state for career or college readiness under  
32.26 this subdivision must be comparable in rigor, clarity of purpose, and rates of student  
32.27 completion.

32.28 A student under paragraph (c), clause ~~(2)~~ (1), must receive targeted, relevant, academically  
32.29 rigorous, and resourced instruction, which may include a targeted instruction and intervention  
32.30 plan focused on improving the student's knowledge and skills in core subjects so that the  
32.31 student has a reasonable chance to succeed in a career or college without need for  
32.32 postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49,  
32.33 and related sections, an enrolling school or district must actively encourage a student in  
32.34 grade 11 or 12 who is identified as academically ready for a career or college to participate



33.1 in courses and programs awarding college credit to high school students. Students are not  
33.2 required to achieve a specified score or level of proficiency on an assessment under this  
33.3 subdivision to graduate from high school.

33.4 (e) Though not a high school graduation requirement, students are encouraged to  
33.5 participate in a nationally recognized college entrance exam. To the extent state funding  
33.6 for college entrance exam fees is available, a district must pay the cost, one time, for an  
33.7 interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take  
33.8 a nationally recognized college entrance exam before graduating. A student must be able  
33.9 to take the exam under this paragraph at the student's high school during the school day and  
33.10 at any one of the multiple exam administrations available to students in the district. A district  
33.11 may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph.  
33.12 If the district administers only one of these two tests and a free or reduced-price meal eligible  
33.13 student opts not to take that test and chooses instead to take the other of the two tests, the  
33.14 student may take the other test at a different time or location and remains eligible for the  
33.15 examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school  
33.16 district may require a student that is not eligible for a free or reduced-price meal to pay the  
33.17 cost of taking a nationally recognized college entrance exam. The district must waive the  
33.18 cost for a student unable to pay.

33.19 (f) The commissioner and the chancellor of the Minnesota State Colleges and Universities  
33.20 must collaborate in aligning instruction and assessments for adult basic education students  
33.21 and English learners to provide the students with diagnostic information about any targeted  
33.22 interventions, accommodations, modifications, and supports they need so that assessments  
33.23 and other performance measures are accessible to them and they may seek postsecondary  
33.24 education or employment without need for postsecondary remediation. When administering  
33.25 formative or summative assessments used to measure the academic progress, including the  
33.26 oral academic development, of English learners and inform their instruction, schools must  
33.27 ensure that the assessments are accessible to the students and students have the modifications  
33.28 and supports they need to sufficiently understand the assessments.

33.29 (g) Districts and schools, on an annual basis, must use career exploration elements to  
33.30 help students, beginning no later than grade 9, and their families explore and plan for  
33.31 postsecondary education or careers based on the students' interests, aptitudes, and aspirations.  
33.32 Districts and schools must use timely regional labor market information and partnerships,  
33.33 among other resources, to help students and their families successfully develop, pursue,  
33.34 review, and revise an individualized plan for postsecondary education or a career. This  
33.35 process must help increase students' engagement in and connection to school, improve

34.1 students' knowledge and skills, and deepen students' understanding of career pathways as  
34.2 a sequence of academic and career courses that lead to an industry-recognized credential,  
34.3 an associate's degree, or a bachelor's degree and are available to all students, whatever their  
34.4 interests and career goals.

34.5 (h) A student who demonstrates attainment of required state academic standards, which  
34.6 include career and college readiness benchmarks, on high school assessments under  
34.7 subdivision 1a is academically ready for a career or college and is encouraged to participate  
34.8 in courses awarding college credit to high school students. Such courses and programs may  
34.9 include sequential courses of study within broad career areas and technical skill assessments  
34.10 that extend beyond course grades.

34.11 (i) As appropriate, students through grade 12 must continue to participate in targeted  
34.12 instruction, intervention, or remediation and be encouraged to participate in courses awarding  
34.13 college credit to high school students.

34.14 (j) In developing, supporting, and improving students' academic readiness for a career  
34.15 or college, schools, districts, and the state must have a continuum of empirically derived,  
34.16 clearly defined benchmarks focused on students' attainment of knowledge and skills so that  
34.17 students, their parents, and teachers know how well students must perform to have a  
34.18 reasonable chance to succeed in a career or college without need for postsecondary  
34.19 remediation. The commissioner, in consultation with local school officials and educators,  
34.20 and Minnesota's public postsecondary institutions must ensure that the foundational  
34.21 knowledge and skills for students' successful performance in postsecondary employment  
34.22 or education and an articulated series of possible targeted interventions are clearly identified  
34.23 and satisfy Minnesota's postsecondary admissions requirements.

34.24 (k) For students in grade 8 in the 2012-2013 school year and later, a school, district, or  
34.25 charter school must record on the high school transcript a student's progress toward career  
34.26 and college readiness, and for other students as soon as practicable.

34.27 (l) The school board granting students their diplomas may formally decide to include a  
34.28 notation of high achievement on the high school diplomas of those graduating seniors who,  
34.29 according to established school board criteria, demonstrate exemplary academic achievement  
34.30 during high school.

34.31 (m) The 3rd through 8th grade computer-adaptive assessment results and high school  
34.32 test results shall be available to districts for diagnostic purposes affecting student learning  
34.33 and district instruction and curriculum, and for establishing educational accountability. The  
34.34 commissioner must establish empirically derived benchmarks on adaptive assessments in

35.1 grades 3 through 8. The commissioner, in consultation with the chancellor of the Minnesota  
35.2 State Colleges and Universities, must establish empirically derived benchmarks on the high  
35.3 school tests that reveal a trajectory toward career and college readiness consistent with  
35.4 section 136F.302, subdivision 1a. The commissioner must disseminate to the public the  
35.5 computer-adaptive assessments and high school test results upon receiving those results.

35.6 (n) The grades 3 through 8 computer-adaptive assessments and high school tests must  
35.7 be aligned with state academic standards. The commissioner shall determine the testing  
35.8 process and the order of administration. The statewide results shall be aggregated at the site  
35.9 and district level, consistent with subdivision 1a.

35.10 (o) The commissioner shall include the following components in the statewide public  
35.11 reporting system:

35.12 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through  
35.13 8 and testing at the high school levels that provides appropriate, technically sound  
35.14 accommodations or alternate assessments;

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

35.18 (3) state results on the American College Test; and

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

35.23 (p) For purposes of statewide accountability, "career and college ready" means a high  
35.24 school graduate has the knowledge, skills, and competencies to successfully pursue a career  
35.25 pathway, including postsecondary credit leading to a degree, diploma, certificate, or  
35.26 industry-recognized credential and employment. Students who are career and college ready  
35.27 are able to successfully complete credit-bearing coursework at a two- or four-year college  
35.28 or university or other credit-bearing postsecondary program without need for remediation.

35.29 (q) For purposes of statewide accountability, "cultural competence," "cultural  
35.30 competency," or "culturally competent" means the ability ~~and will~~ of families and educators  
35.31 to interact effectively with people of different cultures, native languages, and socioeconomic  
35.32 backgrounds.

36.1 Sec. 16. Minnesota Statutes 2016, section 120B.31, is amended by adding a subdivision  
36.2 to read:

36.3 Subd. 3a. **Rollout sites; report.** The commissioner of education shall designate up to  
36.4 six school districts or charter schools as rollout sites.

36.5 (a) The rollout sites should represent urban school districts, suburban school districts,  
36.6 nonurban school districts, and charter schools. The commissioner shall designate rollout  
36.7 sites and notify the schools by August 1, 2017, and the designated school districts or charter  
36.8 schools shall have the right to opt in or out as rollout sites by September 1, 2017.

36.9 (b) The commissioner must consult stakeholders and review the American Community  
36.10 Survey to develop recommendations for best practices for disaggregated data. Stakeholders  
36.11 consulted under this paragraph include at least:

36.12 (1) the rollout sites;

36.13 (2) parent groups; and

36.14 (3) community representatives.

36.15 (c) The commissioner shall report to the legislative committees having jurisdiction over  
36.16 kindergarten through grade 12 education policy and finance by February 1, 2018. The  
36.17 commissioner may research best practices from other states that have disaggregated data  
36.18 beyond the requirements of the most recent reauthorization of the Elementary and Secondary  
36.19 Education Act. The commissioner must consult with the stakeholders on how to measure  
36.20 a student's background as an immigrant or a refugee and provide a recommendation in the  
36.21 report on how to include the data in the statewide rollout. The recommendations may address:

36.22 (1) the most meaningful use of disaggregated data, including but not limited to which  
36.23 reports should include further disaggregated data;

36.24 (2) collection of additional student characteristics, including but not limited to ensuring  
36.25 enhanced enrollment forms;

36.26 (i) provide context and the objective of additional data;

36.27 (ii) are designed to convey respect and acknowledgment of the sensitive nature of the  
36.28 additional data; and

36.29 (iii) are designed to collect data consistent with user feedback;

36.30 (3) efficient data-reporting approaches when reporting additional information to the  
36.31 department;

37.1 (4) the frequency by which districts and schools must update enrollment forms to meet  
 37.2 the needs of the state's changing racial and ethnic demographics; and

37.3 (5) the criteria for determining additional data. This recommendation should include a  
 37.4 recommendation for frequency of reviews and updates of the additional data and should  
 37.5 also identify the approach of updating any additional census data and data on new enrollees.  
 37.6 This recommendation must consider additional student groups that may face education  
 37.7 disparities and must take into account maintaining student privacy and providing  
 37.8 nonidentifiable student level data.

37.9 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later.

37.10 Sec. 17. Minnesota Statutes 2016, section 120B.31, subdivision 4, is amended to read:

37.11 Subd. 4. **Student performance data.** In developing policies and assessment processes  
 37.12 to hold schools and districts accountable for high levels of academic standards under section  
 37.13 120B.021, the commissioner shall aggregate and disaggregate student data over time to  
 37.14 report summary student performance and growth levels and, under section 120B.11,  
 37.15 subdivision 2, clause (2), student learning and outcome data measured at the school, school  
 37.16 district, and statewide level. The commissioner shall use the student categories identified  
 37.17 under the federal Elementary and Secondary Education Act, as most recently reauthorized,  
 37.18 and student categories of:

37.19 (1) homelessness;

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

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

37.22 (4) home language; ~~immigrant, refugee status;~~

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

37.24 (6) free or reduced-price lunch; and

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

37.28 Any report the commissioner disseminates containing summary data on student performance  
 37.29 must integrate student performance and the demographic factors that strongly correlate with  
 37.30 that performance.

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

38.1 Sec. 18. Minnesota Statutes 2016, section 120B.31, subdivision 4a, is amended to read:

38.2 Subd. 4a. **Student participation.** (a) The commissioner ~~shall~~ must create and publish  
 38.3 a form for parents and guardians to complete if they refuse to have their student participate  
 38.4 in state or locally required standardized testing. The form must state why there are state  
 38.5 academic standards, indicate which tests are aligned with state standards, and what  
 38.6 consequences, if any, the school or student may face if a student does not participate in state  
 38.7 or locally required standardized testing. This form must ask parents to indicate a reason for  
 38.8 their refusal that:

38.9 (1) explains the need for state academic standards;

38.10 (2) identifies the state assessments that are aligned with state standards;

38.11 (3) identifies the consequences, if any, the school or student may face if a student does  
 38.12 not participate in state or locally required standardized assessments;

38.13 (4) states that students who receive a college ready benchmark on the high school  
 38.14 Minnesota Comprehensive Assessment are not required to take a remedial, noncredit course  
 38.15 at a Minnesota state college or university in the corresponding subject area;

38.16 (5) summarizes the provisions in section 120B.301, paragraphs (a) and (c); and

38.17 (6) notifies a parent of the right to not have the parent's child participate in the state and  
 38.18 locally required academic assessments, and asks a parent that chooses to not have a child  
 38.19 participate in the assessments the basis for the decision.

38.20 (b) A school district must post the form created by the commissioner on the district Web  
 38.21 site and include it in the district's student handbook.

38.22 **EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and later.

38.23 Sec. 19. Minnesota Statutes 2016, section 120B.35, subdivision 3, is amended to read:

38.24 Subd. 3. **State growth target; other state measures.** (a)(1) The state's educational  
 38.25 assessment system measuring individual students' educational growth is based on indicators  
 38.26 of achievement growth that show an individual student's prior achievement. Indicators of  
 38.27 achievement and prior achievement must be based on highly reliable statewide or districtwide  
 38.28 assessments.

38.29 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and  
 38.30 report separate categories of information using the student categories identified under the  
 38.31 federal Elementary and Secondary Education Act, as most recently reauthorized, and, in  
 38.32 addition to "other" for each race and ethnicity, and the Karen community, other student

39.1 ~~categories as determined by the total Minnesota population at or above the 1,000-person~~  
39.2 ~~threshold based on the most recent decennial census, including ethnicity; race; refugee status~~  
39.3 seven of the most populous Asian and Pacific Islander groups, three of the most populous  
39.4 Native groups, seven of the most populous Hispanic/Latino groups, and five of the most  
39.5 populous Black and African Heritage groups as determined by the total Minnesota population  
39.6 based on the most recent American Community Survey; English learners under section  
39.7 124D.59; home language; free or reduced-price lunch; immigrant; and all students enrolled  
39.8 in a Minnesota public school who are currently or were previously in foster care, except  
39.9 that such disaggregation and cross tabulation is not required if the number of students in a  
39.10 category is insufficient to yield statistically reliable information or the results would reveal  
39.11 personally identifiable information about an individual student.

39.12 (b) The commissioner, in consultation with a stakeholder group that includes assessment  
39.13 and evaluation directors, district staff, experts in culturally responsive teaching, and  
39.14 researchers, must implement a model that uses a value-added growth indicator and includes  
39.15 criteria for identifying schools and school districts that demonstrate medium and high growth  
39.16 under section 120B.299, subdivisions 8 and 9, and may recommend other value-added  
39.17 measures under section 120B.299, subdivision 3. The model may be used to advance  
39.18 educators' professional development and replicate programs that succeed in meeting students'  
39.19 diverse learning needs. Data on individual teachers generated under the model are personnel  
39.20 data under section 13.43. The model must allow users to:

39.21 (1) report student growth consistent with this paragraph; and

39.22 (2) for all student categories, report and compare aggregated and disaggregated state  
39.23 student growth and, under section 120B.11, subdivision 2, clause (2), student learning and  
39.24 outcome data using the student categories identified under the federal Elementary and  
39.25 Secondary Education Act, as most recently reauthorized, and other student categories under  
39.26 paragraph (a), clause (2).

39.27 The commissioner must report measures of student growth and, under section 120B.11,  
39.28 subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph,  
39.29 including the English language development, academic progress, and oral academic  
39.30 development of English learners and their native language development if the native language  
39.31 is used as a language of instruction, and include data on all pupils enrolled in a Minnesota  
39.32 public school course or program who are currently or were previously counted as an English  
39.33 learner under section 124D.59.

40.1 (c) When reporting student performance under section 120B.36, subdivision 1, the  
40.2 commissioner annually, beginning July 1, 2011, must report two core measures indicating  
40.3 the extent to which current high school graduates are being prepared for postsecondary  
40.4 academic and career opportunities:

40.5 (1) a preparation measure indicating the number and percentage of high school graduates  
40.6 in the most recent school year who completed course work important to preparing them for  
40.7 postsecondary academic and career opportunities, consistent with the core academic subjects  
40.8 required for admission to Minnesota's public colleges and universities as determined by the  
40.9 Office of Higher Education under chapter 136A; and

40.10 (2) a rigorous coursework measure indicating the number and percentage of high school  
40.11 graduates in the most recent school year who successfully completed one or more  
40.12 college-level advanced placement, international baccalaureate, postsecondary enrollment  
40.13 options including concurrent enrollment, other rigorous courses of study under section  
40.14 120B.021, subdivision 1a, or industry certification courses or programs.

40.15 When reporting the core measures under clauses (1) and (2), the commissioner must also  
40.16 analyze and report separate categories of information using the student categories identified  
40.17 under the federal Elementary and Secondary Education Act, as most recently reauthorized,  
40.18 and other student categories under paragraph (a), clause (2).

40.19 (d) When reporting student performance under section 120B.36, subdivision 1, the  
40.20 commissioner annually, beginning July 1, 2014, must report summary data on school safety  
40.21 and students' engagement and connection at school, consistent with the student categories  
40.22 identified under paragraph (a), clause (2). The summary data under this paragraph are  
40.23 separate from and must not be used for any purpose related to measuring or evaluating the  
40.24 performance of classroom teachers. The commissioner, in consultation with qualified experts  
40.25 on student engagement and connection and classroom teachers, must identify highly reliable  
40.26 variables that generate summary data under this paragraph. The summary data may be used  
40.27 at school, district, and state levels only. Any data on individuals received, collected, or  
40.28 created that are used to generate the summary data under this paragraph are nonpublic data  
40.29 under section 13.02, subdivision 9.

40.30 (e) For purposes of statewide educational accountability, the commissioner must identify  
40.31 and report measures that demonstrate the success of learning year program providers under  
40.32 sections 123A.05 and 124D.68, among other such providers, in improving students'  
40.33 graduation outcomes. The commissioner, beginning July 1, 2015, must annually report  
40.34 summary data on:



- 41.1 (1) the four- and six-year graduation rates of students under this paragraph;
- 41.2 (2) the percent of students under this paragraph whose progress and performance levels  
41.3 are meeting career and college readiness benchmarks under section 120B.30, subdivision  
41.4 1; and
- 41.5 (3) the success that learning year program providers experience in:
- 41.6 (i) identifying at-risk and off-track student populations by grade;
- 41.7 (ii) providing successful prevention and intervention strategies for at-risk students;
- 41.8 (iii) providing successful recuperative and recovery or reenrollment strategies for off-track  
41.9 students; and
- 41.10 (iv) improving the graduation outcomes of at-risk and off-track students.

41.11 The commissioner may include in the annual report summary data on other education  
41.12 providers serving a majority of students eligible to participate in a learning year program.

41.13 (f) The commissioner, in consultation with recognized experts with knowledge and  
41.14 experience in assessing the language proficiency and academic performance of all English  
41.15 learners enrolled in a Minnesota public school course or program who are currently or were  
41.16 previously counted as an English learner under section 124D.59, must identify and report  
41.17 appropriate and effective measures to improve current categories of language difficulty and  
41.18 assessments, and monitor and report data on students' English proficiency levels, program  
41.19 placement, and academic language development, including oral academic language.

41.20 (g) When reporting four- and six-year graduation rates, the commissioner or school  
41.21 district must disaggregate the data by student categories according to paragraph (a), clause  
41.22 (2).

41.23 (h) A school district must inform parents and guardians that volunteering information  
41.24 on student categories not required by the most recent reauthorization of the Elementary and  
41.25 Secondary Education Act is optional and will not violate the privacy of students or their  
41.26 families, parents, or guardians. The notice must state the purpose for collecting the student  
41.27 data.

41.28 **EFFECTIVE DATE.** This section is effective for the 2018-2019 school year and later  
41.29 for rollout sites under Minnesota Statutes, section 120B.31, subdivision 3a. This section is  
41.30 effective for the 2019-2020 school year and later for all other schools.

42.1 Sec. 20. Minnesota Statutes 2016, section 120B.36, subdivision 1, is amended to read:

42.2 Subdivision 1. **School performance reports and public reporting.** (a) The commissioner  
 42.3 shall report student academic performance data under section 120B.35, subdivisions 2 and  
 42.4 3; the percentages of students showing low, medium, and high growth under section 120B.35,  
 42.5 subdivision 3, paragraph (b); school safety and student engagement and connection under  
 42.6 section 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35,  
 42.7 subdivision 3, paragraph (c); the percentage of students under section 120B.35, subdivision  
 42.8 3, paragraph (b), clause (2), whose progress and performance levels are meeting career and  
 42.9 college readiness benchmarks under sections 120B.30, subdivision 1, and 120B.35,  
 42.10 subdivision 3, paragraph (e); longitudinal data on the progress of eligible districts in reducing  
 42.11 disparities in students' academic achievement and realizing racial and economic integration  
 42.12 under section 124D.861; the acquisition of English, and where practicable, native language  
 42.13 academic literacy, including oral academic language, and the academic progress of all  
 42.14 English learners enrolled in a Minnesota public school course or program who are currently  
 42.15 or were previously counted as English learners under section 124D.59; two separate  
 42.16 student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections  
 42.17 122A.06 and 122A.15 for purposes of determining these ratios; staff characteristics excluding  
 42.18 salaries; student enrollment demographics; foster care status, including all students enrolled  
 42.19 in a Minnesota public school course or program who are currently or were previously in  
 42.20 foster care, student homelessness, and district mobility; and extracurricular activities. ~~The~~  
 42.21 ~~report also must indicate a school's status under applicable federal law.~~

42.22 (b) The school performance report for a school site and a school district must include  
 42.23 school performance reporting information and calculate proficiency rates as required by the  
 42.24 most recently reauthorized Elementary and Secondary Education Act.

42.25 (c) The commissioner shall develop, annually update, and post on the department Web  
 42.26 site school performance reports consistent with paragraph (a) and section 120B.11.

42.27 ~~(e)~~ (d) The commissioner must make available performance reports by the beginning of  
 42.28 each school year.

42.29 ~~(d)~~ (e) A school or district may appeal its results in a form and manner determined by  
 42.30 the commissioner and consistent with federal law. The commissioner's decision to uphold  
 42.31 or deny an appeal is final.

42.32 ~~(e)~~ (f) School performance data are nonpublic data under section 13.02, subdivision 9,  
 42.33 until the commissioner publicly releases the data. The commissioner shall annually post  
 42.34 school performance reports to the department's public Web site no later than September 1,

43.1 except that in years when the reports reflect new performance standards, the commissioner  
43.2 shall post the school performance reports no later than October 1.

43.3 **EFFECTIVE DATE.** This section is effective for the 2017-2018 school year and later.

43.4 Sec. 21. Minnesota Statutes 2016, section 122A.40, subdivision 10, is amended to read:

43.5 Subd. 10. **Negotiated unrequested leave of absence.** The school board and the exclusive  
43.6 bargaining representative of the teachers ~~may~~ must negotiate a plan providing for unrequested  
43.7 leave of absence without pay or fringe benefits for as many teachers as may be necessary  
43.8 because of discontinuance of position, lack of pupils, financial limitations, or merger of  
43.9 classes caused by consolidation of districts. ~~Failing to successfully negotiate such a plan,~~  
43.10 ~~the provisions of subdivision 11 shall apply. The negotiated plan must not include provisions~~  
43.11 ~~which would result in the exercise of seniority by a teacher holding a provisional license,~~  
43.12 ~~other than a vocational education license, contrary to the provisions of subdivision 11,~~  
43.13 ~~paragraph (c), or the reinstatement of a teacher holding a provisional license, other than a~~  
43.14 ~~vocational education license, contrary to the provisions of subdivision 11, paragraph (e).~~  
43.15 ~~The provisions of section 179A.16 do not apply for the purposes of this subdivision.~~

43.16 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
43.17 effective July 1, 2019, and thereafter.

43.18 Sec. 22. Minnesota Statutes 2016, section 122A.41, is amended by adding a subdivision  
43.19 to read:

43.20 Subd. 14a. **Negotiated unrequested leave of absence.** The school board and the exclusive  
43.21 bargaining representative of the teachers must negotiate a plan providing for unrequested  
43.22 leave of absence without pay or fringe benefits for as many teachers as may be necessary  
43.23 because of discontinuance of position, lack of pupils, financial limitations, or merger of  
43.24 classes caused by consolidation of districts.

43.25 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
43.26 effective July 1, 2019, and thereafter.

43.27 Sec. 23. Minnesota Statutes 2016, section 122A.414, subdivision 2, is amended to read:

43.28 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this program,  
43.29 a school district, an intermediate school district consistent with paragraph (d), a school site,  
43.30 or a charter school must have a world's best workforce plan under section 120B.11 and an  
43.31 alternative teacher professional pay system agreement under paragraph (b). A charter school  
43.32 participant also must comply with subdivision 2a.

- 44.1 (b) The alternative teacher professional pay system agreement must:
- 44.2 (1) describe how teachers can achieve career advancement and additional compensation;
- 44.3 (2) describe how the school district, intermediate school district, school site, or charter
- 44.4 school will provide teachers with career advancement options that allow teachers to retain
- 44.5 primary roles in student instruction and facilitate site-focused professional development
- 44.6 that helps other teachers improve their skills;
- 44.7 (3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation
- 44.8 paid before implementing the pay system from being reduced as a result of participating in
- 44.9 this system, base at least 60 percent of any compensation increase on teacher performance
- 44.10 using:
- 44.11 (i) schoolwide student achievement gains under section 120B.35 or locally selected
- 44.12 standardized assessment outcomes, or both;
- 44.13 (ii) measures of student growth and literacy that may include value-added models or
- 44.14 student learning goals, consistent with section 122A.40, subdivision 8, paragraph (b), clause
- 44.15 (9), or 122A.41, subdivision 5, paragraph (b), clause (9), and other measures that include
- 44.16 the academic literacy, oral academic language, and achievement of English learners under
- 44.17 section 122A.40, subdivision 8, paragraph (b), clause (10), or 122A.41, subdivision 5,
- 44.18 paragraph (b), clause (10); and
- 44.19 (iii) an objective evaluation program under section 122A.40, subdivision 8, paragraph
- 44.20 (b), clause (2), or 122A.41, subdivision 5, paragraph (b), clause (2);
- 44.21 (4) provide for participation in job-embedded learning opportunities such as professional
- 44.22 learning communities to improve instructional skills and learning that are aligned with
- 44.23 student needs under section 120B.11, consistent with the staff development plan under
- 44.24 section 122A.60 and led during the school day by trained teacher leaders such as master or
- 44.25 mentor teachers;
- 44.26 (5) allow any teacher in a participating school district, intermediate school district, school
- 44.27 site, or charter school that implements an alternative pay system to participate in that system
- 44.28 without any quota or other limit; and
- 44.29 (6) encourage collaboration rather than competition among teachers.
- 44.30 (c) The alternative teacher professional pay system may:

45.1 (1) include a hiring bonus or other added compensation ~~for~~ to provide students with  
 45.2 equitable access to teachers who, consistent with section 120B.11, subdivision 2, clause  
 45.3 (3):

45.4 (i) are identified as effective or highly effective under the local teacher professional  
 45.5 review cycle ~~and~~ or, when being considered for hire as first-year teachers, have demonstrated  
 45.6 skills during student teaching for being highly effective at closing achievement gaps;

45.7 (ii) work in a high-need or hard-to-fill position; or

45.8 (iii) are hired to work in a hard-to-staff school such as a school with a majority of students  
 45.9 whose families meet federal poverty guidelines, a geographically isolated school, or a school  
 45.10 identified by the state as eligible for targeted programs or services for its students; ~~and~~

45.11 (2) include incentives for teachers to obtain a master's degree or other advanced  
 45.12 certification with at least 18 credits in their content field of licensure required for teaching  
 45.13 concurrent enrollment or college in the schools courses, or to pursue the training or education  
 45.14 necessary to obtain an additional licensure in shortage areas identified by the district or  
 45.15 charter school; or

45.16 (3) help fund a ~~"grow your own"~~ Grow Your Own new teacher initiative involving  
 45.17 nonlicensed educational professionals, including paraprofessionals and cultural liaisons.

45.18 (d) An intermediate school district under this subdivision must demonstrate in a form  
 45.19 and manner determined by the commissioner that it uses the aid it receives under this section  
 45.20 for activities identified in the alternative teacher professional pay system agreement.

45.21 Sec. 24. Minnesota Statutes 2016, section 122A.415, subdivision 4, is amended to read:

45.22 Subd. 4. **Basic alternative teacher compensation aid.** (a) The basic alternative teacher  
 45.23 compensation aid for a school with a plan approved under section 122A.414, subdivision  
 45.24 2b, equals 65 percent of the alternative teacher compensation revenue under subdivision 1.  
 45.25 The basic alternative teacher compensation aid for a charter school with a plan approved  
 45.26 under section 122A.414, subdivisions 2a and 2b, equals \$260 times the number of pupils  
 45.27 enrolled in the school on October 1 of the previous year, or on October 1 of the current year  
 45.28 for a charter school in the first year of operation, times the ratio of the sum of the alternative  
 45.29 teacher compensation aid and alternative teacher compensation levy for all participating  
 45.30 school districts to the maximum alternative teacher compensation revenue for those districts  
 45.31 under subdivision 1.

45.32 (b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative  
 45.33 teacher compensation aid entitlement must not exceed \$75,840,000 for fiscal year 2016 and

46.1 \$88,118,000 for fiscal year 2017 and later. The commissioner must limit the amount of  
 46.2 alternative teacher compensation aid approved under this section so as not to exceed these  
 46.3 limits by not approving new participants or by prorating the aid among participating districts,  
 46.4 intermediate school districts, school sites, and charter schools. The commissioner may also  
 46.5 reallocate a portion of the allowable aid for the biennium from the second year to the first  
 46.6 year to meet the needs of approved participants.

46.7 (c) Basic alternative teacher compensation aid for an intermediate district or other  
 46.8 cooperative unit equals \$3,000 times the number of licensed teachers employed by the  
 46.9 intermediate district or cooperative unit on October 1 of the previous school year.

46.10 **Sec. 25. [122A.417] ALTERNATIVE TEACHER COMPENSATION REVENUE**  
 46.11 **FOR ST. CROIX RIVER EDUCATION DISTRICT.**

46.12 Notwithstanding section 122A.415, subdivision 4, paragraph (c), the St. Croix River  
 46.13 Education District, No. 6009-61, is eligible to receive alternative teacher compensation  
 46.14 revenue based on its staffing as of October 1 of the previous fiscal year as reported to the  
 46.15 department in a manner determined by the commissioner. To qualify for alternative teacher  
 46.16 compensation revenue, the St. Croix River Education District must meet all the requirements  
 46.17 of sections 122A.414 and 122A.415 that apply to cooperative units, must report its staffing  
 46.18 as of October 1 of each year to the department in a manner determined by the commissioner,  
 46.19 and must annually report to the department by November 30 its expenditures for the  
 46.20 alternative teacher professional pay system consistent with the uniform financial accounting  
 46.21 and reporting standards.

46.22 **Sec. 26. [122A.627] POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.**

46.23 "Positive behavioral interventions and supports" or "PBIS" means an evidence-based  
 46.24 framework for preventing problem behavior, providing instruction and support for positive  
 46.25 and prosocial behaviors, and supporting social, emotional, and behavioral needs for all  
 46.26 students. Schoolwide implementation of PBIS requires training, coaching, and evaluation  
 46.27 for school staff to consistently implement the key components that make PBIS effective for  
 46.28 all students, including:

46.29 (1) establishing, defining, teaching, and practicing three to five positively stated  
 46.30 schoolwide behavioral expectations that are representative of the local community and  
 46.31 cultures;

46.32 (2) developing and implementing a consistent system used by all staff to provide positive  
 46.33 feedback and acknowledgment for students who display schoolwide behavioral expectations;

47.1 (3) developing and implementing a consistent and specialized support system for students  
 47.2 who do not display behaviors representative of schoolwide positive expectations;

47.3 (4) developing a system to support decisions based on data related to student progress,  
 47.4 effective implementation of behavioral practices, and screening for students requiring  
 47.5 additional behavior supports;

47.6 (5) using a continuum of evidence-based interventions that is integrated and aligned to  
 47.7 support academic and behavioral success for all students; and

47.8 (6) using a team-based approach to support effective implementation, monitor progress,  
 47.9 and evaluate outcomes.

47.10 Consistent with section 120B.232, subdivision 1, character education curriculum and  
 47.11 programs may be used to support implementation of the key components of PBIS.

47.12 Sec. 27. Minnesota Statutes 2016, section 124D.03, subdivision 5a, is amended to read:

47.13 Subd. 5a. **Lotteries.** If a school district has more applications than available seats at a  
 47.14 specific grade level, it must hold an impartial lottery following the January 15 deadline to  
 47.15 determine which students will receive seats. The district must give priority to enrolling  
 47.16 siblings of currently enrolled students, students whose applications are related to an approved  
 47.17 integration and achievement plan, and children of the school district's staff must receive  
 47.18 priority in the lottery, and students residing in that part of a municipality, defined under  
 47.19 section 469.1812, subdivision 3, where:

47.20 (1) the student's resident district does not operate a school building;

47.21 (2) the municipality is located partially or fully within the boundaries of at least five  
 47.22 school districts;

47.23 (3) the nonresident district in which the student seeks to enroll operates one or more  
 47.24 school buildings within the municipality; and

47.25 (4) no other nonresident, independent, special, or common school district operates a  
 47.26 school building within the municipality.

47.27 The process for the school district lottery must be established in school district policy,  
 47.28 approved by the school board, and posted on the school district's Web site.

47.29 **EFFECTIVE DATE.** This section is effective for lotteries conducted beginning July  
 47.30 1, 2017.

48.1 Sec. 28. Minnesota Statutes 2016, section 124D.09, subdivision 3, is amended to read:

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

48.4 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,  
48.5 nonprofit two-year trade and technical school granting associate degrees, an opportunities  
48.6 industrialization center accredited by the North Central Association of Colleges and Schools,  
48.7 or a private, residential, two-year or four-year, liberal arts, degree-granting college or  
48.8 university located in Minnesota.

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

48.10 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under  
48.11 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by  
48.12 a secondary teacher or a postsecondary faculty member, and are offered at a high school  
48.13 for which the district is eligible to receive concurrent enrollment program aid under section  
48.14 124D.091.

48.15 Sec. 29. Minnesota Statutes 2016, section 124D.09, subdivision 5, is amended to read:

48.16 Subd. 5. **Authorization; notification.** Notwithstanding any other law to the contrary,  
48.17 an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled tribal  
48.18 contract or grant school eligible for aid under section 124D.83, except a foreign exchange  
48.19 pupil enrolled in a district under a cultural exchange program, may apply to an eligible  
48.20 institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that  
48.21 postsecondary institution. ~~Notwithstanding any other law to the contrary, a 9th or 10th grade~~  
48.22 ~~pupil enrolled in a district or an American Indian-controlled tribal contract or grant school~~  
48.23 ~~eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district~~  
48.24 ~~under a cultural exchange program, may apply to enroll in nonsectarian courses offered~~  
48.25 ~~under subdivision 10, if (1) the school district and the eligible postsecondary institution~~  
48.26 ~~providing the course agree to the student's enrollment or (2) the course is a world language~~  
48.27 ~~course currently available to 11th and 12th grade students, and consistent with section~~  
48.28 ~~120B.022 governing world language standards, certificates, and seals.~~ If an institution  
48.29 accepts a secondary pupil for enrollment under this section, the institution shall send written  
48.30 notice to the pupil, the pupil's school or school district, and the commissioner ~~within ten~~  
48.31 ~~days of acceptance.~~ The notice must indicate the course and hours of enrollment of that  
48.32 pupil. If the pupil enrolls in a course for postsecondary credit, the institution must notify  
48.33 the pupil about payment in the customary manner used by the institution.



49.1 Sec. 30. Minnesota Statutes 2016, section 124D.09, is amended by adding a subdivision  
49.2 to read:

49.3 Subd. 5b. **Authorization; 9th or 10th grade pupil.** Notwithstanding any other law to  
49.4 the contrary, a 9th or 10th grade pupil enrolled in a district or an American Indian-controlled  
49.5 tribal contract or grant school eligible for aid under section 124D.83, except a foreign  
49.6 exchange pupil enrolled in a district under a cultural exchange program, may apply to enroll  
49.7 in nonsectarian courses offered under subdivision 10, if:

49.8 (1) the school district and the eligible postsecondary institution providing the course  
49.9 agree to the student's enrollment; or

49.10 (2) the course is a world language course currently available to 11th and 12th grade  
49.11 students, and consistent with section 120B.022 governing world language standards,  
49.12 certificates, and seals.

49.13 Sec. 31. Minnesota Statutes 2016, section 124D.09, subdivision 10, is amended to read:

49.14 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to  
49.15 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a  
49.16 postsecondary faculty member and offered at a secondary school, or another location,  
49.17 according to an agreement between a public school board and the governing body of an  
49.18 eligible public postsecondary system or an eligible private postsecondary institution, as  
49.19 defined in subdivision 3. All provisions of this section shall apply to a pupil, public school  
49.20 board, district, and the governing body of a postsecondary institution, except as otherwise  
49.21 provided.

49.22 (b) To encourage students, especially American Indian students and students of color,  
49.23 to consider teaching as a profession, participating schools, school districts, and postsecondary  
49.24 institutions are encouraged to develop and offer an "Introduction to Teaching" or  
49.25 "Introduction to Education" course under this subdivision. An institution that receives a  
49.26 grant to develop a course under this paragraph must annually report to the commissioner  
49.27 in a form and manner determined by the commissioner on the participation rates of students  
49.28 in courses under this paragraph, including the number of students who apply for admission  
49.29 to colleges or universities with teacher preparation programs.

50.1 Sec. 32. Minnesota Statutes 2016, section 124D.09, is amended by adding a subdivision  
50.2 to read:

50.3 Subd. 11a. **Access to building and technology.** (a) A school district must allow a student  
50.4 enrolled in a course under this section to remain at the school site during regular school  
50.5 hours.

50.6 (b) A school district must adopt a policy that provides a student enrolled in a course  
50.7 under this section with reasonable access during regular school hours to a computer and  
50.8 other technology resources that the student needs to complete coursework for a postsecondary  
50.9 enrollment course.

50.10 Sec. 33. Minnesota Statutes 2016, section 124D.09, subdivision 12, is amended to read:

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

50.13 (b) A district shall grant academic credit to a pupil enrolled in a course for secondary  
50.14 credit if the pupil successfully completes the course. Seven quarter or four semester college  
50.15 credits equal at least one full year of high school credit. Fewer college credits may be  
50.16 prorated. A district must also grant academic credit to a pupil enrolled in a course for  
50.17 postsecondary credit if secondary credit is requested by a pupil. If no comparable course is  
50.18 offered by the district, the district must, as soon as possible, notify the commissioner, who  
50.19 shall determine the number of credits that shall be granted to a pupil who successfully  
50.20 completes a course. If a comparable course is offered by the district, the school board shall  
50.21 grant a comparable number of credits to the pupil. If there is a dispute between the district  
50.22 and the pupil regarding the number of credits granted for a particular course, the pupil may  
50.23 appeal the board's decision to the commissioner. The commissioner's decision regarding  
50.24 the number of credits shall be final.

50.25 (c) A school board must adopt a policy regarding weighted grade point averages for any  
50.26 high school or dual enrollment course. The policy must state whether the district offers  
50.27 weighted grades. A school board must annually publish on its Web site a list of courses for  
50.28 which a student may earn a weighted grade.

50.29 (d) The secondary credits granted to a pupil must be counted toward the graduation  
50.30 requirements and subject area requirements of the district. Evidence of successful completion  
50.31 of each course and secondary credits granted must be included in the pupil's secondary  
50.32 school record. A pupil shall provide the school with a copy of the pupil's grade in each  
50.33 course taken for secondary credit under this section. Upon the request of a pupil, the pupil's

51.1 secondary school record must also include evidence of successful completion and credits  
51.2 granted for a course taken for postsecondary credit. In either case, the record must indicate  
51.3 that the credits were earned at a postsecondary institution.

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

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

51.22 Sec. 34. Minnesota Statutes 2016, section 124D.09, subdivision 13, is amended to read:

51.23 Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this section,  
51.24 the department must make payments according to this subdivision for courses that were  
51.25 taken for secondary credit.

51.26 The department must not make payments to a school district or postsecondary institution  
51.27 for a course taken for postsecondary credit only. The department must not make payments  
51.28 to a postsecondary institution for a course from which a student officially withdraws during  
51.29 the first 14 days of the quarter or semester or who has been absent from the postsecondary  
51.30 institution for the first 15 consecutive school days of the quarter or semester and is not  
51.31 receiving instruction in the home or hospital.

51.32 A postsecondary institution shall receive the following:

52.1 (1) for an institution granting quarter credit, the reimbursement per credit hour shall  
 52.2 an amount equal to 88 percent of the product of the formula allowance minus \$425, multiplied  
 52.3 by 1.2, and divided by 45; or

52.4 (2) for an institution granting semester credit, the reimbursement per credit hour shall  
 52.5 be an amount equal to 88 percent of the product of the general revenue formula allowance  
 52.6 minus \$425, multiplied by 1.2, and divided by 30.

52.7 The department must pay to each postsecondary institution 100 percent of the amount  
 52.8 in clause (1) or (2) within ~~30~~45 days of receiving initial enrollment information each quarter  
 52.9 or semester. If changes in enrollment occur during a quarter or semester, the change shall  
 52.10 be reported by the postsecondary institution at the time the enrollment information for the  
 52.11 succeeding quarter or semester is submitted. At any time the department notifies a  
 52.12 postsecondary institution that an overpayment has been made, the institution shall promptly  
 52.13 remit the amount due.

52.14 **Sec. 35. [124D.4535] INNOVATIVE DELIVERY OF CAREER AND TECHNICAL**  
 52.15 **EDUCATION PROGRAMS; SHARING OF DISTRICT RESOURCES.**

52.16 **Subdivision 1. Establishment; requirements for participation.** (a) A program is  
 52.17 established to improve student, career and college readiness, and school outcomes by  
 52.18 allowing groups of school districts to work together in partnership with local and regional  
 52.19 postsecondary institutions and programs, community institutions, and other private, public,  
 52.20 for-profit, and nonprofit workplace partners, to:

52.21 (1) provide innovative education programs and activities that integrate core academic  
 52.22 and career and technical subjects in students' programs of study through coordinated  
 52.23 secondary and postsecondary career and technical programs leading to an industry  
 52.24 certification or other credential;

52.25 (2) provide embedded professional development for program participants;

52.26 (3) use performance assessments in authentic settings to measure students' technical  
 52.27 skills and progress toward attaining an industry certification or other credential; and

52.28 (4) efficiently share district, institution, and workplace resources.

52.29 (b) To participate in this program to improve student, career and college readiness, and  
 52.30 school outcomes, a group of two or more school districts must collaborate with school staff  
 52.31 and project partners and receive formal school board approval to form a partnership. The  
 52.32 partnership must develop a plan to provide challenging programmatic options for students  
 52.33 under paragraph (a); create professional development opportunities for educators and other

53.1 program participants; increase student engagement and connection and challenging learning  
53.2 opportunities for diverse populations of students that are focused on employability skills  
53.3 and technical, job-specific skills related to a specific career pathway; or demonstrate  
53.4 efficiencies in delivering financial and other services needed to realize plan goals and  
53.5 objectives. The plan must include:

53.6 (1) collaborative education goals and objectives;

53.7 (2) strategies and processes to implement those goals and objectives, including a budget  
53.8 process with periodic expenditure reviews;

53.9 (3) valid and reliable measures including performance assessments in authentic settings  
53.10 and progress toward attaining an industry certification or other credential, among other  
53.11 measures, to evaluate progress in realizing plan goals and objectives;

53.12 (4) an implementation timeline; and

53.13 (5) other applicable conditions, regulations, responsibilities, duties, provisions, fee  
53.14 schedules, and legal considerations needed to fully implement the plan.

53.15 A partnership may invite additional districts or other participants under paragraph (a) to  
53.16 join the partnership after notifying the commissioner.

53.17 (c) A partnership of interested districts must submit an application to the commissioner  
53.18 of education in the form and manner the commissioner determines, consistent with the  
53.19 requirements of this section. The application must contain the formal approval adopted by  
53.20 the school board in each district to participate in the plan.

53.21 (d) Notwithstanding any other law to the contrary, a participating school district under  
53.22 this section continues to: receive revenue and maintain its taxation authority; be organized  
53.23 and governed by an elected school board with general powers under section 123B.02; and  
53.24 be subject to employment agreements under chapter 122A and section 179A.20; and district  
53.25 employees continue to remain employees of the employing school district.

53.26 (e) Participating districts must submit a biennial report by February 1 in each  
53.27 odd-numbered year to the education committees of the legislature and the commissioner of  
53.28 education that includes performance assessment, high school graduation, and career and  
53.29 technical certification data to show the success of the partnership in preparing diverse  
53.30 populations of students for careers and jobs.

53.31 Subd. 2. **Commissioner's role.** The commissioner of education must convene an advisory  
53.32 panel to advise the commissioner on applicants' qualifications to participate in this program.  
53.33 The commissioner must ensure an equitable geographical distribution of program participants

54.1 to the extent practicable. The commissioner must select only those applicants that fully  
 54.2 comply with subdivision 1. The commissioner may terminate a program participant that  
 54.3 fails to effectively implement the goals and objectives contained in its application and  
 54.4 according to its stated timeline.

54.5 **EFFECTIVE DATE.** (a) This section is effective the day following final enactment  
 54.6 and applies to those applications submitted after that date.

54.7 (b) Districts already approved for an innovation zone pilot project under Laws 2012,  
 54.8 chapter 263, section 1, as amended by Laws 2014, chapter 312, article 15, section 24, may  
 54.9 continue to operate.

54.10 Sec. 36. Minnesota Statutes 2016, section 124D.68, subdivision 2, is amended to read:

54.11 Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements  
 54.12 of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation  
 54.13 incentives program, if the pupil:

54.14 (1) performs substantially below the performance level for pupils of the same age in a  
 54.15 locally determined achievement test;

54.16 (2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

54.17 (3) is pregnant or is a parent;

54.18 (4) has been assessed as chemically dependent;

54.19 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

54.20 (6) has been referred by a school district for enrollment in an eligible program or a  
 54.21 program pursuant to section 124D.69;

54.22 (7) is a victim of physical or sexual abuse;

54.23 (8) has experienced mental health problems;

54.24 (9) has experienced homelessness sometime within six months before requesting a  
 54.25 transfer to an eligible program;

54.26 (10) speaks English as a second language or is an English learner; or

54.27 (11) has withdrawn from school or has been chronically truant; or

54.28 (12) is being treated in a hospital in the seven-county metropolitan area for cancer or  
 54.29 other life threatening illness or is the sibling of an eligible pupil who is being currently

55.1 treated, and resides with the pupil's family at least 60 miles beyond the outside boundary  
55.2 of the seven-county metropolitan area.

55.3 (b) For ~~the 2016-2017 school year~~ fiscal years 2017 and 2018 only, a pupil otherwise  
55.4 qualifying under paragraph (a) who is at least 21 years of age and not yet 22 years of age,  
55.5 is an English learner with an interrupted formal education according to section 124D.59,  
55.6 subdivision 2a, and was in an early middle college program during the previous school year  
55.7 is eligible to participate in the graduation incentives program under section 124D.68 and  
55.8 in concurrent enrollment courses offered under section 124D.09, subdivision 10, and is  
55.9 funded in the same manner as other pupils under this section.

55.10 Sec. 37. Minnesota Statutes 2016, section 124D.695, is amended to read:

55.11 **124D.695 APPROVED RECOVERY PROGRAM FUNDING.**

55.12 Subdivision 1. **Approved recovery program.** "Approved recovery program" means a  
55.13 course of instruction offered by a recovery school that provides academic services, assistance  
55.14 with recovery, and continuing care to students recovering from substance abuse or  
55.15 dependency. A recovery program may be offered in a transitional academic setting designed  
55.16 to meet graduation requirements. A recovery program must be approved by the commissioner  
55.17 of education. The commissioner may specify the manner and form of the application for  
55.18 the approval of a recovery school or recovery program. The commissioner must also approve  
55.19 any unreimbursed pupil transportation costs incurred by students participating in an approved  
55.20 recovery program.

55.21 Subd. 2. **Eligibility.** (a) An approved recovery program is eligible for an annual recovery  
55.22 program grant of up to \$125,000 to pay for a portion of the costs ~~of~~ under this section for  
55.23 recovery program support staff under this section and approved pupil transportation expenses.

55.24 (b) "Recovery program support staff" means licensed alcohol and chemical dependency  
55.25 counselors, licensed school counselors, licensed school psychologists, licensed school  
55.26 nurses, and licensed school social workers.

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

55.28 Sec. 38. Minnesota Statutes 2016, section 124D.83, subdivision 2, is amended to read:

55.29 Subd. 2. **Revenue amount.** An American Indian-controlled tribal contract or grant school  
55.30 that is located on a reservation within the state and that complies with the requirements in  
55.31 subdivision 1 is eligible to receive tribal contract or grant school aid. The amount of aid is  
55.32 derived by:

56.1 (1) multiplying the formula allowance under section 126C.10, subdivision 2, less \$170,  
56.2 times the difference between (i) the resident pupil units as defined in section 126C.05,  
56.3 subdivision 6, in average daily membership, excluding section 126C.05, subdivision 13,  
56.4 and (ii) the number of pupils for the current school year, weighted according to section  
56.5 126C.05, subdivision 1, receiving benefits under section 123B.42 or 123B.44 or for which  
56.6 the school is receiving reimbursement under section 124D.69;

56.7 (2) adding to the result in clause (1) an amount equal to the product of the formula  
56.8 allowance under section 126C.10, subdivision 2, less \$300 times the tribal contract  
56.9 compensation revenue pupil units;

56.10 (3) subtracting from the result in clause (2) the amount of money allotted to the school  
56.11 by the federal government through Indian School Equalization Program of the Bureau of  
56.12 Indian Affairs, according to Code of Federal Regulations, title 25, part 39, subparts A to E,  
56.13 for the basic program as defined by section 39.11, paragraph (b), for the base rate as applied  
56.14 to kindergarten through twelfth grade, excluding small school adjustments and additional  
56.15 weighting, but not money allotted through subparts F to L for contingency funds, school  
56.16 board training, student training, interim maintenance and minor repair, interim administration  
56.17 cost, prekindergarten, and operation and maintenance, and the amount of money that is  
56.18 received according to section 124D.69;

56.19 (4) dividing the result in clause (3) by the sum of the resident pupil units in average daily  
56.20 membership, excluding section 126C.05, subdivision 13, plus the tribal contract compensation  
56.21 revenue pupil units; and

56.22 (5) multiplying the sum of the resident pupil units, including section 126C.05, subdivision  
56.23 13, in average daily membership plus the tribal contract compensation revenue pupil units  
56.24 by the lesser of \$3,230 for fiscal years 2016 ~~and 2017~~ or to 2019 and \$1,500 for fiscal year  
56.25 ~~2018~~ 2020 and later or the result in clause (4).

56.26 Sec. 39. Minnesota Statutes 2016, section 124E.03, subdivision 2, is amended to read:

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

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

56.31 (c) A charter school must comply with the Minnesota Public School Fee Law, sections  
56.32 123B.34 to 123B.39.

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



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

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

57.5 (g) A charter school must comply with continuing truant notification under section  
57.6 260A.03.

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

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

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

57.17 Sec. 40. Minnesota Statutes 2016, section 124E.05, subdivision 7, is amended to read:

57.18 Subd. 7. **Withdrawal.** If the governing board of an approved authorizer votes to withdraw  
57.19 as an approved authorizer for a reason unrelated to any cause under section 124E.10,  
57.20 subdivision 4, the authorizer must notify all its chartered schools and the commissioner in  
57.21 writing by March 1 of its intent to withdraw as an authorizer on June 30 in the next calendar  
57.22 year, regardless of when the authorizer's five-year term of approval ends. Upon notification  
57.23 of the schools and commissioner, the authorizer must provide a letter to the school for  
57.24 distribution to families of students enrolled in the school that explains the decision to  
57.25 withdraw as an authorizer. The commissioner may approve the transfer of a charter school  
57.26 to a new authorizer under section 124E.10, subdivision 5.

57.27 Sec. 41. Minnesota Statutes 2016, section 124E.11, is amended to read:

57.28 **124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.**

57.29 (a) A charter school, including its preschool or prekindergarten program established  
57.30 under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

57.31 (1) pupils within an age group or grade level;

58.1 (2) pupils who are eligible to participate in the graduation incentives program under  
58.2 section 124D.68; or

58.3 (3) residents of a specific geographic area in which the school is located when the  
58.4 majority of students served by the school are members of underserved populations.

58.5 (b) A charter school, including its preschool or prekindergarten program established  
58.6 under section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who  
58.7 submits a timely application, unless the number of applications exceeds the capacity of a  
58.8 program, class, grade level, or building. In this case, pupils must be accepted by lot. The  
58.9 charter school must develop and publish, including on its Web site, a lottery policy and  
58.10 process that it must use when accepting pupils by lot.

58.11 (c) A charter school shall give enrollment preference to a sibling of an enrolled pupil  
58.12 and to a foster child of that pupil's parents and may give preference for enrolling children  
58.13 of the school's staff before accepting other pupils by lot. A charter school that is located in  
58.14 Duluth township in St. Louis County and admits students in kindergarten through grade 6  
58.15 must give enrollment preference to students residing within a five-mile radius of the school  
58.16 and to the siblings of enrolled children. A charter school may give enrollment preference  
58.17 to children currently enrolled in the school's free preschool or prekindergarten program  
58.18 under section 124E.06, subdivision 3, paragraph (a), who are eligible to enroll in kindergarten  
58.19 in the next school year.

58.20 (d) A person shall not be admitted to a charter school (1) as a kindergarten pupil, unless  
58.21 the pupil is at least five years of age on September 1 of the calendar year in which the school  
58.22 year for which the pupil seeks admission commences; or (2) as a first grade student, unless  
58.23 the pupil is at least six years of age on September 1 of the calendar year in which the school  
58.24 year for which the pupil seeks admission commences or has completed kindergarten; except  
58.25 that a charter school may establish and publish on its Web site a policy for admission of  
58.26 selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b)  
58.27 and (c).

58.28 (e) Except as permitted in paragraph (d), a charter school, including its preschool or  
58.29 prekindergarten program established under section 124E.06, subdivision 3, paragraph (b),  
58.30 may not limit admission to pupils on the basis of intellectual ability, measures of achievement  
58.31 or aptitude, or athletic ability and may not establish any criteria or requirements for admission  
58.32 that are inconsistent with this section.

59.1 (f) The charter school shall not distribute any services or goods of value to students,  
59.2 parents, or guardians as an inducement, term, or condition of enrolling a student in a charter  
59.3 school.

59.4 (g) Once a student is enrolled in the school, the student is considered enrolled in the  
59.5 school until the student formally withdraws or is expelled under the Pupil Fair Dismissal  
59.6 Act in sections 121A.40 to 121A.56. ~~A charter school is subject to and must comply with~~  
59.7 ~~the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56.~~

59.8 (h) A charter school with at least 90 percent of enrolled students who are eligible for  
59.9 special education services and have a primary disability of deaf or hard-of-hearing may  
59.10 enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1,  
59.11 paragraph (a), and must comply with the federal Individuals with Disabilities Education  
59.12 Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause  
59.13 (iv).

59.14 Sec. 42. Minnesota Statutes 2016, section 124E.22, is amended to read:

59.15 **124E.22 BUILDING LEASE AID.**

59.16 (a) When a charter school finds it economically advantageous to rent or lease a building  
59.17 or land for any instructional purpose and it determines that the total operating capital revenue  
59.18 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the  
59.19 commissioner for building lease aid. The commissioner must review and either approve or  
59.20 deny a lease aid application using the following criteria:

59.21 (1) the reasonableness of the price based on current market values;

59.22 (2) the extent to which the lease conforms to applicable state laws and rules; and

59.23 (3) the appropriateness of the proposed lease in the context of the space needs and  
59.24 financial circumstances of the charter school. The commissioner must approve aid only for  
59.25 a facility lease that has (i) a sum certain annual cost and (ii) a closure clause to relieve the  
59.26 charter school of its lease obligations at the time the charter contract is terminated or not  
59.27 renewed. The closure clause under item (ii) must not be constructed or construed to relieve  
59.28 the charter school of its lease obligations in effect before the charter contract is terminated  
59.29 or not renewed.

59.30 (b) A charter school must not use the building lease aid it receives for custodial,  
59.31 maintenance service, utility, or other operating costs.

60.1 (c) The amount of annual building lease aid for a charter school shall not exceed the  
 60.2 lesser of (1) 90 percent of the approved cost or (2) the product of the charter school building  
 60.3 lease aid pupil units served for the current school year times \$1,314.

60.4 (d) A charter school's building lease aid pupil units equals the sum of the charter school  
 60.5 pupil units under section 126C.05 and the pupil units for the portion of the day that the  
 60.6 charter school's enrolled students are participating in the Postsecondary Enrollment Options  
 60.7 Act under section 124D.09 and not otherwise included in the pupil count under section  
 60.8 126C.05.

60.9 **EFFECTIVE DATE.** This section is effective for fiscal year 2018 and later.

60.10 Sec. 43. Minnesota Statutes 2016, section 125A.56, subdivision 1, is amended to read:

60.11 Subdivision 1. **Requirement.** (a) Before a pupil is referred for a special education  
 60.12 evaluation, the district must conduct and document at least two instructional strategies,  
 60.13 alternatives, or interventions using a system of scientific, research-based instruction and  
 60.14 intervention in academics or behavior, based on the pupil's needs, while the pupil is in the  
 60.15 regular classroom. The pupil's teacher must document the results. A special education  
 60.16 evaluation team may waive this requirement when it determines the pupil's need for the  
 60.17 evaluation is urgent. This section may not be used to deny a pupil's right to a special  
 60.18 education evaluation.

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

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

60.26 Sec. 44. **[136A.1276] ALTERNATIVE TEACHER PREPARATION GRANT**  
 60.27 **PROGRAM.**

60.28 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
 60.29 the meanings given them.

60.30 (b) "Alternative teacher preparation program" means an alternative teacher preparation  
 60.31 program under section 122A.245, subdivision 2, or an experimental teacher preparation  
 60.32 program under section 122A.09, subdivision 10.

61.1 (c) "Commissioner" means the commissioner of the Office of Higher Education.

61.2 (d) "Program" means a teacher preparation curriculum leading to specific licensure areas.

61.3 (e) "Shortage area" means:

61.4 (1) licensure fields and economic development regions reported by the commissioner  
61.5 of education as experiencing a teacher shortage; and

61.6 (2) economic development regions where there is a shortage of licensed teachers who  
61.7 reflect the racial or ethnic diversity of students in the region.

61.8 (f) "Unit" means an institution or defined subdivision of the institution that has primary  
61.9 responsibility for overseeing and delivering teacher preparation programs.

61.10 Subd. 2. **Establishment; eligibility.** (a) The commissioner, in consultation with the  
61.11 Board of Teaching, must establish and administer a program annually awarding grants to  
61.12 eligible alternative teacher preparation programs consistent with this section.

61.13 (b) To be eligible to receive a grant, an alternative teacher preparation program must  
61.14 certify that it:

61.15 (1) is working to fill Minnesota's teacher shortage areas; and

61.16 (2) is a school district, charter school, or nonprofit corporation organized under chapter  
61.17 317A or under section 501(c)(3) of the Internal Revenue Code of 1986 for an  
61.18 education-related purpose that has been operating continuously for at least three years in  
61.19 Minnesota or any other state.

61.20 (c) The commissioner must give priority to applicants based in Minnesota when awarding  
61.21 grants under this section.

61.22 Subd. 3. **Use of grants.** (a) An alternative teacher preparation program receiving a grant  
61.23 under this section must use the grant to:

61.24 (1) establish initial unit approval to become an alternative teacher preparation program;

61.25 (2) expand alternative teacher preparation programs by expanding program approval to  
61.26 other licensure areas identified as shortage areas by the commissioner of education;

61.27 (3) recruit, select, and train teachers who reflect the racial or ethnic diversity of students  
61.28 in Minnesota; or

61.29 (4) establish professional development programs for teachers who have obtained teaching  
61.30 licenses through alternative teacher preparation programs.

62.1 An alternative teacher preparation program may expend grant funds on regional management  
 62.2 and operations, development, and central support services, including financial support and  
 62.3 support for technology and human services.

62.4 (b) An alternative teacher preparation program may use grant funds awarded under this  
 62.5 section as a match for nonstate funds, subject to paragraph (a).

62.6 (c) Appropriations made to this program do not cancel and are available until expended.

62.7 Subd. 4. **Report.** An alternative teacher preparation program receiving a grant under  
 62.8 this section must submit a report to the commissioner and the Board of Teaching on the  
 62.9 grantee's ability to fill teacher shortage areas and positively impact student achievement  
 62.10 where data are available and do not identify individual teachers. A grant recipient must  
 62.11 submit the report required under this subdivision by January 31, 2018, and each  
 62.12 even-numbered year thereafter. The report must include disaggregated data regarding:

62.13 (1) the racial and ethnic diversity of teachers and teacher candidates licensed through  
 62.14 the program; and

62.15 (2) program participant placement.

62.16 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2018 and later.

62.17 Sec. 45. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

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

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

62.26 (d) "Teacher" means an individual holding a teaching license issued by the licensing  
 62.27 division in the Department of Education on behalf of the Board of Teaching who is employed  
 62.28 by a school district to provide classroom instruction ~~in a teacher shortage area.~~

62.29 (e) "Teacher shortage area" means:

62.30 (1) the licensure fields and economic development regions reported by the commissioner  
 62.31 of education as experiencing a teacher shortage; and

63.1 (2) economic development regions where there is a shortage of licensed teachers who  
 63.2 reflect the racial or ethnic diversity of students in the region as reported by the commissioner  
 63.3 of education.

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

63.6 **EFFECTIVE DATE.** This section is effective August 1, 2017.

63.7 Sec. 46. Minnesota Statutes 2016, section 136A.1791, subdivision 2, is amended to read:

63.8 Subd. 2. **Program established; administration.** The commissioner shall establish and  
 63.9 administer a teacher shortage loan forgiveness program. A teacher is eligible for the program  
 63.10 if the teacher is teaching in a ~~licensure field and in an economic development region with~~  
 63.11 an identified teacher shortage area under subdivision 3 and complies with the requirements  
 63.12 of this section.

63.13 **EFFECTIVE DATE.** This section is effective August 1, 2017.

63.14 Sec. 47. Minnesota Statutes 2016, section 136A.1791, subdivision 9, is amended to read:

63.15 Subd. 9. **Annual reporting.** By February 1 of each year, the commissioner must report  
 63.16 to the chairs of the ~~K-12~~ kindergarten through grade 12 and higher education committees  
 63.17 of the legislature on the number of individuals who received loan forgiveness under this  
 63.18 section, the race or ethnicity of the teachers participating in the program, the licensure areas  
 63.19 and economic development regions in which the teachers taught, the average amount paid  
 63.20 to a teacher participating in the program, and other summary data identified by the  
 63.21 commissioner as outcome indicators.

63.22 **EFFECTIVE DATE.** This section is effective August 1, 2017.

63.23 Sec. 48. Laws 2016, chapter 189, article 25, section 58, is amended to read:

63.24 Sec. 58. ~~NORTHWEST REGIONAL PARTNERSHIP STATEWIDE~~  
 63.25 **CONCURRENT ENROLLMENT TEACHER TRAINING PROGRAM.**

63.26 Subdivision 1. **Definition.** (a) For purposes of this section, the following terms have the  
 63.27 meanings given them.

63.28 (b) "Northwest Regional Partnership" means a voluntary association of the Lakes Country  
 63.29 Service Cooperative, the Northwest Service Cooperative, and Minnesota State  
 63.30 University-Moorhead that works together to provide coordinated higher learning opportunities  
 63.31 for teachers.

64.1 (c) "State Partnership" means a voluntary association of the Northwest Regional  
 64.2 Partnership and the Metropolitan Educational Cooperative Service Unit.

64.3 (d) "Eligible postsecondary institution" means a public or private postsecondary institution  
 64.4 that awards graduate credits.

64.5 (e) "Eligible teacher" means a licensed teacher of secondary school courses for  
 64.6 postsecondary credit.

64.7 Subd. 2. **Establishment.** (a) Lakes Country Service Cooperative, in consultation with  
 64.8 the Northwest Service Cooperative, may develop a continuing education program to allow  
 64.9 eligible teachers to attain the requisite graduate credits necessary to be qualified to teach  
 64.10 secondary school courses for postsecondary credit.

64.11 (b) If established, the State Partnership must contract with one or more eligible  
 64.12 postsecondary institutions to establish a continuing education credit program to allow eligible  
 64.13 teachers to attain sufficient graduate credits to qualify to teach secondary school courses  
 64.14 for postsecondary credit. Members of the State Partnership must work to eliminate duplication  
 64.15 of service and develop the continuing education credit program efficiently and  
 64.16 cost-effectively.

64.17 Subd. 3. **Curriculum development.** ~~Minnesota State University-Moorhead may develop~~  
 64.18 The continuing education program must use flexible delivery models, such as an online  
 64.19 education curriculum to, that allow eligible secondary school teachers to attain graduate  
 64.20 credit at a reduced credit rate. Information about the curriculum, including course length  
 64.21 and course requirements, must be posted on the Web site of the eligible institution offering  
 64.22 the course at least two weeks before eligible teachers are required to register for courses in  
 64.23 the continuing education program.

64.24 Subd. 4. **Funding for course development; scholarships; stipends.** (a) Lakes Country  
 64.25 Service Cooperative, in consultation with the other members of the Northwest Regional  
 64.26 Partnership, shall:

64.27 (1) provide funding for course development for up to 18 credits in applicable  
 64.28 postsecondary subject areas;

64.29 (2) provide scholarships for eligible teachers to enroll in the continuing education  
 64.30 program; and

64.31 (3) develop criteria for awarding educator stipends on a per-credit basis to incentivize  
 64.32 participation in the continuing education program.

64.33 (b) If established, the State Partnership must:



65.1 (1) provide funding for course development for up to 18 credits in applicable  
 65.2 postsecondary subject areas;

65.3 (2) provide scholarships for eligible teachers to enroll in the continuing education  
 65.4 program; and

65.5 (3) develop criteria for awarding educator stipends on a per-credit basis to incentivize  
 65.6 participation in the continuing education program.

65.7 ~~Subd. 5. **Participant eligibility.** Participation in the continuing education program is~~  
 65.8 ~~reserved for teachers of secondary school courses for postsecondary credit. Priority must~~  
 65.9 ~~be given to teachers employed by a school district that is a member of the Lakes Country~~  
 65.10 ~~Service Cooperative or Northwest Service Cooperative. Teachers employed by a school~~  
 65.11 ~~district that is not a member of the Lakes Country Service Cooperative or Northwest Service~~  
 65.12 ~~Cooperative may participate in the continuing education program as space allows. A teacher~~  
 65.13 ~~participating in this program is ineligible to participate in other concurrent enrollment teacher~~  
 65.14 ~~training grant programs.~~

65.15 Subd. 6. **Private funding.** The ~~partnership~~ partnerships may receive private resources  
 65.16 to supplement the available public money. All money received in fiscal year 2017 shall be  
 65.17 administered by the Lakes Country Service Cooperative. All money received in fiscal year  
 65.18 2018 and later shall be administered by the State Partnership.

65.19 Subd. 7. **Report required.** (a) The Northwest Regional Partnership must submit an  
 65.20 ~~annual~~ a report by January 15 of each year, 2018, on the progress of its activities to the  
 65.21 legislature, commissioner of education, and Board of Trustees of the Minnesota State  
 65.22 Colleges and Universities. The ~~annual~~ report shall contain a financial report for the preceding  
 65.23 year. ~~The first report is due no later than January 15, 2018.~~

65.24 (b) If established, the State Partnership must submit an annual joint report to the  
 65.25 legislature and the Office of Higher Education by January 15 of each year on the progress  
 65.26 of its activities. The report must include the number of teachers participating in the program,  
 65.27 the geographic location of the teachers, the number of credits earned, and the subject areas  
 65.28 of the courses in which participants earned credit. The report must include a financial report  
 65.29 for the preceding year.

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

65.31 Sec. 49. Laws 2016, chapter 189, article 25, section 62, subdivision 7, is amended to read:

65.32 Subd. 7. **Education Innovation Partners Cooperative Center.** (a) For a matching  
 65.33 grant to Education Innovation Partners Cooperative Center, No. 6091-50, to provide

66.1 research-based professional development services, on-site training, and leadership coaching  
 66.2 to teachers and other school staff:

66.3                   ~~500,000~~  
 66.4           \$            90,000     ..... 2017  
 66.5           \$            410,000     ..... 2018

66.6           (b) \$410,000 of the \$500,000 appropriation in Laws 2016, chapter 189, article 25, section  
 66.7 62, subdivision 7, is canceled to the state general fund on June 30, 2017.

66.8           (c) A grant under this subdivision must be matched with money or in-kind contributions  
 66.9 from nonstate sources. This is a onetime appropriation. This appropriation is available until  
 66.10 June 30, 2019.

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

66.12           Sec. 50. Laws 2016, chapter 189, article 25, section 62, subdivision 11, is amended to  
 66.13 read:

66.14           Subd. 11. **Student teachers in shortage areas.** For transfer to the commissioner of the  
 66.15 Office of Higher Education for the purpose of providing grants to student teachers in shortage  
 66.16 areas under Minnesota Statutes, section 136A.1275:

66.17           \$            2,800,000     ..... 2017

66.18           Of this amount, up to two percent is for administration of the student teacher grant  
 66.19 program in expectation that the Office of Higher Education will begin to disburse grants  
 66.20 no later than September 1, 2017. This is a onetime appropriation. This appropriation is  
 66.21 available until June 30, 2019.

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

66.23           Sec. 51. **AGRICULTURAL EDUCATOR GRANTS.**

66.24           Subdivision 1. **Grant program established.** A grant program is established to support  
 66.25 school districts in paying agricultural education teachers for work over the summer with  
 66.26 high school students in extended programs.

66.27           Subd. 2. **Application.** The commissioner of education shall develop the form and method  
 66.28 for applying for the grants. The commissioner shall develop criteria for determining the  
 66.29 allocation of the grants, including appropriate goals for the use of the grants.

66.30           Subd. 3. **Grant awards.** Grant funding under this section must be matched by funding  
 66.31 from the school district for the agricultural education teacher's summer employment. Grant  
 66.32 funding for each teacher is limited to the one-half share of 40 working days.

67.1 Subd. 4. **Reports.** School districts that receive grant funds shall report to the  
67.2 commissioner of education no later than December 31 of each year regarding the number  
67.3 of teachers funded by the grant program and the outcomes compared to the goals established  
67.4 in the grant application. The Department of Education shall develop the criteria necessary  
67.5 for the reports.

67.6 Sec. 52. **INNOVATION RESEARCH ZONES PILOT PROGRAM.**

67.7 Subdivision 1. **Establishment; requirements for participation; research zone plans.**

67.8 (a) The innovation research zone pilot program is established to improve student and school  
67.9 outcomes consistent with the world's best workforce requirements under Minnesota Statutes,  
67.10 section 120B.11. Innovation zone partnerships allow school districts and charter schools to  
67.11 research and implement innovative education programming models designed to better  
67.12 prepare students for the world of the 21st century.

67.13 (b) One or more school districts or charter schools may join together to form an innovation  
67.14 zone partnership. The partnership may include other nonschool partners, including  
67.15 postsecondary institutions, other units of local government, nonprofit organizations, and  
67.16 for-profit organizations. An innovation zone plan must be collaboratively developed in  
67.17 concert with the school's instructional staff.

67.18 (c) An innovation research zone partnership must research and implement innovative  
67.19 education programs and models that are based on proposed hypotheses. An innovation zone  
67.20 plan may include an emerging practice not yet supported by peer-reviewed research.

67.21 Examples of innovation zone research may include, but are not limited to:

67.22 (1) personalized learning, allowing students to excel at their own pace and according to  
67.23 their interests, aspirations, and unique needs;

67.24 (2) the use of competency outcomes rather than seat time and course completion to fulfill  
67.25 standards, credits, and other graduation requirements;

67.26 (3) multidisciplinary, real-world, inquiry-based, and student-directed models designed  
67.27 to make learning more engaging and relevant, including documenting and validating learning  
67.28 that takes place beyond the school day and school walls;

67.29 (4) models of instruction designed to close the achievement gap, including new models  
67.30 for age three to grade 3 models, English as a second language models, early identification  
67.31 and prevention of mental health issues, and others;

68.1 (5) new partnerships between secondary schools and postsecondary institutions,  
 68.2 employers, or career training institutions enabling students to complete industry certifications,  
 68.3 postsecondary education credits, and other credentials;

68.4 (6) new methods of collaborative leadership including the expansion of schools where  
 68.5 teachers have larger professional roles;

68.6 (7) new ways to enhance parental and community involvement in learning;

68.7 (8) new models of professional development for educators, including embedded  
 68.8 professional development; or

68.9 (9) new models in other areas such as whole child instruction, social-emotional skill  
 68.10 development, technology-based or blended learning, parent and community involvement,  
 68.11 professional development and mentoring, and models that increase the return on investment.

68.12 (d) An innovation zone plan submitted to the commissioner must describe:

68.13 (1) how the plan will improve student and school outcomes consistent with the world's  
 68.14 best workforce requirements under Minnesota Statutes, section 120B.11;

68.15 (2) the role of each partner in the zone;

68.16 (3) the research methodology used for each proposed action in the plan;

68.17 (4) the exemptions from statutes and rules in subdivision 2 that the research zone  
 68.18 partnership will use;

68.19 (5) a description of how teachers and other educational staff from the affected school  
 68.20 sites will be included in the planning and implementation process;

68.21 (6) a detailed description of expected outcomes and graduation standards;

68.22 (7) a timeline for implementing the plan and assessing the outcomes; and

68.23 (8) how results of the plan will be disseminated.

68.24 The governing board for each partner must approve the innovation zone plan.

68.25 (e) Upon unanimous approval of the initial innovation zone partners and approval of the  
 68.26 commissioner of education, the innovation zone partnership may extend membership to  
 68.27 other partners. A new partner's membership is effective 30 days after the innovation zone  
 68.28 partnership notifies the commissioner of the proposed change in membership unless the  
 68.29 commissioner disapproves the new partner's membership.

68.30 (f) Notwithstanding any other law to the contrary, a school district or charter school  
 68.31 participating in an innovation zone partnership under this section continues to receive all

69.1 revenue and maintains its taxation authority in the same manner as before its participation  
69.2 in the innovation zone partnership. The innovation zone school district and charter school  
69.3 partners remain organized and governed by their respective school boards with general  
69.4 powers under Minnesota Statutes, chapter 123B or 124E, and remain subject to any  
69.5 employment agreements under Minnesota Statutes, chapters 122A and 179A. School district  
69.6 and charter school employees participating in an innovation zone partnership remain  
69.7 employees of their respective school district or charter school.

69.8 (g) An innovation zone partnership may submit its plan at any time to the commissioner  
69.9 in the form and manner specified by the commissioner. The commissioner must approve  
69.10 or reject the plan after reviewing the recommendation of the Innovation Research Zone  
69.11 Advisory Panel. An initial innovation zone plan that has been rejected by the commissioner  
69.12 may be resubmitted to the commissioner after the innovation zone partnership has modified  
69.13 the plan to meet each individually identified objection.

69.14 Subd. 2. Exemptions from laws and rules. (a) Notwithstanding any other law to the  
69.15 contrary, an innovation zone partner with an approved plan is exempt from each of the  
69.16 following state education laws and rules specifically identified in its plan:

69.17 (1) any law or rule from which a district-created, site-governed school under Minnesota  
69.18 Statutes, section 123B.045, is exempt;

69.19 (2) any statute or rule from which the commissioner has exempted another district or  
69.20 charter school, as identified in the list published on the Department of Education's Web site  
69.21 under subdivision 4, paragraph (b);

69.22 (3) online learning program approval under Minnesota Statutes, section 124D.095,  
69.23 subdivision 7, if the school district or charter school offers a course or program online  
69.24 combined with direct access to a teacher for a portion of that course or program;

69.25 (4) restrictions on extended time revenue under Minnesota Statutes, section 126C.10,  
69.26 subdivision 2a, for a student who meets the criteria of Minnesota Statutes, section 124D.68,  
69.27 subdivision 2; and

69.28 (5) any required hours of instruction in any class or subject area for a student who is  
69.29 meeting all competencies consistent with the graduation standards described in the innovation  
69.30 zone plan.

69.31 (b) The exemptions under this subdivision must not be construed as exempting an  
69.32 innovation zone partner from the Minnesota Comprehensive Assessments.

70.1 Subd. 3. **Innovation Research Zone Advisory Panel.** (a) The commissioner must  
70.2 establish and convene an Innovation Research Zone Advisory Panel to review all innovation  
70.3 zone plans submitted for approval.

70.4 (b) The panel must be composed of nine members. One member must be appointed by  
70.5 each of the following organizations: Educators for Excellence, Education Minnesota,  
70.6 Minnesota Association of Secondary School Principals, Minnesota Elementary School  
70.7 Principals' Association, Minnesota Association of School Administrators, Minnesota School  
70.8 Boards Association, Minnesota Association of Charter Schools, and the Office of Higher  
70.9 Education. The commissioner must appoint one member with expertise in evaluation and  
70.10 research.

70.11 Subd. 4. **Commissioner approval.** (a) Upon recommendation of the Innovation Research  
70.12 Zone Advisory Panel, the commissioner may approve up to three innovation zone plans in  
70.13 the seven-county metropolitan area and up to three in greater Minnesota. If an innovation  
70.14 zone partnership fails to implement its innovation zone plan as described in its application  
70.15 and according to the stated timeline, upon recommendation of the Innovation Research  
70.16 Zone Advisory Panel, the commissioner must alert the partnership members and provide  
70.17 the opportunity to remediate. If implementation continues to fail, the commissioner must  
70.18 suspend or terminate the innovation zone plan.

70.19 (b) The commissioner must publish a list of the exemptions the commissioner has granted  
70.20 to a district or charter school on the Department of Education's Web site by July 1, 2017.  
70.21 The list must be updated annually.

70.22 Subd. 5. **Project evaluation, dissemination, and report to legislature.** Each research  
70.23 zone partnership must submit project data to the commissioner in the form and manner  
70.24 provided for in the approved application. At least once every two years, the commissioner  
70.25 must analyze each innovation zone's progress in realizing the objectives of the innovation  
70.26 zone partnership's plan. The commissioner must summarize and categorize innovation zone  
70.27 plans and submit a report to the legislative committees having jurisdiction over education  
70.28 by February 1 of each odd-numbered year in accordance with Minnesota Statutes, section  
70.29 3.195.

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

71.1 **Sec. 53. COMMISSIONER OF EDUCATION MUST SUBMIT ESSA PLAN TO**  
 71.2 **LEGISLATURE.**

71.3 Subdivision 1. **ESSA plan.** The commissioner of education must submit the state plan  
 71.4 developed pursuant to the Elementary and Secondary Education Act of 1965, as amended  
 71.5 by the Every Student Succeeds Act, United States Code, title 20, section 6311, to the  
 71.6 education policy and finance committees of the legislature at least 30 days before submitting  
 71.7 the plan to the United States Department of Education.

71.8 Subd. 2. **Alignment with World's Best Workforce measures.** The state plan must be  
 71.9 consistent and aligned, to the extent practicable, with the performance accountability  
 71.10 measures required under Minnesota Statutes, section 120B.11, subdivision 1a, to create a  
 71.11 single accountability system for all public schools.

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

71.13 **Sec. 54. EDUCATIONAL STABILITY FOR STUDENTS IN FOSTER CARE.**

71.14 Subdivision 1. **Establishment.** A pilot project is established to provide incentives for  
 71.15 school districts and county governments to develop partnership agreements and implement  
 71.16 transportation plans to help keep foster care students enrolled in their school of origin when  
 71.17 a student is placed in a foster care setting outside the school of origin's boundaries.

71.18 Subd. 2. **Qualifying plans.** A school district must submit an application in the form and  
 71.19 manner prescribed by the commissioner of education to participate in the program. To  
 71.20 qualify for participation, one or more school districts and the local child welfare agency  
 71.21 must have a written interagency agreement that describes the local plan for ensuring  
 71.22 educational stability for foster care students. The parties to the agreement must seek Title  
 71.23 IV-E reimbursement for eligible students and eligible transportation costs. The plan must  
 71.24 describe:

71.25 (1) how transportation services will be arranged and provided; and

71.26 (2) how local transportation costs will be paid for if pilot project funds are insufficient  
 71.27 to cover all costs.

71.28 Subd. 3. **Pilot project; funding.** The commissioner must reimburse partnerships with  
 71.29 qualifying plans under subdivision 2 at the end of the school year based on allowable  
 71.30 expenditures and reimbursements and compliance with other reporting requirements. If the  
 71.31 available appropriation is insufficient to fully fund all qualifying plans, the commissioner  
 71.32 may prorate the available funds statewide among all school districts with qualifying plans.

72.1 Subd. 4. **Report.** By February 1, 2018, the commissioner of education shall report on  
 72.2 the pilot project to the legislative committees with jurisdiction over early childhood through  
 72.3 grade 12 education. The report must include, at a minimum, the number of local agreements  
 72.4 entered into for this project along with the number of school districts and counties  
 72.5 participating in the agreements, baseline data showing the number of foster care students  
 72.6 who were able to remain in their school of origin and the changes in the ratio over the time  
 72.7 of the pilot project, data on expenditures for school stability transportation and federal  
 72.8 reimbursements received for the pilot project with a midyear projection of end-of-year costs  
 72.9 and revenues, and projected costs for statewide implementation of the program.

72.10 Sec. 55. **RURAL CAREER AND TECHNICAL EDUCATION CONSORTIUM**  
 72.11 **GRANTS.**

72.12 Subdivision 1. **Definition.** "Rural career and technical education (CTE) consortium"  
 72.13 means a voluntary collaboration of a service cooperative and other regional public and  
 72.14 private partners, including school districts and higher education institutions, that work  
 72.15 together to provide career and technical education opportunities within the service  
 72.16 cooperative's multicounty service area.

72.17 Subd. 2. **Establishment.** (a) A rural CTE consortium shall:

72.18 (1) focus on the development of courses and programs that encourage collaboration  
 72.19 between two or more school districts;

72.20 (2) develop new career and technical programs that focus on the industry sectors that  
 72.21 fuel the rural regional economy;

72.22 (3) facilitate the development of highly trained and knowledgeable students who are  
 72.23 equipped with technical and workplace skills needed by regional employers;

72.24 (4) improve access to career and technical education programs for students who attend  
 72.25 sparsely populated rural school districts by developing public and private partnerships with  
 72.26 business and industry leaders and by increasing coordination of high school and  
 72.27 postsecondary program options;

72.28 (5) increase family and student awareness of the availability and benefit of career and  
 72.29 technical education courses and training opportunities; and

72.30 (6) provide capital start-up costs for items including but not limited to a mobile welding  
 72.31 lab, medical equipment and lab, and industrial kitchen equipment.

72.32 (b) In addition to the requirements in paragraph (a), a rural CTE consortium may:



73.1 (1) address the teacher shortage crisis in career and technical education through incentive  
 73.2 funding and training programs; and

73.3 (2) provide transportation reimbursement grants to provide equitable opportunities  
 73.4 throughout the region for students to participate in career and technical education.

73.5 Subd. 3. **Rural career and technical education advisory committee.** In order to be  
 73.6 eligible for a grant under this section, a service cooperative must establish a rural career  
 73.7 and technical education advisory committee to advise the cooperative on the administration  
 73.8 of the rural CTE consortium.

73.9 Subd. 4. **Private funding.** A rural CTE consortium may receive other sources of funds  
 73.10 to supplement state funding. All funds received shall be administered by the service  
 73.11 cooperative that is a member of the consortium.

73.12 Subd. 5. **Reporting requirements.** A rural CTE consortium must submit an annual  
 73.13 report on the progress of its activities to the commissioner of education and the legislative  
 73.14 committees with jurisdiction over secondary and postsecondary education. The annual report  
 73.15 must contain a financial report for the preceding fiscal year. The first report is due no later  
 73.16 than January 15, 2019.

73.17 Subd. 6. **Grant recipients.** For fiscal years 2018 and 2019, the commissioner shall  
 73.18 award a two-year grant to the consortium that is a collaboration of the Southwest/West  
 73.19 Central Service Cooperative (SWWC), Southwest Minnesota State University, Minnesota  
 73.20 West Community and Technical College, Ridgewater College, and other regional public  
 73.21 and private partners. For fiscal years 2020 and 2021, the commissioner shall award a two-year  
 73.22 grant to an applicant consortium that includes the South Central Service Cooperative or  
 73.23 Southeast Service Cooperative and a two-year grant to an applicant consortium that includes  
 73.24 the Northwest Service Cooperative or Northeast Service Cooperative.

73.25 Sec. 56. **INTERMEDIATE SCHOOL DISTRICT MENTAL HEALTH INNOVATION**  
 73.26 **GRANT PROGRAM; APPROPRIATION.**

73.27 (a) \$2,450,000 in fiscal year 2018 and \$2,450,000 in fiscal year 2019 are appropriated  
 73.28 from the general fund to the commissioner of human services for a grant program to fund  
 73.29 innovative projects to improve mental health outcomes for youth attending a qualifying  
 73.30 school unit.

73.31 (b) A "qualifying school unit" means an intermediate district organized under Minnesota  
 73.32 Statutes, section 136D.01, or a service cooperative organized under Minnesota Statutes,  
 73.33 section 123A.21, subdivision 1, paragraph (a), clause (2), that provides instruction to students

74.1 in a setting of federal instructional level 4 or higher. Grants under paragraph (a) must be  
74.2 awarded to eligible applicants such that the services are proportionately provided among  
74.3 qualifying school units. The commissioner shall calculate the share of the appropriation to  
74.4 be used in each qualifying school unit by dividing the qualifying school unit's average daily  
74.5 membership in a setting of federal instructional level 4 or higher for fiscal year 2016 by the  
74.6 total average daily membership in a setting of federal instructional level 4 or higher for the  
74.7 same year for all qualifying school units.

74.8 (c) An eligible applicant is an entity that has demonstrated capacity to serve the youth  
74.9 identified in paragraph (a) and that is:

74.10 (1) certified under Minnesota Rules, parts 9520.0750 to 9520.0870;

74.11 (2) a community mental health center under Minnesota Statutes, section 256B.0625,  
74.12 subdivision 5;

74.13 (3) an Indian health service facility or facility owned and operated by a tribe or tribal  
74.14 organization operating under United States Code, title 25, section 5321; or

74.15 (4) a provider of children's therapeutic services and supports as defined in Minnesota  
74.16 Statutes, section 256B.0943.

74.17 (d) An eligible applicant must employ or contract with at least two licensed mental health  
74.18 professionals as defined in Minnesota Statutes, section 245.4871, subdivision 27, clauses  
74.19 (1) to (6), who have formal training in evidence-based practices.

74.20 (e) A qualifying school unit must submit an application to the commissioner in the form  
74.21 and manner specified by the commissioner. The commissioner may approve an application  
74.22 that describes models for innovative projects to serve the needs of the schools and students.  
74.23 The commissioner may provide technical assistance to the qualifying school unit. The  
74.24 commissioner shall then solicit grant project proposals and award grant funding to the  
74.25 eligible applicants whose project proposals best meet the requirements of this section and  
74.26 most closely adhere to the models created by the intermediate districts and service  
74.27 cooperatives.

74.28 (f) To receive grant funding, an eligible applicant must obtain a letter of support for the  
74.29 applicant's grant project proposal from each qualifying school unit the eligible applicant is  
74.30 proposing to serve. An eligible applicant must also demonstrate the following:

74.31 (1) the ability to seek third-party reimbursement for services;

74.32 (2) the ability to report data and outcomes as required by the commissioner; and

75.1 (3) the existence of partnerships with counties, tribes, substance use disorder providers,  
 75.2 and mental health service providers, including providers of mobile crisis services.

75.3 (g) Grantees shall obtain all available third-party reimbursement sources as a condition  
 75.4 of receiving grant funds. For purposes of this grant program, a third-party reimbursement  
 75.5 source does not include a public school as defined in Minnesota Statutes, section 120A.20,  
 75.6 subdivision 1.

75.7 (h) The base budget for this program is \$0. This appropriation is available until June 30,  
 75.8 2020.

75.9 **Sec. 57. APPROPRIATIONS.**

75.10 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 75.11 appropriated from the general fund to the Department of Education for the fiscal years  
 75.12 designated.

75.13 Subd. 2. **Achievement and integration aid.** For achievement and integration aid under  
 75.14 Minnesota Statutes, section 124D.862:

75.15 \$ 71,249,000 ..... 2018

75.16 \$ 73,267,000 ..... 2019

75.17 The 2018 appropriation includes \$6,725,000 for 2017 and \$64,524,000 for 2018.

75.18 The 2019 appropriation includes \$7,169,000 for 2018 and \$66,098,000 for 2019.

75.19 Subd. 3. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes,  
 75.20 section 124D.98:

75.21 \$ 47,264,000 ..... 2018

75.22 \$ 47,763,000 ..... 2019

75.23 The 2018 appropriation includes \$4,597,000 for 2017 and \$42,667,000 for 2018.

75.24 The 2019 appropriation includes \$4,740,000 for 2018 and \$43,023,000 for 2019.

75.25 Subd. 4. **Interdistrict desegregation or integration transportation grants.** For  
 75.26 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
 75.27 section 124D.87:

75.28 \$ 13,337,000 ..... 2018

75.29 \$ 14,075,000 ..... 2019

75.30 Subd. 5. **Tribal contract schools.** For tribal contract school aid under Minnesota Statutes,  
 75.31 section 124D.83:

76.1           \$       3,623,000   ..... 2018

76.2           \$       4,018,000   ..... 2019

76.3           The 2018 appropriation includes \$323,000 for 2017 and \$3,300,000 for 2018.

76.4           The 2019 appropriation includes \$366,000 for 2018 and \$3,652,000 for 2019.

76.5           Subd. 6. **American Indian education aid.** For American Indian education aid under  
 76.6 Minnesota Statutes, section 124D.81, subdivision 2a:

76.7           \$       9,244,000   ..... 2018

76.8           \$       9,464,000   ..... 2019

76.9           The 2018 appropriation includes \$886,000 for 2017 and \$8,358,000 for 2018.

76.10          The 2019 appropriation includes \$928,000 for 2018 and \$8,536,000 for 2019.

76.11          Subd. 7. **Early childhood literacy programs.** (a) For early childhood literacy programs  
 76.12 under Minnesota Statutes, section 119A.50, subdivision 3:

76.13          \$       6,950,000   ..... 2018

76.14          \$       6,950,000   ..... 2019

76.15          (b) Up to \$6,950,000 each year is for leveraging federal and private funding to support  
 76.16 AmeriCorps members serving in the Minnesota reading corps program established by  
 76.17 ServeMinnesota, including costs associated with training and teaching early literacy skills  
 76.18 to children ages three to grade 3 and evaluating the impact of the program under Minnesota  
 76.19 Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

76.20          (c) Any balance in the first year does not cancel but is available in the second year.

76.21          (d) The base for fiscal year 2020 is \$7,950,000.

76.22          Subd. 8. **Concurrent enrollment program.** For concurrent enrollment programs under  
 76.23 Minnesota Statutes, section 124D.091:

76.24          \$       4,000,000   ..... 2018

76.25          \$       4,000,000   ..... 2019

76.26          If the appropriation is insufficient, the commissioner must proportionately reduce the  
 76.27 aid payment to each district.

76.28          Any balance in the first year does not cancel but is available in the second year.

76.29          Subd. 9. **Expanded concurrent enrollment grants.** For grants to institutions offering  
 76.30 "Introduction to Teaching" or "Introduction to Education" college in the schools courses  
 76.31 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

77.1           \$           375,000   ..... 2018

77.2           \$           375,000   ..... 2019

77.3           The department may retain up to five percent of the appropriation amount to monitor  
 77.4 and administer the grant program.

77.5           Subd. 10. **ServeMinnesota program.** For funding ServeMinnesota programs under  
 77.6 Minnesota Statutes, sections 124D.37 to 124D.45:

77.7           \$           900,000   ..... 2018

77.8           \$           900,000   ..... 2019

77.9           A grantee organization may provide health and child care coverage to the dependents  
 77.10 of each participant enrolled in a full-time ServeMinnesota program to the extent such  
 77.11 coverage is not otherwise available.

77.12          Subd. 11. **Student organizations.** For student organizations:

77.13          \$           725,000   ..... 2018

77.14          \$           725,000   ..... 2019

77.15          (a) \$46,000 each year is for student organizations serving health occupations (HOSA).

77.16          (b) \$100,000 each year is for student organizations serving trade and industry occupations  
 77.17 (Skills USA, secondary and postsecondary).

77.18          (c) \$95,000 each year is for student organizations serving business occupations (BPA,  
 77.19 secondary and postsecondary).

77.20          (d) \$193,000 each year is for student organizations serving agriculture occupations (FFA,  
 77.21 PAS).

77.22          (e) \$142,000 in fiscal years 2018 and 2019 is for student organizations serving family  
 77.23 and consumer science occupations (FCCLA). Notwithstanding Minnesota Rules, part  
 77.24 3505.1000, subparts 28 and 31, the student organizations serving FCCLA shall continue to  
 77.25 serve students younger than grade 9. Beginning in fiscal year 2020, the amount is \$185,000.

77.26          (f) \$109,000 each year is for student organizations serving marketing occupations (DECA  
 77.27 and DECA collegiate).

77.28          (g) \$40,000 each year is for the Minnesota Foundation for Student Organizations.

77.29          (h) Any balance in the first year does not cancel but is available in the second year.

77.30          (i) The base for fiscal year 2020 and later is \$768,000.

78.1 Subd. 12. **Museums and education centers.** For grants to museums and education  
 78.2 centers:

78.3 \$ 460,000 ..... 2018

78.4 \$ 460,000 ..... 2019

78.5 (a) \$319,000 each year is for the Minnesota Children's Museum. Of the amount in this  
 78.6 paragraph, \$50,000 in each year is for the Minnesota Children's Museum, Rochester.

78.7 (b) \$50,000 each year is for the Duluth Children's Museum.

78.8 (c) \$41,000 each year is for the Minnesota Academy of Science.

78.9 (d) \$50,000 each year is for the Headwaters Science Center.

78.10 Any balance in the first year does not cancel but is available in the second year.

78.11 Subd. 13. **Minnesota Center for the Book programming.** For grants to the entity  
 78.12 designated by the Library of Congress as the Minnesota Center for the Book to provide  
 78.13 statewide programming related to the Minnesota Book Awards and for additional  
 78.14 programming throughout the state related to the Center for the Book designation:

78.15 \$ 50,000 ..... 2018

78.16 \$ 50,000 ..... 2019

78.17 The base for fiscal year 2020 is \$0.

78.18 Subd. 14. **Singing-based pilot program to improve student reading.** (a) For a grant  
 78.19 to pilot a research-supported, computer-based educational program that uses singing to  
 78.20 improve the reading ability of students in grades 2 through 5:

78.21 \$ 500,000 ..... 2018

78.22 \$ 0 ..... 2019

78.23 (b) The commissioner of education shall award a grant to the Rock 'n' Read Project to  
 78.24 implement a research-supported, computer-based educational program that uses singing to  
 78.25 improve the reading ability of students in grades 2 through 5. The grantee shall be responsible  
 78.26 for selecting participating school sites; providing any required hardware and software,  
 78.27 including software licenses, for the duration of the grant period; providing technical support,  
 78.28 training, and staff to install required project hardware and software; providing on-site  
 78.29 professional development and instructional monitoring and support for school staff and  
 78.30 students; administering preintervention and postintervention reading assessments; evaluating  
 78.31 the impact of the intervention; and other project management services as required. To the  
 78.32 extent practicable, the grantee must select participating schools in urban, suburban, and

79.1 greater Minnesota, and give priority to schools in which a high proportion of students do  
 79.2 not read proficiently at grade level and are eligible for free or reduced-price lunch.

79.3 (c) By February 15, 2019, the grantee must submit a report detailing expenditures and  
 79.4 outcomes of the grant to the commissioner of education and the chairs and ranking minority  
 79.5 members of the legislative committees with primary jurisdiction over kindergarten through  
 79.6 grade 12 education policy and finance.

79.7 (d) This is a onetime appropriation.

79.8 Subd. 15. **Starbase MN.** (a) For a grant to Starbase MN for a rigorous science,  
 79.9 technology, engineering, and math (STEM) program providing students in grades 4 through  
 79.10 6 with a multisensory learning experience and a hands-on curriculum in an aerospace  
 79.11 environment using state-of-the-art technology:

79.12 \$ 1,350,000 ..... 2018

79.13 \$ 0 ..... 2019

79.14 (b) Any balance in the first year does not cancel but is available in the second year. The  
 79.15 base for fiscal year 2020 is \$500,000.

79.16 (c) All unspent funds, estimated at \$850,000 the Starbase MN appropriation under Laws  
 79.17 2015, First Special Session chapter 3, article 2, section 70, subdivision 17, are canceled the  
 79.18 day following final enactment.

79.19 Subd. 16. **Recovery program grants.** For recovery program grants under Minnesota  
 79.20 Statutes, section 124D.695:

79.21 \$ 750,000 ..... 2018

79.22 \$ 750,000 ..... 2019

79.23 Any balance in the first year does not cancel but is available in the second year.

79.24 Subd. 17. **Minnesota math corps program.** For the Minnesota math corps program  
 79.25 under Minnesota Statutes, section 124D.42, subdivision 9:

79.26 \$ 500,000 ..... 2018

79.27 \$ 500,000 ..... 2019

79.28 Any balance in the first year does not cancel but is available in the second year.

79.29 Subd. 18. **Civic education grants.** For grants to the Minnesota Civic Education Coalition,  
 79.30 Minnesota Civic Youth, Learning Law and Democracy Foundation, and YMCA Youth in  
 79.31 Government to provide civic education programs for Minnesota youth age 18 and younger.  
 79.32 Civic education is the study of constitutional principles and the democratic foundation of

80.1 our national, state, and local institutions, and the study of political processes and structures  
 80.2 of government, grounded in the understanding of constitutional government under the rule  
 80.3 of law.

80.4 \$ 125,000 ..... 2018

80.5 \$ 125,000 ..... 2019

80.6 Any balance in the first year does not cancel but is available in the second year. The  
 80.7 budget base for this program is \$0.

80.8 Subd. 19. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota  
 80.9 College of Education and Human Development for the operation of the Minnesota Principals  
 80.10 Academy:

80.11 \$ 200,000 ..... 2018

80.12 \$ 200,000 ..... 2019

80.13 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals  
 80.14 and school leaders from schools identified for intervention under the state's accountability  
 80.15 system as implemented to comply with the federal Every Student Succeeds Act. To the  
 80.16 extent funds are available, the Department of Education is encouraged to use up to \$200,000  
 80.17 of federal Title II funds to support additional participation in the Principals Academy by  
 80.18 principals and school leaders from schools identified for intervention under the state's  
 80.19 accountability system as implemented to comply with the federal Every Student Succeeds  
 80.20 Act.

80.21 (c) Any balance in the first year does not cancel but is available in the second year.

80.22 Subd. 20. **Educational stability for students living in foster care.** For a pilot project  
 80.23 to promote educational stability for students living in foster care:

80.24 \$ 1,000,000 ..... 2018

80.25 Up to five percent of the appropriation may be used for state and local administrative  
 80.26 costs such as reporting, technical support, and establishing a Title IV-E reimbursement  
 80.27 claiming process. This is a onetime appropriation. This appropriation is available until June  
 80.28 30, 2019.

80.29 Subd. 21. **Charter school building lease aid.** For building lease aid under Minnesota  
 80.30 Statutes, section 124E.22:

80.31 \$ 73,341,000 ..... 2018

80.32 \$ 78,802,000 ..... 2019

80.33 The 2018 appropriation includes \$6,850,000 for 2017 and \$66,491,000 for 2018.



81.1 The 2019 appropriation includes \$7,387,000 for 2018 and \$71,415,000 for 2019.

81.2 Subd. 22. **Race 2 Reduce.** (a) For grants to support expanded Race 2 Reduce water  
 81.3 conservation programming in Minnesota schools:

81.4 \$ 307,000 ..... 2018

81.5 \$ 0 ..... 2019

81.6 (b) \$143,000 is for H2O for Life; \$98,000 is for Independent School District No. 624,  
 81.7 White Bear Lake; and \$66,000 is for Independent School District No. 832, Mahtomedi.

81.8 (c) The appropriation is available until June 30, 2019. The base for fiscal year 2020 is  
 81.9 \$0.

81.10 Subd. 23. **Paraprofessional pathway to teacher licensure.** (a) For grants to school  
 81.11 districts for Grow Your Own new teacher programs:

81.12 \$ 1,500,000 ..... 2018

81.13 \$ 1,500,000 ..... 2019

81.14 (b) The grants are for school districts with more than 30 percent minority students for  
 81.15 a Board of Teaching-approved nonconventional teacher residency pilot program. The  
 81.16 program must provide tuition scholarships or stipends to enable school district employees  
 81.17 or community members affiliated with a school district who seek an education license to  
 81.18 participate in a nonconventional teacher preparation program. School districts that receive  
 81.19 funds under this subdivision are strongly encouraged to recruit candidates of color and  
 81.20 American Indian candidates to participate in the Grow Your Own new teacher programs.  
 81.21 Districts or schools providing financial support may require a commitment as determined  
 81.22 by the district to teach in the district or school for a reasonable amount of time that does  
 81.23 not exceed five years.

81.24 (c) School districts and charter schools may also apply for grants to develop innovative  
 81.25 expanded Grow Your Own programs that encourage secondary school students to pursue  
 81.26 teaching, including developing and offering dual-credit postsecondary course options in  
 81.27 schools for "Introduction to Teaching" or "Introduction to Education" courses consistent  
 81.28 with Minnesota Statutes, section 124D.09, subdivision 10.

81.29 (d) Programs must annually report to the commissioner by the date determined by the  
 81.30 commissioner on their activities under this section, including the number of participants,  
 81.31 the percentage of participants who are of color or who are American Indian, and an  
 81.32 assessment of program effectiveness, including participant feedback, areas for improvement,  
 81.33 the percentage of participants continuing to pursue teacher licensure, and the number of  
 81.34 participants hired in the school or district as teachers after completing preparation programs.

82.1 (e) The department may retain up to three percent of the appropriation amount to monitor  
 82.2 and administer the grant program.

82.3 (f) Any balance in the first year does not cancel but is available in the second year.

82.4 Subd. 24. **Statewide testing and reporting system.** For the statewide testing and  
 82.5 reporting system under Minnesota Statutes, section 120B.30:

82.6 \$ 10,892,000 ..... 2018

82.7 \$ 10,892,000 ..... 2019

82.8 Any balance in the first year does not cancel but is available in the second year.

82.9 Subd. 25. **College entrance examination reimbursement.** To reimburse districts for  
 82.10 students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph  
 82.11 (e), for payment of their college entrance examination fee:

82.12 \$ 1,511,000 ..... 2018

82.13 \$ 1,511,000 ..... 2019

82.14 The commissioner must reimburse school districts for their costs for free or reduced-price  
 82.15 meal eligible students who take the ACT or SAT test under Minnesota Statutes, section  
 82.16 120B.30, subdivision 1.

82.17 Any balance in the first year does not cancel but is available in the second year.

82.18 Subd. 26. **Alternative teacher compensation aid.** For alternative teacher compensation  
 82.19 aid under Minnesota Statutes, section 122A.415, subdivision 4:

82.20 \$ 89,863,000 ..... 2018

82.21 \$ 89,623,000 ..... 2019

82.22 The 2018 appropriation includes \$8,917,000 for 2017 and \$80,946,000 for 2018.

82.23 The 2019 appropriation includes \$8,994,000 for 2018 and \$80,629,000 for 2019.

82.24 Subd. 27. **Collaborative urban and greater Minnesota educators of color program**  
 82.25 grants. (a) For collaborative urban and greater Minnesota educators of color program grants:

82.26 \$ 1,000,000 ..... 2018

82.27 \$ 1,000,000 ..... 2019

82.28 (b) Grants shall be awarded in equal amounts: \$195,000 each year is for the Southeast  
 82.29 Asian Teacher program at Concordia University, St. Paul; \$195,000 each year is for the  
 82.30 Collaborative Urban Educator program at the University of St. Thomas; \$195,000 each year  
 82.31 is for the Center for Excellence in Urban Teaching at Hamline University; and \$195,000  
 82.32 each year is for the East Africa Student to Teacher program at Augsburg College.

83.1 (c) By January 15 of each year, each institution shall prepare for the legislature a detailed  
 83.2 report regarding the funds used to recruit, retain, and induct teacher candidates who are of  
 83.3 color or who are American Indian. The report must include the total number of teacher  
 83.4 candidates of color, disaggregated by race or ethnic group, who are recruited to the institution,  
 83.5 are newly admitted to the licensure program, are enrolled in the licensure program, have  
 83.6 completed student teaching, have graduated, and are licensed and newly employed as  
 83.7 Minnesota teachers in their licensure field. The total number of teacher candidates who are  
 83.8 of color or who are American Indian at each stage from recruitment to licensed teaching  
 83.9 must be reported as a percentage of total candidates seeking the same licensure at the  
 83.10 institution. The report must include the graduation rate for each cohort of teacher candidates,  
 83.11 the placement rate for each graduating cohort of teacher candidates, and the retention rate  
 83.12 for each graduating cohort of teacher candidates, among other program outcomes.

83.13 (d) The commissioner must establish a competitive grant process to award \$220,000  
 83.14 each year to Board of Teaching-approved teacher preparation programs, including alternative  
 83.15 teacher preparation programs. The competitive process must award grants based on program  
 83.16 benchmarks, including licensure rates, participation rates, and on-time graduation rates.

83.17 (e) For fiscal year 2020 and later, the commissioner must award all collaborative urban  
 83.18 educator grants through the competitive grant program.

83.19 (f) Any balance in the first year does not cancel but is available in the second year.

83.20 Subd. 28. **Examination fees; teacher training and support programs.** (a) For students'  
 83.21 advanced placement and international baccalaureate examination fees under Minnesota  
 83.22 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and  
 83.23 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

83.24	<u>\$</u>	<u>4,500,000</u>	<u>.....</u>	<u>2018</u>
83.25	<u>\$</u>	<u>4,500,000</u>	<u>.....</u>	<u>2019</u>

83.26 (b) The advanced placement program shall receive 75 percent of the appropriation each  
 83.27 year and the international baccalaureate program shall receive 25 percent of the appropriation  
 83.28 each year. The department, in consultation with representatives of the advanced placement  
 83.29 and international baccalaureate programs selected by the Advanced Placement Advisory  
 83.30 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts  
 83.31 of the expenditures each year for examination fees and training and support programs for  
 83.32 each program.

83.33 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000  
 83.34 each year is for teachers to attend subject matter summer training programs and follow-up

84.1 support workshops approved by the advanced placement or international baccalaureate  
 84.2 programs. The amount of the subsidy for each teacher attending an advanced placement or  
 84.3 international baccalaureate summer training program or workshop shall be the same. The  
 84.4 commissioner shall determine the payment process and the amount of the subsidy.

84.5 (d) The commissioner shall pay all examination fees for all students of low-income  
 84.6 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of  
 84.7 available appropriations, shall also pay examination fees for students sitting for an advanced  
 84.8 placement examination, international baccalaureate examination, or both.

84.9 Any balance in the first year does not cancel but is available in the second year.

84.10 Subd. 29. **Grants to increase science, technology, engineering, and math course**  
 84.11 **offerings.** For grants to schools to encourage low-income and other underserved students  
 84.12 to participate in advanced placement and international baccalaureate programs according  
 84.13 to Minnesota Statutes, section 120B.132:

84.14 \$ 250,000 ..... 2018

84.15 \$ 250,000 ..... 2019

84.16 Any balance in the first year does not cancel but is available in the second year.

84.17 Subd. 30. **Agricultural educator grants.** For agricultural educator grants under section  
 84.18 51:

84.19 \$ 250,000 ..... 2018

84.20 \$ 250,000 ..... 2019

84.21 Any balance in the first year does not cancel but is available in the second year.

84.22 Subd. 31. **American Indian teacher preparation grants.** For joint grants to assist  
 84.23 American Indian people to become teachers under Minnesota Statutes, section 122A.63:

84.24 \$ 460,000 ..... 2018

84.25 \$ 460,000 ..... 2019

84.26 Subd. 32. **African American Registry.** (a) For grants to the African American Registry  
 84.27 for the Teacher's Forum:

84.28 \$ 100,000 ..... 2018

84.29 \$ 100,000 ..... 2019

84.30 (b) The African American Registry must use the grant funds to establish partnerships  
 84.31 with Metropolitan State University and the University of St. Thomas to improve the cultural  
 84.32 competency of candidates seeking a first teaching license. By January 15 of each year, the  
 84.33 African American Registry shall submit to the legislature a detailed report regarding the

85.1 funds used. The report must include the number of teachers prepared. The base in fiscal  
 85.2 year 2020 is \$0.

85.3 Subd. 33. **Rural career and technical education consortium.** (a) For rural career and  
 85.4 technical education consortium grants:

85.5 \$ 1,500,000 ..... 2018

85.6 \$ 1,500,000 ..... 2019

85.7 This appropriation is available until June 30, 2022. If the appropriation in the first year  
 85.8 is insufficient, the 2019 appropriation is available.

85.9 (b) The base in fiscal year 2020 is \$3,000,000.

85.10 Subd. 34. **Sanneh Foundation.** (a) For a grant to the Sanneh Foundation to provide  
 85.11 all-day, in-school, and before- and after-school academic and behavioral interventions for  
 85.12 low-performing and chronically absent students with a focus on low-income students and  
 85.13 students of color throughout the school year and during the summer to decrease absenteeism,  
 85.14 encourage school engagement, and improve grades and graduation rates.

85.15 \$ 1,000,000 ..... 2018

85.16 (b) Funds appropriated in this section must be used to establish and provide services in  
 85.17 schools where the Sanneh Foundation does not currently operate, and must not be used for  
 85.18 programs operating in schools as of June 30, 2017.

85.19 (c) This is a onetime appropriation. Any balance in the first year does not cancel but is  
 85.20 available in the second year.

85.21 Subd. 35. **Alternative teacher preparation grant program.** (a) For transfer to the  
 85.22 commissioner of the Office of Higher Education for alternative teacher preparation program  
 85.23 grants under Minnesota Statutes, section 136A.1276:

85.24 \$ 750,000 ..... 2018

85.25 \$ 0 ..... 2019

85.26 (b) Any balance in the first year does not cancel but is available in the second year.

85.27 Subd. 36. **Teacher shortage loan forgiveness.** (a) For transfer to the commissioner of  
 85.28 the Office of Higher Education for the loan forgiveness program under Minnesota Statutes,  
 85.29 section 136A.1791:

85.30 \$ 500,000 ..... 2018

85.31 \$ 0 ..... 2019

86.1 (b) The commissioner may use no more than three percent of this appropriation to  
 86.2 administer the program under this subdivision.

86.3 (c) Any balance in the first year does not cancel but is available in the second year.

86.4 Subd. 37. **Statewide concurrent enrollment teacher training program.** For the  
 86.5 statewide concurrent enrollment teacher training program under Laws 2016, chapter 189,  
 86.6 article 25, section 58, as amended:

86.7     \$        375,000    .....  2018

86.8     \$        375,000    .....  2019

86.9 Any balance in the first year does not cancel but is available in the second year.

86.10 Sec. 58. **REPEALER.**

86.11 Minnesota Statutes 2016, sections 122A.40, subdivision 11; and 122A.41, subdivision  
 86.12 14, are repealed effective July 1, 2019.

86.13 **ARTICLE 3**

86.14 **TEACHER LICENSURE**

86.15 Section 1. Minnesota Statutes 2016, section 120B.363, subdivision 1, is amended to read:

86.16 Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board  
 86.17 ~~of Teaching~~ must adopt rules to implement a statewide credential for education  
 86.18 paraprofessionals who assist a licensed teacher in providing student instruction. Any  
 86.19 paraprofessional holding this credential or working in a local school district after meeting  
 86.20 a state-approved local assessment is considered to be highly qualified under federal law.  
 86.21 Under this subdivision, the Professional Educator Licensing and Standards Board of  
 86.22 ~~Teaching~~, in consultation with the commissioner, must adopt qualitative criteria for approving  
 86.23 local assessments that include an evaluation of a paraprofessional's knowledge of reading,  
 86.24 writing, and math and the paraprofessional's ability to assist in the instruction of reading,  
 86.25 writing, and math. The commissioner must approve or disapprove local assessments using  
 86.26 these criteria. The commissioner must make the criteria available to the public.

86.27 **EFFECTIVE DATE.** This section is effective January 1, 2018.

86.28 Sec. 2. Minnesota Statutes 2016, section 122A.17, is amended to read:

86.29 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

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

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

87.8 **EFFECTIVE DATE.** This section is effective January 1, 2018.

87.9 Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

87.10 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and  
 87.11 Standards Board of Teaching must license teachers, as defined in section 122A.15,  
 87.12 subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision  
 87.13 2. issue the following teacher licenses to candidates who meet the qualifications prescribed  
 87.14 by this chapter:

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

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

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

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

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

87.21 ~~(c) Licenses under the jurisdiction of the Board of Teaching, the Board of School~~  
 87.22 ~~Administrators, and the commissioner of education must be issued through the licensing~~  
 87.23 ~~section of the department.~~

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

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

87.30 (2) data in the staff automated reporting system for the limited purpose of managing and  
 87.31 processing funding to school districts and other entities.

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

88.6 ~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d),  
 88.7 the Professional Educator Licensing and Standards Board of Teaching, Board of School  
 88.8 Administrators, and Department of Education may share private data, as defined in section  
 88.9 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements  
 88.10 must not include educational data, as defined in section 13.32, subdivision 1, but may include  
 88.11 summary data, as defined in section 13.02, subdivision 19, derived from educational data.

88.12 **EFFECTIVE DATE.** This section is effective July 1, 2018.

88.13 Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

88.14 Subd. 2. **Teacher and Support personnel qualifications.** ~~(a)~~ The Professional Educator  
 88.15 Licensing and Standards Board of Teaching must issue licenses and credentials under its  
 88.16 jurisdiction to persons the board finds to be qualified and competent for their respective  
 88.17 positions, including those meeting the standards adopted under section 122A.09, subdivision  
 88.18 4, paragraph ~~(n)~~ support personnel positions in accordance with section 120B.36.

88.19 ~~(b)~~ The board must require a candidate for teacher licensure to demonstrate a passing  
 88.20 score on a board-adopted examination of skills in reading, writing, and mathematics, before  
 88.21 being granted a professional five-year teaching license to provide direct instruction to pupils  
 88.22 in prekindergarten, elementary, secondary, or special education programs, except that the  
 88.23 board may issue up to four temporary, one-year teaching licenses to an otherwise qualified  
 88.24 candidate who has not yet passed a board-adopted skills exam. At the request of the  
 88.25 employing school district or charter school, the Board of Teaching may issue an initial  
 88.26 professional one-year teaching license to an otherwise qualified teacher not passing or  
 88.27 demonstrating a passing score on a board-adopted skills examination in reading, writing,  
 88.28 and mathematics. For purposes of this section, the initial professional one-year teaching  
 88.29 license issued by the board is limited to the current subject or content matter the teacher is  
 88.30 employed to teach and limited to the district or charter school requesting the initial  
 88.31 professional one-year teaching license. If the board denies the request, it must provide a  
 88.32 detailed response to the school administrator as to the reasons for the denial. The board  
 88.33 must require colleges and universities offering a board-approved teacher preparation program  
 88.34 to make available upon request remedial assistance that includes a formal diagnostic



89.1 ~~component to persons enrolled in their institution who did not achieve a qualifying score~~  
89.2 ~~on a board-adopted skills examination, including those for whom English is a second~~  
89.3 ~~language. The colleges and universities must make available assistance in the specific~~  
89.4 ~~academic areas of candidates' deficiency. School districts may make available upon request~~  
89.5 ~~similar, appropriate, and timely remedial assistance that includes a formal diagnostic~~  
89.6 ~~component to those persons employed by the district who completed their teacher education~~  
89.7 ~~program, who did not achieve a qualifying score on a board-adopted skills examination,~~  
89.8 ~~and who received an initial professional one-year teaching license to teach in Minnesota.~~  
89.9 ~~The Board of Teaching shall report annually to the education committees of the legislature~~  
89.10 ~~on the total number of teacher candidates during the most recent school year taking a~~  
89.11 ~~board-adopted skills examination, the number who achieve a qualifying score on the~~  
89.12 ~~examination, the number who do not achieve a qualifying score on the examination, and~~  
89.13 ~~the candidates who have not passed a content or pedagogy exam, disaggregated by categories~~  
89.14 ~~of race, ethnicity, and eligibility for financial aid.~~

89.15 ~~(e) The Board of Teaching must grant professional five-year teaching licenses only to~~  
89.16 ~~those persons who have met board criteria for that license, which includes passing a~~  
89.17 ~~board-adopted skills examination in reading, writing, and mathematics, and the exceptions~~  
89.18 ~~in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~  
89.19 ~~The requirement to pass a board-adopted reading, writing, and mathematics skills~~  
89.20 ~~examination, does not apply to nonnative English speakers, as verified by qualified Minnesota~~  
89.21 ~~school district personnel or Minnesota higher education faculty, who, after meeting the~~  
89.22 ~~content and pedagogy requirements under this subdivision, apply for a professional five-year~~  
89.23 ~~teaching license to provide direct instruction in their native language or world language~~  
89.24 ~~instruction under section 120B.022, subdivision 1.~~

89.25 ~~(d) All colleges and universities approved by the board of teaching to prepare persons~~  
89.26 ~~for teacher licensure must include in their teacher preparation programs a common core of~~  
89.27 ~~teaching knowledge and skills to be acquired by all persons recommended for teacher~~  
89.28 ~~licensure. Among other requirements, teacher candidates must demonstrate the knowledge~~  
89.29 ~~and skills needed to provide appropriate instruction to English learners to support and~~  
89.30 ~~accelerate their academic literacy, including oral academic language, and achievement in~~  
89.31 ~~content areas in a regular classroom setting. This common core shall meet the standards~~  
89.32 ~~developed by the interstate new teacher assessment and support consortium in its 1992~~  
89.33 ~~"model standards for beginning teacher licensing and development." Amendments to~~  
89.34 ~~standards adopted under this paragraph are covered by chapter 14. The board of teaching~~  
89.35 ~~shall report annually to the education committees of the legislature on the performance of~~

90.1 ~~teacher candidates on common core assessments of knowledge and skills under this paragraph~~  
 90.2 ~~during the most recent school year.~~

90.3 **EFFECTIVE DATE.** This section is effective July 1, 2018.

90.4 Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 2b, is amended to read:

90.5 Subd. 2b. **Reading specialist.** ~~Not later than July 1, 2002,~~ The Professional Educator  
 90.6 Licensing and Standards Board of Teaching must adopt rules providing for reading teacher  
 90.7 licensure.

90.8 **EFFECTIVE DATE.** This section is effective July 1, 2018.

90.9 Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

90.10 Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and  
 90.11 Standards Board of Teaching may allow a person who otherwise qualifies for a Tier 1 license  
 90.12 in accordance with section 122A.181, subdivision 2, or is enrolled in and making satisfactory  
 90.13 progress in a board-approved teacher program and who has successfully completed student  
 90.14 teaching to be employed as a short-call substitute teacher.

90.15 (b) The Professional Educator Licensing and Standards Board of Teaching may issue a  
 90.16 lifetime qualified short-call or long-call substitute teaching license to a person who:

90.17 (1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~  
 90.18 Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183 and 122A.184,  
 90.19 respectively, and receives a retirement annuity from the Teachers Retirement Association  
 90.20 or the St. Paul Teachers Retirement Fund Association;

90.21 (2) holds an out-of-state teaching license and receives a retirement annuity as a result  
 90.22 of the person's teaching experience; or

90.23 (3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board,  
 90.24 under sections 122A.183 and 122A.184, respectively, taught at least three school years in  
 90.25 an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result  
 90.26 of the person's teaching experience.

90.27 A person holding a lifetime qualified short-call or long-call substitute teaching license is  
 90.28 not required to complete continuing education clock hours. A person holding this license  
 90.29 may reapply to the board for either:

91.1 (i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under sections 122A.183  
 91.2 and 122A.184, respectively, and must again complete continuing education clock hours one  
 91.3 school year after receiving the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

91.4 (ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's  
 91.5 degree, an associate's degree, or an appropriate professional credential in the content area  
 91.6 the candidate will teach, in accordance with section 122A.181, subdivision 2.

91.7 **EFFECTIVE DATE.** This section is effective July 1, 2018.

91.8 Sec. 7. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

91.9 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and  
 91.10 Standards Board of Teaching shall establish a temporary license in accordance with section  
 91.11 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90  
 91.12 for an online application or \$86.40 for a paper application. The board must provide candidates  
 91.13 for a license under this subdivision with information regarding the tiered licensure system  
 91.14 provided in sections 122A.18 to 122A.184.

91.15 **EFFECTIVE DATE.** This section is effective July 1, 2018.

91.16 Sec. 8. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

91.17 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards  
 91.18 Board of Teaching and the commissioner of education the Board of School Administrators  
 91.19 must request a criminal history background check from the superintendent of the Bureau  
 91.20 of Criminal Apprehension on all first-time teaching applicants for licenses under their  
 91.21 jurisdiction. Applicants must include with their licensure applications:

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

91.23 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension  
 91.24 for the fee for conducting the criminal history background check.

91.25 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the  
 91.26 background check required under paragraph (a) by retrieving criminal history data as defined  
 91.27 in section 13.87 and shall also conduct a search of the national criminal records repository.  
 91.28 The superintendent is authorized to exchange fingerprints with the Federal Bureau of  
 91.29 Investigation for purposes of the criminal history check. The superintendent shall recover  
 91.30 the cost to the bureau of a background check through the fee charged to the applicant under  
 91.31 paragraph (a).

92.1 (c) The Professional Educator Licensing and Standards Board of Teaching or the  
 92.2 ~~commissioner of education~~ Board of School Administrators may issue a license pending  
 92.3 completion of a background check under this subdivision, but must notify the individual  
 92.4 and the school district or charter school employing the individual that the individual's license  
 92.5 may be revoked based on the result of the background check.

92.6 **EFFECTIVE DATE.** This section is effective July 1, 2018.

92.7 Sec. 9. Minnesota Statutes 2016, section 122A.18, is amended by adding a subdivision to  
 92.8 read:

92.9 **Subd. 10. Licensure via portfolio.** (a) The Professional Educator Licensing and Standards  
 92.10 Board must adopt rules establishing a process for an eligible candidate to obtain any teacher  
 92.11 license under subdivision 1, or to add a licensure field, via portfolio. The portfolio licensure  
 92.12 application process must be consistent with the requirements in this subdivision.

92.13 (b) A candidate for a license must submit to the board one portfolio demonstrating  
 92.14 pedagogical competence and one portfolio demonstrating content competence.

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

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

92.23 (e) A candidate must pay to the board a \$300 fee for the first portfolio submitted for  
 92.24 review and a \$200 fee for any portfolio submitted subsequently. The revenue generated  
 92.25 from the fee must be deposited in an education licensure portfolio account in the special  
 92.26 revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The  
 92.27 board may waive or reduce fees for candidates based on financial need.

92.28 **EFFECTIVE DATE.** This section is effective July 1, 2018.

92.29 Sec. 10. **[122A.181] TIER 1 LICENSE.**

92.30 **Subdivision 1. Application requirements.** The Professional Educator Licensing and  
 92.31 Standards Board must approve a request from a district or charter school to issue a Tier 1  
 92.32 license in a specified content area to a candidate if:

- 93.1 (1) the candidate meets the professional requirement in subdivision 2;
- 93.2 (2) the district or charter school affirms that the candidate has the necessary skills and
- 93.3 knowledge to teach in the specified content area; and
- 93.4 (3) the district or charter school demonstrates that:
- 93.5 (i) a criminal background check under section 122A.18, subdivision 8, has been completed
- 93.6 on the candidate; and
- 93.7 (ii) the district or charter school has posted the teacher position but was unable to hire
- 93.8 an acceptable teacher with a Tier 2, 3, or 4 license for the position.
- 93.9 **Subd. 2. Professional requirements.** (a) A candidate for a Tier 1 license must have a
- 93.10 bachelor's degree to teach a class or course outside a career and technical education or career
- 93.11 pathways course of study.
- 93.12 (b) A candidate for a Tier 1 license must have one of the following credentials in a
- 93.13 relevant content area to teach a class in a career and technical education or career pathways
- 93.14 course of study:
- 93.15 (1) an associate's degree;
- 93.16 (2) a professional certification; or
- 93.17 (3) five years of relevant work experience.
- 93.18 **Subd. 3. Term of license and renewal.** (a) The Professional Educator Licensing and
- 93.19 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license
- 93.20 may be renewed subject to paragraphs (b) and (c). The board may submit written comments
- 93.21 to the district or charter school that requested the renewal regarding the candidate.
- 93.22 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1
- 93.23 license if:
- 93.24 (1) the district or charter school requesting the renewal demonstrates that it has posted
- 93.25 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license
- 93.26 for the position;
- 93.27 (2) the teacher holding the Tier 1 license took a content examination in accordance with
- 93.28 section 122A.185 and submitted the examination results to the teacher's employing district
- 93.29 or charter school within one year of the board approving the request for the initial Tier 1
- 93.30 license; and

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

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

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

94.11 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must  
94.12 accept applications for a Tier 1 teaching license beginning July 1 of the school year for  
94.13 which the license is requested and must issue or deny the Tier 1 teaching license within 30  
94.14 days of receiving the completed application.

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

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

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

94.22 Subd. 6. **Mentorship and evaluation.** (a) A teacher holding a Tier 1 license must  
94.23 participate in the employing district or charter school's mentorship program and professional  
94.24 development.

94.25 (b) A teacher holding a Tier 1 license must participate in an evaluation aligned, to the  
94.26 extent practicable, with the evaluation under section 122A.40, subdivision 8, or 122A.41,  
94.27 subdivision 5.

94.28 **EFFECTIVE DATE.** This section is effective July 1, 2018.

94.29 Sec. 11. **[122A.182] TIER 2 LICENSE.**

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

95.1 (1) the candidate meets the educational or professional requirements in paragraph (b)  
 95.2 or (c);

95.3 (2) the candidate:

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

95.5 (ii) is enrolled in a Minnesota-approved teacher preparation program; or

95.6 (iii) has a master's degree in the specified content area; and

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

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

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

95.14 (1) an associate's degree;

95.15 (2) a professional certification; or

95.16 (3) five years of relevant work experience.

95.17 Subd. 2. **Coursework.** (a) A candidate for a Tier 2 license must meet the coursework  
 95.18 requirement by demonstrating completion of two of the following:

95.19 (1) at least eight upper division or graduate-level credits in the relevant content area;

95.20 (2) field-specific methods of training, including coursework;

95.21 (3) at least two years of teaching experience in a similar content area in any state, as  
 95.22 determined by the board;

95.23 (4) a passing score on the pedagogy and content exams under section 122A.185; or

95.24 (5) completion of a state-approved teacher preparation program.

95.25 (b) For purposes of paragraph (a), "upper division" means classes normally taken at the  
 95.26 junior or senior level of college which require substantial knowledge and skill in the field.  
 95.27 Candidates must identify the upper division credits that fulfill the requirement in paragraph  
 95.28 (a), clause (1).

95.29 Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and  
 95.30 Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license

96.1 may be renewed three times. Before a Tier 2 license is renewed for the first time, a teacher  
96.2 holding a Tier 2 license must participate in cultural competency training consistent with  
96.3 section 120B.30, subdivision 1, paragraph (q). The board must issue rules setting forth the  
96.4 conditions for additional renewals after the initial license has been renewed three times.

96.5 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must  
96.6 accept applications for a Tier 2 teaching license beginning July 1 of the school year for  
96.7 which the license is requested and must issue or deny the Tier 2 teaching license within 30  
96.8 days of receiving the completed application.

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

96.12 (b) A Tier 2 license shall not be construed to bring an individual within the definition  
96.13 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,  
96.14 clause (a).

96.15 Subd. 6. **Application toward probationary period.** (a) The time that a teacher works  
96.16 under a Tier 2 license must be credited towards the teacher's three-year probationary period  
96.17 under section 122A.40, subdivision 5, or 122A.41, subdivision 2.

96.18 (b) The time credited towards the probationary period under paragraph (a) must not  
96.19 exceed two years.

96.20 (c) The three years of the probationary period, including any time credited under this  
96.21 subdivision, must run consecutively, consistent with section 122A.40, subdivision 5, or  
96.22 section 122A.41, subdivision 2.

96.23 Subd. 7. **Mentorship and evaluation.** (a) A teacher holding a Tier 2 license must  
96.24 participate in the employing district or charter school's mentorship and evaluation program,  
96.25 including an individual growth and development plan that includes cultural competency  
96.26 under section 120B.30, subdivision 1, paragraph (q).

96.27 (b) A teacher holding a Tier 2 license must participate in an evaluation aligned, to the  
96.28 extent practicable, with the evaluation under section 122A.40, subdivision 8, or section  
96.29 122A.41, subdivision 5.

96.30 **EFFECTIVE DATE.** This section is effective July 1, 2018.



97.1 Sec. 12. [122A.183] TIER 3 LICENSE.

97.2 Subdivision 1. Requirements. (a) The Professional Educator Licensing and Standards  
97.3 Board must issue a Tier 3 license to a candidate who provides information sufficient to  
97.4 demonstrate all of the following:

97.5 (1) the candidate meets the educational or professional requirements in paragraphs (b)  
97.6 and (c);

97.7 (2) the candidate has obtained a passing score on the required licensure exams under  
97.8 section 122A.185; and

97.9 (3) the candidate has completed the coursework required under subdivision 2.

97.10 (b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or  
97.11 course outside a career and technical education or career pathways course of study.

97.12 (c) A candidate for a Tier 3 license must have one of the following credentials in a  
97.13 relevant content area to teach a class or course in a career and technical education or career  
97.14 pathways course of study:

97.15 (1) an associate's degree;

97.16 (2) a professional certification; or

97.17 (3) five years of relevant work experience.

97.18 In consultation with the Governor's Workforce Development Council established under  
97.19 section 116L.665, the board must establish a list of qualifying certifications, and may add  
97.20 additional professional certifications in consultation with school administrators, teachers,  
97.21 and other stakeholders.

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

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

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

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

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

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

98.5 Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and  
98.6 Standards Board must issue an initial Tier 3 license for a term of three years. A Tier 3 license  
98.7 may be renewed every three years without limitation.

98.8 Subd. 4. **Mentorship and evaluation.** A teacher holding a Tier 3 license must participate  
98.9 in the employing district or charter school's mentorship and evaluation program, including  
98.10 an individual growth and development plan.

98.11 **EFFECTIVE DATE.** This section is effective July 1, 2018.

98.12 Sec. 13. **[122A.184] TIER 4 LICENSE.**

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

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

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

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

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

98.25 Subd. 2. **Term of license and renewal.** The Professional Educator Licensing and  
98.26 Standards Board must issue an initial Tier 4 license for a term of five years. A Tier 4 license  
98.27 may be renewed every five years without limitation.

98.28 Subd. 3. **Mentorship and evaluation.** A teacher holding a Tier 4 license must participate  
98.29 in the employing district or charter school's mentorship and evaluation program, including  
98.30 an individual growth and development plan.

98.31 Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education  
98.32 before the effective date of this section must be treated as a Tier 4 license established under

99.1 this section and section 122A.18. An expired five-year license issued by the commissioner  
99.2 of education before the effective date of this section fulfills the requirements of subdivision  
99.3 1 for purposes of future licensure by the Professional Educator Licensing and Standards  
99.4 Board.

99.5 **EFFECTIVE DATE.** This section is effective July 1, 2018.

99.6 Sec. 14. **[122A.185] TEACHER LICENSURE ASSESSMENT.**

99.7 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board  
99.8 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted  
99.9 examination of skills in reading, writing, and mathematics before being granted a Tier 4  
99.10 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,  
99.11 secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier  
99.12 3 license to provide direct instruction to pupils in elementary, secondary, or special education  
99.13 programs if candidates meet the other requirements in section 122A.181, 122A.182, or  
99.14 122A.183, respectively.

99.15 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to  
99.16 pass an examination of general pedagogical knowledge and examinations of licensure field  
99.17 specific content. The content examination requirement does not apply if no relevant content  
99.18 exam exists.

99.19 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must  
99.20 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,  
99.21 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge  
99.22 and understanding of the foundations of reading development, development of reading  
99.23 comprehension and reading assessment and instruction, and the ability to integrate that  
99.24 knowledge and understanding into instruction strategies under section 122A.06, subdivision  
99.25 4.

99.26 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills  
99.27 examination does not apply to nonnative English speakers, as verified by qualified Minnesota  
99.28 school district personnel or Minnesota higher education faculty, who, after meeting the  
99.29 content and pedagogy requirements under this subdivision, apply for a teaching license to  
99.30 provide direct instruction in their native language or world language instruction under section  
99.31 120B.022, subdivision 1.

99.32 Subd. 2. **Passing scores.** The board must establish passing scores in all examinations  
99.33 required for licensure.

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

100.6 Subd. 4. **Remedial assistance.** (a) A board-approved teacher preparation program must  
100.7 make available upon request remedial assistance that includes a formal diagnostic component  
100.8 to persons enrolled in their institution who did not achieve a qualifying score on a  
100.9 board-adopted skills examination, including those for whom English is a second language.  
100.10 The teacher preparation programs must make available assistance in the specific academic  
100.11 areas of candidates' deficiency.

100.12 (b) School districts may make available upon request similar, appropriate, and timely  
100.13 remedial assistance that includes a formal diagnostic component to those persons employed  
100.14 by the district who completed their teacher education program, who did not achieve a  
100.15 qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2,  
100.16 or Tier 3 license under sections 122A.181, 122A.182, or 122A.183, respectively, to teach  
100.17 in Minnesota.

100.18 **EFFECTIVE DATE.** This section is effective July 1, 2018.

100.19 Sec. 15. **[122A.187] EXPIRATION AND RENEWAL.**

100.20 Subdivision 1. **License form requirements.** Each license issued under this chapter must  
100.21 bear the date of issue and the name of the state-approved teacher training provider or  
100.22 alternative teaching program, as applicable. Licenses must expire and be renewed according  
100.23 to rules adopted by the Professional Educator Licensing and Standards Board or the Board  
100.24 of School Administrators. The rules adopted by the Professional Educator Licensing and  
100.25 Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and  
100.26 122A.184, respectively, must include showing satisfactory evidence of successful teaching  
100.27 or administrative experience for at least one school year during the period covered by the  
100.28 license in grades or subjects for which the license is valid or completing such additional  
100.29 preparation as required under this section, or as the Professional Educator Licensing and  
100.30 Standards Board prescribes. The Board of School Administrators shall establish requirements  
100.31 for renewing the licenses of supervisory personnel except athletic coaches. The Professional  
100.32 Educator Licensing and Standards Board shall establish requirements for renewing the  
100.33 licenses of athletic coaches.

101.1 Subd. 2. **Local committees.** The Professional Educator Licensing and Standards Board  
101.2 must receive recommendations from local committees as established by the board for the  
101.3 renewal of teaching licenses.

101.4 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4  
101.5 license under sections 122A.183 and 122A.184, respectively, who have been employed as  
101.6 a teacher during the renewal period of the expiring license, as a condition of license renewal,  
101.7 must present to their local continuing education and relicensure committee or other local  
101.8 relicensure committee evidence of work that demonstrates professional reflection and growth  
101.9 in best teaching practices, including among other things, cultural competence in accordance  
101.10 with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied  
101.11 needs of English learners, from young children to adults under section 124D.59, subdivisions  
101.12 2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's  
101.13 most recent summative evaluation or improvement plan under section 122A.40, subdivision  
101.14 8, or 122A.41, subdivision 5.

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

101.17 Subd. 4. **Behavior interventions.** The Professional Educator Licensing and Standards  
101.18 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier  
101.19 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the  
101.20 renewal requirements further preparation in the areas of using positive behavior interventions  
101.21 and in accommodating, modifying, and adapting curricula, materials, and strategies to  
101.22 appropriately meet the needs of individual students and ensure adequate progress toward  
101.23 the state's graduation rule.

101.24 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards  
101.25 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier  
101.26 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the  
101.27 renewal requirements further reading preparation, consistent with section 122A.06,  
101.28 subdivision 4. The rules do not take effect until they are approved by law. Teachers who  
101.29 do not provide direct instruction including, at least, counselors, school psychologists, school  
101.30 nurses, school social workers, audiovisual directors and coordinators, and recreation  
101.31 personnel are exempt from this section.

101.32 Subd. 6. **Mental illness.** The Professional Educator Licensing and Standards Board must  
101.33 adopt rules that require all licensed teachers renewing a Tier 3 or Tier 4 teaching license  
101.34 under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements

102.1 at least one hour of suicide prevention best practices in each licensure renewal period based  
 102.2 on nationally recognized evidence-based programs and practices, among the continuing  
 102.3 education credits required to renew a license under this subdivision, and further preparation,  
 102.4 first, in understanding the key warning signs of early-onset mental illness in children and  
 102.5 adolescents and then, during subsequent licensure renewal periods, preparation may include  
 102.6 providing a more in-depth understanding of students' mental illness trauma, accommodations  
 102.7 for students' mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol  
 102.8 Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive  
 102.9 procedures, and de-escalation methods, among other similar topics.

102.10 **EFFECTIVE DATE.** This section is effective July 1, 2018.

102.11 Sec. 16. **[122A.188] LICENSURE DENIAL; APPEAL.**

102.12 Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards  
 102.13 Board must inform a candidate within 30 days of receiving a completed application whether  
 102.14 the candidate's application for an initial teaching license or renewal of license has been  
 102.15 approved or denied. A completed application must include all supporting information and  
 102.16 the results of the background check or conduct determination by the board. When an  
 102.17 application is denied, the notification letter must inform the candidate of the process for  
 102.18 seeking review of the denial and of the appeals process provided in this section, including  
 102.19 all deadlines for seeking review of the denial decision and filing an appeal. The notification  
 102.20 letter must identify each licensure requirement the candidate failed to meet.

102.21 (b) For purposes of this section, "denial" means denial of an initial license or a denial  
 102.22 of a renewal license. Denial of an initial license includes a grant of a license that is a lower  
 102.23 tier than the candidate applied for and denial of application for an additional field of licensure.

102.24 Subd. 2. **Review of denial.** A candidate whose license application is denied may seek  
 102.25 review of the denial by submitting a letter to the Professional Educator Licensing and  
 102.26 Standards Board within 30 calendar days of receipt of the denial letter. The candidate may  
 102.27 include any documentation necessary to demonstrate that the candidate meets the licensure  
 102.28 requirements. The board must review the denial within 60 calendar days of receipt of the  
 102.29 letter seeking review. If the board affirms the denial, the board must send the candidate a  
 102.30 letter identifying each licensure requirement the candidate failed to meet and informing the  
 102.31 candidate of the appeal process provided under this section.

102.32 Subd. 3. **Appeal.** A candidate whose application for license or license renewal has been  
 102.33 denied under subdivisions 1 and 2 may appeal the decision by filing a written request with  
 102.34 the Professional Educator Licensing and Standards Board within 30 days of notice that the

103.1 board has affirmed the denial of license. The board must then initiate a contested case under  
 103.2 the Administrative Procedure Act, sections 14.001 to 14.69.

103.3 **EFFECTIVE DATE.** This section is effective July 1, 2018.

103.4 Sec. 17. Minnesota Statutes 2016, section 122A.19, is amended to read:

103.5 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;**  
 103.6 **LICENSES.**

103.7 Subdivision 1. **Bilingual and English as a second language licenses.** The Professional  
 103.8 Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant  
 103.9 teaching licenses in bilingual education and English as a second language to persons who  
 103.10 present satisfactory evidence that they:

103.11 ~~(a)~~ (1) possess competence and communicative skills in English and in another language;

103.12 ~~(b)~~ (2) possess a bachelor's degree or other academic degree approved by the board, and  
 103.13 meet such requirements as to course of study and training as the board may prescribe,  
 103.14 consistent with subdivision 4-; and

103.15 (3) meet all other requirements for a teaching license provided in sections 122A.18 to  
 103.16 122A.184.

103.17 Subd. 2. **Persons holding ~~general~~ teaching licenses.** The board may license a person  
 103.18 who holds a ~~general~~ teaching license in any tier under sections 122A.181 to 122A.184,  
 103.19 respectively, and who presents the board with satisfactory evidence of competence and  
 103.20 communicative skills in a language other than English under this section.

103.21 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual  
 103.22 and English as a second language teachers, the board may approve programs at colleges or  
 103.23 universities designed for their training. ~~These~~

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

104.1 Subd. 5. **Persons eligible for employment.** Any person licensed under this section is  
 104.2 eligible for employment by a school board as a teacher in a bilingual education or English  
 104.3 as a second language program in which the language for which the person is licensed is  
 104.4 taught or used as a medium of instruction. A board may prescribe only those additional  
 104.5 qualifications for teachers licensed under this section that are approved by the board of  
 104.6 teaching.

104.7 Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program  
 104.8 positions, districts must give preference to and make affirmative efforts to seek, recruit, and  
 104.9 employ persons who (1) are native speakers of the language which is the medium of  
 104.10 instruction in the bilingual education program or share a native language with the majority  
 104.11 of their students, and (2) share the culture of the English learners enrolled in the program.  
 104.12 The district shall provide procedures for involving the parent advisory committees in  
 104.13 designing the procedures for recruiting, screening, and selecting applicants. This section  
 104.14 must not be construed to limit the school board's authority to hire and discharge personnel.

104.15 **EFFECTIVE DATE.** This section is effective July 1, 2018.

104.16 Sec. 18. Minnesota Statutes 2016, section 122A.20, is amended to read:

104.17 **122A.20 SUSPENSION OR REVOCATION OF LICENSES.**

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

104.24 (1) immoral character or conduct;

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

104.26 (3) gross inefficiency or willful neglect of duty;

104.27 (4) failure to meet licensure requirements; or

104.28 (5) fraud or misrepresentation in obtaining a license.

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

104.30 (b) The Professional Educator Licensing and Standards Board of Teaching or Board of  
 104.31 School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse  
 104.32 to issue, refuse to renew, or automatically revoke a teacher's license to teach without the



105.1 right to a hearing upon receiving a certified copy of a conviction showing that the teacher  
105.2 has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first  
105.3 degree under section 609.322, subdivision 1, sex trafficking in the second degree under  
105.4 section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage  
105.5 in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342,  
105.6 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation  
105.7 of children to engage in sexual conduct or communication of sexually explicit materials to  
105.8 children under section 609.352, interference with privacy under section 609.746 or stalking  
105.9 under section 609.749 and the victim was a minor, using minors in a sexual performance  
105.10 under section 617.246, possessing pornographic works involving a minor under section  
105.11 617.247, or any other offense not listed in this paragraph that requires the person to register  
105.12 as a predatory offender under section 243.166, or a crime under a similar law of another  
105.13 state or the United States. The board shall send notice of this licensing action to the district  
105.14 in which the teacher is currently employed.

105.15 (c) A person whose license to teach has been revoked, not issued, or not renewed under  
105.16 paragraph (b), may petition the board to reconsider the licensing action if the person's  
105.17 conviction for child abuse or sexual abuse is reversed by a final decision of the Court of  
105.18 Appeals or the Supreme Court or if the person has received a pardon for the offense. The  
105.19 petitioner shall attach a certified copy of the appellate court's final decision or the pardon  
105.20 to the petition. Upon receiving the petition and its attachment, the board shall schedule and  
105.21 hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the  
105.22 petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal  
105.23 of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified  
105.24 from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing  
105.25 action. If the board finds that the petitioner is not disqualified from teaching under paragraph  
105.26 (a), clause (1), it shall reverse its previous licensing action.

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

105.29 Subd. 2. **Mandatory reporting.** (a) A school board must report to the Professional  
105.30 Educator Licensing and Standards Board of Teaching, the Board of School Administrators,  
105.31 or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has  
105.32 jurisdiction over the teacher's or administrator's license, when its teacher or administrator  
105.33 is discharged or resigns from employment after a charge is filed with the school board under  
105.34 section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed  
105.35 that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses

106.1 (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation  
106.2 is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41,  
106.3 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator  
106.4 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),  
106.5 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate  
106.6 licensing board within ten days after the discharge, suspension, or resignation has occurred.  
106.7 The licensing board to which the report is made must investigate the report for violation of  
106.8 subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding  
106.9 any provision in chapter 13 or any law to the contrary, upon written request from the licensing  
106.10 board having jurisdiction over the license, a board or school superintendent shall provide  
106.11 the licensing board with information about the teacher or administrator from the district's  
106.12 files, any termination or disciplinary proceeding, any settlement or compromise, or any  
106.13 investigative file. Upon written request from the appropriate licensing board, a board or  
106.14 school superintendent may, at the discretion of the board or school superintendent, solicit  
106.15 the written consent of a student and the student's parent to provide the licensing board with  
106.16 information that may aid the licensing board in its investigation and license proceedings.  
106.17 The licensing board's request need not identify a student or parent by name. The consent  
106.18 of the student and the student's parent must meet the requirements of chapter 13 and Code  
106.19 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent  
106.20 form to the district. Any data transmitted to any board under this section is private data  
106.21 under section 13.02, subdivision 12, notwithstanding any other classification of the data  
106.22 when it was in the possession of any other agency.

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

106.32 (c) The Professional Educator Licensing and Standards Board and Board of School  
106.33 Administrators must report to the appropriate law enforcement authorities a revocation,  
106.34 suspension, or agreement involving a loss of license, relating to a teacher or administrator's  
106.35 inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement

107.1 authority" means a police department, county sheriff, or tribal police department. A report  
 107.2 by the Professional Educator Licensing and Standards Board to appropriate law enforcement  
 107.3 authorities does not diminish, modify, or otherwise affect the responsibilities of a school  
 107.4 board or any person mandated to report abuse under section 626.556.

107.5 Subd. 3. **Immunity from liability.** A school board, its members in their official capacity,  
 107.6 and employees of the district run by the board are immune from civil or criminal liability  
 107.7 for reporting or cooperating as required under subdivision 2, if their actions required under  
 107.8 subdivision 2 are done in good faith and with due care.

107.9 **EFFECTIVE DATE.** This section is effective July 1, 2018.

107.10 Sec. 19. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

107.11 Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding  
 107.12 any other law to the contrary, the Professional Educator Licensing and Standards Board of  
 107.13 ~~Teaching~~ must enter into a National Association of State Directors of Teacher Education  
 107.14 and Certification (NASDTEC) interstate agreement and other interstate agreements for  
 107.15 teacher licensure to allow fully certified teachers from adjoining states to transfer their  
 107.16 certification to Minnesota. The board must enter into these interstate agreements only after  
 107.17 determining that the rigor of the teacher licensure or certification requirements in the  
 107.18 adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements.  
 107.19 The board may limit an interstate agreement to particular content fields or grade levels based  
 107.20 on established priorities or identified shortages. This subdivision does not apply to  
 107.21 out-of-state applicants holding only a provisional teaching license.

107.22 (b) The Professional Educator Licensing and Standards Board of Teaching must work  
 107.23 with designated authorities in adjoining states to establish interstate teacher licensure  
 107.24 agreements under this section.

107.25 **EFFECTIVE DATE.** This section is effective July 1, 2018.

107.26 Sec. 20. **[122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS**  
 107.27 **AND PROGRAMS.**

107.28 Subdivision 1. Definitions. (a) "Provider" or "unit" means an eligible entity that seeks  
 107.29 or has obtained approval for an alternative teacher preparation program consistent with this  
 107.30 section.

107.31 (b) "Program" means content provided by a provider that leads toward licensure in a  
 107.32 specific content area.

108.1 Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure  
108.2 outside of the traditional means, improve ethnic and cultural diversity in the classroom, and  
108.3 to close the achievement gap, the Professional Educator Licensing and Standards Board  
108.4 must approve qualified teacher preparation providers and programs under this section that  
108.5 are a means to acquire a Tier 2 license under section 122A.182 and prepare for acquiring a  
108.6 Tier 3 license under section 122A.183.

108.7 Subd. 3. **Eligibility.** A school district, charter school, or nonprofit corporation organized  
108.8 under chapter 317A for an education-related purpose is eligible to participate under this  
108.9 section. An eligible entity may apply for provider and program approval simultaneously.

108.10 Subd. 4. **Provider approval.** An eligible entity must be approved as a provider before  
108.11 being approved to provide programs towards licensure. The Professional Educator Licensing  
108.12 and Standards Board must approve eligible entities under subdivision 3 that meet the  
108.13 following requirements:

108.14 (1) has evidence and history of fiscal solvency, capacity, and operation;

108.15 (2) has evidence of necessary infrastructure to provide accurate, timely, and secure data  
108.16 for the purposes of admission, candidate monitoring, testing, background checks, and license  
108.17 recommendations;

108.18 (3) has policies and procedures in place ensuring the security of candidate records under  
108.19 the federal Family Educational Rights and Privacy Act; and

108.20 (4) has the instructional capacity or ability to obtain the instructional capacity to provide  
108.21 an adequate instructional phase under subdivision 5.

108.22 Subd. 5. **Program approval.** The board must approve programs offered by approved  
108.23 providers based on nontraditional criteria. An approved program must have the following  
108.24 characteristics:

108.25 (1) an instructional phase that provides intensive preparation and classroom experience  
108.26 that is commensurate with the scope of licensure standards defined under rule, before the  
108.27 teacher candidate assumes classroom responsibilities;

108.28 (2) a research-based and results-oriented approach focused on best teaching practices  
108.29 to increase student proficiency and growth measured against state academic standards;

108.30 (3) a strategy to combine pedagogy and best teaching practices to better inform teacher  
108.31 candidates' classroom instruction;

109.1 (4) provide assessment, supervision, and evaluation of teacher candidates to determine  
109.2 their specific needs throughout the program, and to support efforts to successfully complete  
109.3 the program;

109.4 (5) provide intensive and ongoing professional learning opportunities that accelerate  
109.5 teacher candidates' professional growth, support student learning, and provide a workplace  
109.6 orientation, professional staff development, mentoring and peer review, focused on standards  
109.7 of professional practice and continuous professional growth; and

109.8 (6) a process to review a candidate's final proficiency of required licensure content  
109.9 standards that leads to potential candidate recommendation by the provider to the board for  
109.10 a Tier 3 teaching license under subdivision 8.

109.11 Subd. 6. **Nontraditional means; program instructors.** (a) The board must permit  
109.12 alternative teacher preparation providers and teacher candidates to demonstrate pedagogy  
109.13 and content standard proficiency in school-based programs and through other nontraditional  
109.14 means. Nontraditional means may include previous work experiences, teaching experiences,  
109.15 educator evaluations, industry-recognized certifications, and other essentially equivalent  
109.16 demonstrations.

109.17 (b) The board must use nontraditional criteria to determine qualifications of program  
109.18 instructors, including permitting instructors to hold a baccalaureate degree only.

109.19 Subd. 7. **Program disapproval, suspension.** If the board determines that a teacher  
109.20 preparation provider or licensure program fails to meet or is deficient in any of the  
109.21 requirements of subdivision 5, it may suspend or revoke the approval of the provider or  
109.22 program after it notifies the provider of the deficiencies and gives the provider an opportunity  
109.23 to remedy the deficiencies.

109.24 Subd. 8. **Candidate program completion; teacher licensure.** (a) A candidate that  
109.25 completes an approved program must apply for a license under the tiered licensure system  
109.26 according to sections 122A.181 to 122A.184.

109.27 (b) A person who successfully completes another state's alternative teacher preparation  
109.28 licensure program may apply to the Professional Educator Licensing and Standards Board  
109.29 for a Tier 3 license under section 122A.183.

109.30 Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report  
109.31 to the Professional Educator Licensing and Standards Board on items that are defined in  
109.32 statute regarding program candidates, completion, and effectiveness or other items that are  
109.33 required under section 122A.09.

110.1 (b) The Professional Educator Licensing and Standards Board must submit a biennial  
110.2 report on the alternative teacher preparation program and providers to legislative committees  
110.3 having jurisdiction over kindergarten through grade 12 education policy and finance by  
110.4 January 15 of each odd-numbered year.

110.5 **EFFECTIVE DATE.** This section is effective July 1, 2018.

110.6 Sec. 21. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

110.7 Subd. 2. **Exceptions.** A person who teaches in a community education program which  
110.8 qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements  
110.9 as a teacher. A person who teaches in an early childhood and family education program  
110.10 which is offered through a community education program and which qualifies for community  
110.11 education aid pursuant to section 124D.20 or early childhood and family education aid  
110.12 pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A  
110.13 person who teaches in a community education course which is offered for credit for  
110.14 graduation to persons under 18 years of age shall continue to meet licensure requirements  
110.15 as a teacher. A person who teaches a driver training course which is offered through a  
110.16 community education program to persons under 18 years of age shall be licensed by the  
110.17 Professional Educator Licensing and Standards Board of Teaching or be subject to section  
110.18 171.35. A license which is required for an instructor in a community education program  
110.19 pursuant to this subdivision shall not be construed to bring an individual within the definition  
110.20 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,  
110.21 clause (a).

110.22 **EFFECTIVE DATE.** This section is effective July 1, 2018.

110.23 Sec. 22. Minnesota Statutes 2016, section 122A.28, is amended to read:

110.24 **122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS;**  
110.25 **LICENSURE REQUIREMENTS.**

110.26 Subdivision 1. **K-12 license to teach deaf and hard-of-hearing students; relicensure.**

110.27 (a) The Professional Educator Licensing and Standards Board of Teaching must review and  
110.28 determine appropriate licensure requirements for a candidate for a license or an applicant  
110.29 for a continuing license to teach deaf and hard-of-hearing students in prekindergarten through  
110.30 grade 12. In addition to other requirements, a candidate must demonstrate the minimum  
110.31 level of proficiency in American sign language as determined by the board.

111.1 (b) Among other relicensure requirements, each teacher under this section must complete  
 111.2 30 continuing education clock hours on hearing loss topics, including American Sign  
 111.3 Language, American Sign Language linguistics, or deaf culture, in each licensure renewal  
 111.4 period.

111.5 Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The  
 111.6 Professional Educator Licensing and Standards Board of Teaching shall adopt a separate  
 111.7 licensure rule for a candidate for a license or an applicant for a continuing license to teach  
 111.8 in oral/aural deaf education programs or to provide services, including itinerant oral/aural  
 111.9 deaf education services, to deaf and hard-of-hearing students in prekindergarten through  
 111.10 grade 12.

111.11 (b) The board shall design rule requirements for teaching oral/aural deaf education in  
 111.12 collaboration with representatives of parents and educators of deaf and hard-of-hearing  
 111.13 students, postsecondary programs preparing teachers of deaf and hard-of-hearing students,  
 111.14 and the Department of Education.

111.15 (c) Rule requirements for teaching oral/aural deaf education shall reflect best practice  
 111.16 research in oral/aural deaf education. Advanced competencies in teaching deaf and  
 111.17 hard-of-hearing students through oral/aural modes shall be included.

111.18 (d) Licensure requirements for teachers of oral/aural deaf education must include  
 111.19 minimum competency in American sign language, but are not subject to the guidelines  
 111.20 established in Laws 1993, chapter 224, article 3, section 32, as amended by Laws 1998,  
 111.21 chapter 398, article 2, section 47. The signed communication proficiency interview shall  
 111.22 not be required for teachers licensed to teach deaf and hard-of-hearing students through  
 111.23 oral/aural deaf education methods.

111.24 (e) Requirements for teachers of oral/aural deaf education shall include appropriate  
 111.25 continuing education requirements for renewing this licensure.

111.26 **EFFECTIVE DATE.** This section is effective July 1, 2018.

111.27 Sec. 23. Minnesota Statutes 2016, section 122A.29, is amended to read:

111.28 **122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS;**  
 111.29 **LICENSURE REQUIREMENTS.**

111.30 Teachers licensed in the education of blind and visually impaired students must  
 111.31 demonstrate competence in reading and writing Braille. The Professional Educator Licensing  
 111.32 and Standards Board of Teaching, at such time as a valid and reliable test is available, shall

112.1 adopt a rule to assess these competencies that is consistent with the standards of the National  
112.2 Library Services for the Blind and Physically Handicapped.

112.3 **EFFECTIVE DATE.** This section is effective July 1, 2018.

112.4 Sec. 24. Minnesota Statutes 2016, section 122A.30, is amended to read:

112.5 **122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION**  
112.6 **INSTRUCTORS.**

112.7 (a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local  
112.8 employer school board, a person who teaches in a part-time vocational or career and technical  
112.9 education program is exempt from a license requirement. Nothing in this section shall  
112.10 exclude licensed career and technical educators from the definition of "teacher" in section  
112.11 122A.40, 122A.41, or 179A.03.

112.12 (b) This section expires June 30, 2020. After this section expires, persons who teach in  
112.13 a part-time vocational or career and technical education program may apply for a teaching  
112.14 license provided in sections 122A.18 to 122A.184.

112.15 **EFFECTIVE DATE.** This section is effective July 1, 2018.

112.16 Sec. 25. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

112.17 Subd. 11. **Teachers.** A school board must employ necessary licensed teachers for its  
112.18 early childhood family education programs. ~~The Board of Teaching, at its discretion, may~~  
112.19 ~~grant an applicant a variance under this subdivision, consistent with sections 122A.09,~~  
112.20 ~~subdivision 10, and 122A.25, and Board of Teaching rules.~~

112.21 **EFFECTIVE DATE.** This section is effective January 1, 2018.

112.22 Sec. 26. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

112.23 Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services  
112.24 rendered or for costs incurred in career and technical education programs approved by the  
112.25 commissioner and operated in accordance with rules promulgated by the commissioner.  
112.26 This aid shall be paid only for services rendered and for costs incurred by essential, licensed  
112.27 personnel who meet the requirements for licensure pursuant to the rules of the ~~Minnesota~~  
112.28 Professional Educator Licensing and Standards Board of Teaching. Licensed personnel  
112.29 means persons holding a valid career and technical license issued by the ~~commissioner~~  
112.30 Professional Educator Licensing and Standards Board under section 122A.30. If an average  
112.31 of five or fewer secondary full-time equivalent students are enrolled per teacher in an



113.1 approved postsecondary program at Intermediate District No. 287, 916, or 917, licensed  
113.2 personnel means persons holding a valid vocational license issued by the commissioner or  
113.3 the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding  
113.4 section 127A.42, the commissioner may modify or withdraw the program or aid approval  
113.5 and withhold aid under this section without proceeding under section 127A.42 at any time.  
113.6 To do so, the commissioner must determine that the program does not comply with rules  
113.7 of the Department of Education or that any facts concerning the program or its budget differ  
113.8 from the facts in the district's approved application.

113.9 **EFFECTIVE DATE.** This section is effective July 1, 2018.

113.10 Sec. 27. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

113.11 Subdivision 1. **American Indian language and culture education licenses.** The  
113.12 Professional Educator Licensing and Standards Board of Teaching, in consultation with the  
113.13 Tribal Nations Education Committee, must grant initial and continuing teaching licenses  
113.14 in American Indian language and culture education that bear the same duration as other  
113.15 initial and continuing licenses. The board must grant licenses to persons who present  
113.16 satisfactory evidence that they:

113.17 (1) possess competence in an American Indian language or possess unique qualifications  
113.18 relative to or knowledge and understanding of American Indian history and culture; or

113.19 (2) possess a bachelor's degree or other academic degree approved by the board or meet  
113.20 such requirements as to course of study and training as the board may prescribe, or possess  
113.21 such relevant experience as the board may prescribe.

113.22 This evidence may be presented by affidavits, tribal resolutions, or by such other methods  
113.23 as the board may prescribe. Individuals may present applications for licensure on their own  
113.24 behalf or these applications may be submitted by the superintendent or other authorized  
113.25 official of a school district, participating school, or an American Indian school.

113.26 **EFFECTIVE DATE.** This section is effective January 1, 2018.

113.27 Sec. 28. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

113.28 Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under  
113.29 this section shall be eligible for employment by a school board or a participating school as  
113.30 a teacher in an American Indian education program in which the American Indian language  
113.31 or culture in which the person is licensed is taught. A school district or participating school  
113.32 may prescribe only those additional qualifications for teachers licensed under this section

114.1 as are approved by the Professional Educator Licensing and Standards Board of Teaching.  
 114.2 Any school board or participating school upon request may be exempted from the licensure  
 114.3 requirements of this section in the hiring of one or more American Indian language and  
 114.4 culture education teachers for any school year in which compliance would, in the opinion  
 114.5 of the ~~commissioner~~ Professional Educator Licensing and Standards Board, create a hardship  
 114.6 in the securing of the teachers.

114.7 **EFFECTIVE DATE.** This section is effective January 1, 2018.

114.8 Sec. 29. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

114.9 Subd. 2. **Teacher standards.** A teacher ~~or administrator~~ at the academies is subject to  
 114.10 the licensure standards of the Professional Educator Licensing and Standards Board of  
 114.11 ~~Teaching or the commissioner of education.~~ An administrator at the academies is subject  
 114.12 to the licensure standards of the Board of School Administrators.

114.13 **EFFECTIVE DATE.** This section is effective July 1, 2018.

114.14 Sec. 30. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

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

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

114.23 (d) "Teacher" means an individual holding a teaching license issued by the ~~licensing~~  
 114.24 ~~division in the Department of Education on behalf of the Board of Teaching~~ Professional  
 114.25 Educator Licensing and Standards Board who is employed by a school district to provide  
 114.26 classroom instruction in a teacher shortage area.

114.27 (e) "Teacher shortage area" means the licensure fields and economic development regions  
 114.28 reported by the commissioner of education as experiencing a teacher shortage.

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

114.31 **EFFECTIVE DATE.** This section is effective July 1, 2018.

115.1 Sec. 31. **TEACHER OF SPECIAL EDUCATION LICENSE REVIEW.**

115.2 The Professional Educator Licensing and Standards Board must conduct a review of all  
115.3 the available teacher of special education licenses and determine the options for  
115.4 cross-categorical licenses for teachers of special education. The board must report its findings  
115.5 and draft legislation, if needed, to the legislative committees having jurisdiction over  
115.6 kindergarten through grade 12 education by December 14, 2018.

115.7 Sec. 32. **RULE CHANGE; ACADEMIC AND BEHAVIORAL STRATEGIST**  
115.8 **LICENSURE.**

115.9 No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules,  
115.10 part 8710.5050, subpart 4, so that academic and behavioral strategist continuing licenses  
115.11 under that part may be issued and renewed according to rules of the Board of Teaching  
115.12 governing continuing licenses and without requiring the candidate to hold or be recommended  
115.13 for licensure in any other licensure field. The board shall use the good cause exemption  
115.14 under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under  
115.15 this section, and Minnesota Statutes, section 14.386, does not apply except as provided in  
115.16 Minnesota Statutes, section 14.388.

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

115.18 Sec. 33. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

115.19 Subdivision 1. **One-year license.** A one-year license issued by the commissioner of  
115.20 education before the effective date of this section must be treated as a Tier 1 license  
115.21 established under Minnesota Statutes, sections 122A.18 and 122A.181.

115.22 Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education  
115.23 before the effective date of this section must be treated as a Tier 2 license established under  
115.24 Minnesota Statutes, sections 122A.18 and 122A.182.

115.25 Subd. 3. **Five-year license.** A five-year license must be treated in accordance with  
115.26 Minnesota Statutes, section 122A.184, subdivision 4.

115.27 **EFFECTIVE DATE.** This section is effective July 1, 2018.

115.28 Sec. 34. **PERMISSIONS, WAIVERS, EXCEPTIONS, AND VARIANCES.**

115.29 The Professional Educator Licensing and Standards Board may grant an extension of  
115.30 up to one year for a permission, waiver, variance, or temporary limited license in effect on  
115.31 January 1, 2018.

116.1 **EFFECTIVE DATE.** This section is effective January 1, 2018.

116.2 Sec. 35. **TEACHERS OF ENGLISH AS A SECOND LANGUAGE.**

116.3 **(a) Notwithstanding the teacher's field of licensure, a teacher may provide content**  
 116.4 **instruction in a district or charter school until the end of the 2018-2019 school year if the**  
 116.5 **teacher:**

116.6 **(1) held a kindergarten through grade 12 English as a second language (ESL) license**  
 116.7 **during the 2016-2017 school year;**

116.8 **(2) provided content instruction as a highly qualified teacher under the No Child Left**  
 116.9 **Behind Act to English language learners, as defined under Minnesota Statutes, section**  
 116.10 **124D.59; and**

116.11 **(3) taught in a classroom where both state content standards and English language**  
 116.12 **development standards were satisfied.**

116.13 **(b) For the 2019-2020 school year and later, a teacher with an ESL license must meet**  
 116.14 **all applicable licensing requirements in chapter 122A and rules adopted by the Professional**  
 116.15 **Educator Licensing and Standards Board.**

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

116.17 Sec. 36. **REPEALER.**

116.18 **(a) Minnesota Statutes 2016, sections 122A.14, subdivision 5; and 122A.162, are repealed**  
 116.19 **effective January 1, 2018.**

116.20 **(b) Minnesota Statutes 2016, sections 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a,**  
 116.21 **6, 7, and 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1 and 2; 122A.245; and 122A.25,**  
 116.22 **are repealed effective July 1, 2018.**

## 116.23 **ARTICLE 4**

### 116.24 **SPECIAL EDUCATION**

116.25 Section 1. Minnesota Statutes 2016, section 125A.083, is amended to read:

116.26 **125A.083 STUDENT INFORMATION SYSTEMS; TRANSFERRING RECORDS.**

116.27 ~~(a)~~ To efficiently and effectively meet federal and state compliance and accountability  
 116.28 requirements using an online case management reporting system, beginning July 1, 2018,  
 116.29 a school district may contract only for a student information system that is Schools  
 116.30 Interoperability Framework compliant.

117.1 ~~(b) Beginning on July 1 of the fiscal year following the year that the commissioner of~~  
 117.2 ~~education certifies to the legislature under paragraph (e) that a compatible compliant system~~  
 117.3 ~~exists, a school district must use an online system for compliance reporting under section~~  
 117.4 ~~125A.085. A district's information system under this section must facilitate the seamless~~  
 117.5 ~~transfer of student records for a student with disabilities who transfers between school~~  
 117.6 ~~districts, including records containing the student's evaluation report, service plan, and other~~  
 117.7 ~~due process forms and information, regardless of what information system any one district~~  
 117.8 ~~uses.~~

117.9 ~~(e) As a part of the annual report required under section 125A.085, paragraph (f), the~~  
 117.10 ~~commissioner must specify whether a compatible compliant system exists and if so, list~~  
 117.11 ~~each vendor's systems that meet the criteria in paragraph (b).~~

117.12 Sec. 2. Minnesota Statutes 2016, section 125A.0941, is amended to read:

117.13 **125A.0941 DEFINITIONS.**

117.14 (a) The following terms have the meanings given them.

117.15 (b) "Emergency" means a situation where immediate intervention is needed to protect  
 117.16 a child or other individual from physical injury. Emergency does not mean circumstances  
 117.17 such as: a child who does not respond to a task or request and instead places his or her head  
 117.18 on a desk or hides under a desk or table; a child who does not respond to a staff person's  
 117.19 request unless failing to respond would result in physical injury to the child or other  
 117.20 individual; or an emergency incident has already occurred and no threat of physical injury  
 117.21 currently exists.

117.22 (c) "Physical holding" means physical intervention intended to hold a child immobile  
 117.23 or limit a child's movement, where body contact is the only source of physical restraint, and  
 117.24 where immobilization is used to effectively gain control of a child in order to protect a child  
 117.25 or other individual from physical injury. The term physical holding does not mean physical  
 117.26 contact that:

117.27 (1) helps a child respond or complete a task;

117.28 (2) assists a child without restricting the child's movement;

117.29 (3) is needed to administer an authorized health-related service or procedure; or

117.30 (4) is needed to physically escort a child when the child does not resist or the child's  
 117.31 resistance is minimal.

118.1 (d) "Positive behavioral interventions and supports" means interventions and strategies  
118.2 to improve the school environment and teach children the skills to behave appropriately,  
118.3 including the key components under section 122A.627.

118.4 (e) "Prone restraint" means placing a child in a face down position.

118.5 (f) "Restrictive procedures" means the use of physical holding or seclusion in an  
118.6 emergency. Restrictive procedures must not be used to punish or otherwise discipline a  
118.7 child.

118.8 (g) "Seclusion" means confining a child alone in a room from which egress is barred.  
118.9 Egress may be barred by an adult locking or closing the door in the room or preventing the  
118.10 child from leaving the room. Removing a child from an activity to a location where the  
118.11 child cannot participate in or observe the activity is not seclusion.

118.12 Sec. 3. Minnesota Statutes 2016, section 125A.11, subdivision 1, is amended to read:

118.13 Subdivision 1. **Nonresident tuition rate; other costs.** (a) For fiscal year 2015 and later,  
118.14 when a school district provides special instruction and services for a pupil with a disability  
118.15 as defined in section 125A.02 outside the district of residence, excluding a pupil for whom  
118.16 an adjustment to special education aid is calculated according to section 127A.47, subdivision  
118.17 7, paragraphs (b) to (d), special education aid paid to the resident district must be reduced  
118.18 by an amount equal to (1) the actual cost of providing special instruction and services to  
118.19 the pupil, including a proportionate amount for special transportation, plus (2) the amount  
118.20 of general education revenue, excluding local optional revenue, plus local optional aid and  
118.21 referendum equalization aid attributable to that pupil, calculated using the resident district's  
118.22 average general education revenue and referendum equalization aid per adjusted pupil unit  
118.23 excluding basic skills revenue, elementary sparsity revenue and secondary sparsity revenue,  
118.24 minus (3) the amount of special education aid for children with a disability under section  
118.25 125A.76 received on behalf of that child, minus (4) if the pupil receives special instruction  
118.26 and services outside the regular classroom for more than 60 percent of the school day, the  
118.27 amount of general education revenue and referendum equalization aid, excluding portions  
118.28 attributable to district and school administration, district support services, operations and  
118.29 maintenance, capital expenditures, and pupil transportation, attributable to that pupil for  
118.30 the portion of time the pupil receives special instruction and services outside of the regular  
118.31 classroom, calculated using the resident district's average general education revenue and  
118.32 referendum equalization aid per adjusted pupil unit excluding basic skills revenue, elementary  
118.33 sparsity revenue and secondary sparsity revenue and the serving district's basic skills revenue,  
118.34 elementary sparsity revenue and secondary sparsity revenue per adjusted pupil unit.

119.1 Notwithstanding clauses (1) and (4), for pupils served by a cooperative unit without a fiscal  
119.2 agent school district, the general education revenue and referendum equalization aid  
119.3 attributable to a pupil must be calculated using the resident district's average general  
119.4 education revenue and referendum equalization aid excluding compensatory revenue,  
119.5 elementary sparsity revenue, and secondary sparsity revenue. Special education aid paid to  
119.6 the district or cooperative providing special instruction and services for the pupil must be  
119.7 increased by the amount of the reduction in the aid paid to the resident district. If the resident  
119.8 district's special education aid is insufficient to make the full adjustment, the remaining  
119.9 adjustment shall be made to other state aid due to the district.

119.10 (b) Notwithstanding paragraph (a), when a charter school receiving special education  
119.11 aid under section 124E.21, subdivision 3, provides special instruction and services for a  
119.12 pupil with a disability as defined in section 125A.02, excluding a pupil for whom an  
119.13 adjustment to special education aid is calculated according to section 127A.47, subdivision  
119.14 7, paragraphs (b) to (e), special education aid paid to the resident district must be reduced  
119.15 by an amount equal to that calculated under paragraph (a) as if the charter school received  
119.16 aid under section 124E.21, subdivision 1. Notwithstanding paragraph (a), special education  
119.17 aid paid to the charter school providing special instruction and services for the pupil must  
119.18 not be increased by the amount of the reduction in the aid paid to the resident district.

119.19 (c) Notwithstanding paragraph (a) and section 127A.47, subdivision 7, paragraphs (b)  
119.20 to (d):

119.21 (1) an intermediate district or a special education cooperative may recover unreimbursed  
119.22 costs of serving pupils with a disability, including building lease, debt service, and indirect  
119.23 costs necessary for the general operation of the organization, by billing membership fees  
119.24 and nonmember access fees to the resident district;

119.25 (2) a charter school where more than 30 percent of enrolled students receive special  
119.26 education and related services, a site approved under section 125A.515, an intermediate  
119.27 district, a site constructed according to Laws 1992, chapter 558, section 7, subdivision 7,  
119.28 to meet the educational needs of court-placed adolescents, or a special education cooperative  
119.29 may apply to the commissioner for authority to charge the resident district an additional  
119.30 amount to recover any remaining unreimbursed costs of serving pupils with a disability;

119.31 (3) the billing under clause (1) or application under clause (2) must include a description  
119.32 of the costs and the calculations used to determine the unreimbursed portion to be charged  
119.33 to the resident district. Amounts approved by the commissioner under clause (2) must be

120.1 included in the aid adjustments under paragraph (a), or section 127A.47, subdivision 7,  
120.2 paragraphs (b) to (d), as applicable.

120.3 (d) For purposes of this subdivision and section 127A.47, subdivision 7, paragraph (b),  
120.4 "general education revenue and referendum equalization aid" means the sum of the general  
120.5 education revenue according to section 126C.10, subdivision 1, excluding the local optional  
120.6 levy according to section 126C.10, subdivision 2e, paragraph (c), plus the referendum  
120.7 equalization aid according to section 126C.17, subdivision 7.

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

120.9 Sec. 4. Minnesota Statutes 2016, section 125A.21, subdivision 2, is amended to read:

120.10 Subd. 2. **Third-party reimbursement.** (a) Beginning July 1, 2000, districts shall seek  
120.11 reimbursement from insurers and similar third parties for the cost of services provided by  
120.12 the district whenever the services provided by the district are otherwise covered by the  
120.13 child's health coverage. Districts shall request, but may not require, the child's family to  
120.14 provide information about the child's health coverage when a child with a disability begins  
120.15 to receive services from the district of a type that may be reimbursable, and shall request,  
120.16 but may not require, updated information after that as needed.

120.17 (b) For children enrolled in medical assistance under chapter 256B or MinnesotaCare  
120.18 under chapter 256L who have no other health coverage, a district shall provide an initial  
120.19 and annual written notice to the enrolled child's parent or legal representative of its intent  
120.20 to seek reimbursement from medical assistance or MinnesotaCare for:

120.21 (1) the evaluations required as part of the individualized education program process or  
120.22 individualized family service plan process; and

120.23 (2) health-related services provided by the district according to the individualized  
120.24 education program or individualized family service plan.

120.25 The initial notice must give the child's parent or legal representative the right to request a  
120.26 copy of the child's education records on the health-related services that the district provided  
120.27 to the child and disclosed to a third-party payer.

120.28 (c) The district shall give the parent or legal representative annual written notice of:

120.29 (1) the district's intent to seek reimbursement from medical assistance or MinnesotaCare  
120.30 for evaluations required as part of the individualized education program process or  
120.31 individualized family service plan process, and for health-related services provided by the



121.1 district according to the individualized education program or individualized family service  
121.2 plan;

121.3 (2) the right of the parent or legal representative to request a copy of all records  
121.4 concerning individualized education program or individualized family service plan  
121.5 health-related services disclosed by the district to any third party; and

121.6 (3) the right of the parent or legal representative to withdraw consent for disclosure of  
121.7 a child's records at any time without consequence.

121.8 The written notice shall be provided as part of the written notice required by Code of Federal  
121.9 Regulations, title 34, section 300.504 or 303.520. The district must ensure that the parent  
121.10 of a child with a disability is given notice, in understandable language, of federal and state  
121.11 procedural safeguards available to the parent under this paragraph and paragraph (b).

121.12 (d) In order to access the private health care coverage of a child who is covered by private  
121.13 health care coverage in whole or in part, a district must:

121.14 (1) obtain annual written informed consent from the parent or legal representative, in  
121.15 compliance with subdivision 5; and

121.16 (2) inform the parent or legal representative that a refusal to permit the district or state  
121.17 Medicaid agency to access their private health care coverage does not relieve the district of  
121.18 its responsibility to provide all services necessary to provide free and appropriate public  
121.19 education at no cost to the parent or legal representative.

121.20 (e) If the commissioner of human services obtains federal approval to exempt covered  
121.21 individualized education program or individualized family service plan health-related  
121.22 services from the requirement that private health care coverage refuse payment before  
121.23 medical assistance may be billed, paragraphs (b), (c), and (d) shall also apply to students  
121.24 with a combination of private health care coverage and health care coverage through medical  
121.25 assistance or MinnesotaCare.

121.26 (f) In the event that Congress or any federal agency or the Minnesota legislature or any  
121.27 state agency establishes lifetime limits, limits for any health care services, cost-sharing  
121.28 provisions, or otherwise provides that individualized education program or individualized  
121.29 family service plan health-related services impact benefits for persons enrolled in medical  
121.30 assistance or MinnesotaCare, the amendments to this subdivision adopted in 2002 are  
121.31 repealed on the effective date of any federal or state law or regulation that imposes the  
121.32 limits. In that event, districts must obtain informed consent consistent with this subdivision  
121.33 as it existed prior to the 2002 amendments and subdivision 5, before seeking reimbursement

122.1 for children enrolled in medical assistance under chapter 256B or MinnesotaCare under  
 122.2 chapter 256L who have no other health care coverage.

122.3 **EFFECTIVE DATE.** This section is effective August 1, 2017.

122.4 Sec. 5. Minnesota Statutes 2016, section 125A.515, is amended to read:

122.5 **125A.515 PLACEMENT OF STUDENTS; APPROVAL OF EDUCATION**  
 122.6 **PROGRAM.**

122.7 Subdivision 1. **Approval of on-site education programs.** The commissioner shall  
 122.8 approve on-site education programs for placement of children and youth in residential  
 122.9 facilities including detention centers, before being licensed by the Department of Human  
 122.10 Services or the Department of Corrections. Education programs in these facilities shall  
 122.11 conform to state and federal education laws including the Individuals with Disabilities  
 122.12 Education Act (IDEA). This section applies only to placements in children's residential  
 122.13 facilities licensed by the Department of Human Services or the Department of Corrections.  
 122.14 For purposes of this section, "on-site education program" means the educational services  
 122.15 provided directly on the grounds of the ~~care and treatment~~ children's residential facility to  
 122.16 children and youth placed for care and treatment.

122.17 Subd. 3. **Responsibilities for providing education.** (a) The district in which the children's  
 122.18 residential facility is located must provide education services, including special education  
 122.19 if eligible, to all students placed in a facility.

122.20 (b) For education programs operated by the Department of Corrections, the providing  
 122.21 district shall be the Department of Corrections. For students remanded to the commissioner  
 122.22 of corrections, the providing and resident district shall be the Department of Corrections.

122.23 Subd. 3a. **Students without a disability from other states.** A school district is not  
 122.24 required to provide education services under this section to a student who:

122.25 (1) is not a resident of Minnesota;

122.26 (2) does not have an individualized education program; and

122.27 (3) does not have a tuition arrangement or agreement to pay the cost of education from  
 122.28 the placing authority.

122.29 Subd. 4. **Education services required.** (a) Education services must be provided to a  
 122.30 student beginning within three business days after the student enters the ~~care and treatment~~  
 122.31 children's residential facility. The first four days of the student's placement may be used to  
 122.32 screen the student for educational and safety issues.

123.1 (b) If the student does not meet the eligibility criteria for special education, regular  
123.2 education services must be provided to that student.

123.3 **Subd. 5. Education programs for students placed in children's residential facilities.**

123.4 (a) When a student is placed in a children's residential facility ~~approved~~ under this section  
123.5 that has an on-site education program, the providing district, upon notice from the ~~care and~~  
123.6 ~~treatment~~ children's residential facility, must contact the resident district within one business  
123.7 day to determine if a student has been identified as having a disability, and to request at  
123.8 least the student's transcript, and for students with disabilities, the most recent individualized  
123.9 education program (IEP) and evaluation report, ~~and to determine if the student has been~~  
123.10 ~~identified as a student with a disability~~. The resident district must send a facsimile copy to  
123.11 the providing district within two business days of receiving the request.

123.12 (b) If a student placed under this section has been identified as having a disability and  
123.13 has an individualized education program in the resident district:

123.14 (1) the providing agency must conduct an individualized education program meeting to  
123.15 reach an agreement about continuing or modifying special education services in accordance  
123.16 with the current individualized education program goals and objectives and to determine if  
123.17 additional evaluations are necessary; and

123.18 (2) at least the following people shall receive written notice or documented phone call  
123.19 to be followed with written notice to attend the individualized education program meeting:

123.20 (i) the person or agency placing the student;

123.21 (ii) the resident district;

123.22 (iii) the appropriate teachers and related services staff from the providing district;

123.23 (iv) appropriate staff from the children's residential facility;

123.24 (v) the parents or legal guardians of the student; and

123.25 (vi) when appropriate, the student.

123.26 (c) For a student who has not been identified as a student with a disability, a screening  
123.27 must be conducted by the providing districts as soon as possible to determine the student's  
123.28 educational and behavioral needs and must include a review of the student's educational  
123.29 records.

123.30 **Subd. 6. Exit report summarizing educational progress.** If a student has been placed  
123.31 in a facility under this section for 15 or more business days, the providing district must  
123.32 prepare an exit report summarizing the regular education, special education, evaluation,

124.1 educational progress, and service information and must send the report to the resident district  
124.2 and the next providing district if different, the parent or legal guardian, and any appropriate  
124.3 social service agency. For students with disabilities, this report must include the student's  
124.4 IEP.

124.5 Subd. 7. **Minimum educational services required.** When a student is placed in a  
124.6 children's residential facility ~~approved~~ under this section, at a minimum, the providing  
124.7 district is responsible for:

124.8 (1) the education necessary, including summer school services, for a student who is not  
124.9 performing at grade level as indicated in the education record or IEP; and

124.10 (2) a school day, of the same length as the school day of the providing district, unless  
124.11 the unique needs of the student, as documented through the IEP or education record in  
124.12 consultation with treatment providers, requires an alteration in the length of the school day.

124.13 Subd. 8. **Placement, services, and due process.** When a student's treatment and  
124.14 educational needs allow, education shall be provided in a regular educational setting. The  
124.15 determination of the amount and site of integrated services must be a joint decision between  
124.16 the student's parents or legal guardians and the treatment and education staff. When  
124.17 applicable, educational placement decisions must be made by the IEP team of the providing  
124.18 district. Educational services shall be provided in conformance with the least restrictive  
124.19 environment principle of the Individuals with Disabilities Education Act. The providing  
124.20 district and ~~care and treatment~~ children's residential facility shall cooperatively develop  
124.21 discipline and behavior management procedures to be used in emergency situations that  
124.22 comply with the Minnesota Pupil Fair Dismissal Act and other relevant state and federal  
124.23 laws and regulations.

124.24 Subd. 9. **Reimbursement for education services.** (a) Education services provided to  
124.25 students who have been placed under this section are reimbursable in accordance with  
124.26 special education and general education statutes.

124.27 (b) Indirect or consultative services provided in conjunction with regular education  
124.28 prereferral interventions and assessment provided to regular education students suspected  
124.29 of being disabled and who have demonstrated learning or behavioral problems in a screening  
124.30 are reimbursable with special education categorical aids.

124.31 (c) Regular education, including screening, provided to students with or without  
124.32 disabilities is not reimbursable with special education categorical aids.

125.1 Subd. 10. **Students unable to attend school but not covered under this section.**

125.2 Students who are absent from, or predicted to be absent from, school for 15 consecutive or  
125.3 intermittent days, and placed at home or in facilities not licensed by the Departments of  
125.4 Corrections or Human Services are entitled to regular and special education services  
125.5 consistent with this section or Minnesota Rules, part 3525.2325. These students include  
125.6 students with and without disabilities who are home due to accident or illness, in a hospital  
125.7 or other medical facility, or in a day treatment center.

125.8 Sec. 6. Minnesota Statutes 2016, section 125A.74, subdivision 1, is amended to read:

125.9 Subdivision 1. **Eligibility.** A district may enroll as a provider in the medical assistance  
125.10 program and receive medical assistance payments for covered evaluations and special  
125.11 education services provided to persons eligible for medical assistance under chapter 256B.  
125.12 To receive medical assistance payments, the district must pay the nonfederal share of medical  
125.13 assistance services provided according to section 256B.0625, subdivision 26, and comply  
125.14 with relevant provisions of state and federal statutes and regulations governing the medical  
125.15 assistance program.

125.16 **EFFECTIVE DATE.** This section is effective August 1, 2017.

125.17 Sec. 7. Minnesota Statutes 2016, section 125A.76, subdivision 2c, is amended to read:

125.18 Subd. 2c. **Special education aid.** (a) For fiscal year 2016 and later, a district's special  
125.19 education aid equals the sum of the district's special education initial aid under subdivision  
125.20 2a and the district's excess cost aid under section 125A.79, subdivision 5.

125.21 (b) Notwithstanding paragraph (a), for fiscal year 2016, the special education aid for a  
125.22 school district must not exceed the sum of the special education aid the district would have  
125.23 received for fiscal year 2016 under Minnesota Statutes 2012, sections 125A.76 and 125A.79,  
125.24 as adjusted according to Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision  
125.25 7, and the product of the district's average daily membership served and the special education  
125.26 aid increase limit.

125.27 (c) Notwithstanding paragraph (a), for fiscal year 2017 and later, the special education  
125.28 aid for a school district must not exceed the sum of: (i) the product of the district's average  
125.29 daily membership served and the special education aid increase limit and (ii) the product  
125.30 of the sum of the special education aid the district would have received for fiscal year 2016  
125.31 under Minnesota Statutes 2012, sections 125A.76 and 125A.79, as adjusted according to  
125.32 Minnesota Statutes 2012, sections 125A.11 and 127A.47, subdivision 7, the ratio of the

126.1 district's average daily membership served for the current fiscal year to the district's average  
126.2 daily membership served for fiscal year 2016, and the program growth factor.

126.3 (d) Notwithstanding paragraph (a), for fiscal year 2016 and later the special education  
126.4 aid for a school district, not including a charter school or cooperative unit as defined in  
126.5 section 123A.24, must not be less than the lesser of (1) the district's nonfederal special  
126.6 education expenditures for that fiscal year or (2) the product of the sum of the special  
126.7 education aid the district would have received for fiscal year 2016 under Minnesota Statutes  
126.8 2012, sections 125A.76 and 125A.79, as adjusted according to Minnesota Statutes 2012,  
126.9 sections 125A.11 and 127A.47, subdivision 7, the ratio of the district's adjusted daily  
126.10 membership for the current fiscal year to the district's average daily membership for fiscal  
126.11 year 2016, and the program growth factor.

126.12 (e) Notwithstanding subdivision 2a and section 125A.79, a charter school in its first year  
126.13 of operation shall generate special education aid based on current year data. A newly formed  
126.14 cooperative unit as defined in section 123A.24 may apply to the commissioner for approval  
126.15 to generate special education aid for its first year of operation based on current year data,  
126.16 with an offsetting adjustment to the prior year data used to calculate aid for programs at  
126.17 participating school districts or previous cooperatives that were replaced by the new  
126.18 cooperative. The department shall establish procedures to adjust the prior year data and  
126.19 fiscal year 2016 old formula aid used in calculating special education aid to exclude costs  
126.20 that have been eliminated for districts where programs have closed or where a substantial  
126.21 portion of the program has been transferred to a cooperative unit.

126.22 (f) The department shall establish procedures through the uniform financial accounting  
126.23 and reporting system to identify and track all revenues generated from third-party billings  
126.24 as special education revenue at the school district level; include revenue generated from  
126.25 third-party billings as special education revenue in the annual cross-subsidy report; and  
126.26 exclude third-party revenue from calculation of excess cost aid to the districts.

126.27 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2018 and later.

126.28 Sec. 8. Minnesota Statutes 2016, section 256B.0625, subdivision 26, is amended to read:

126.29 Subd. 26. **Special education services.** (a) Medical assistance covers evaluations necessary  
126.30 in making a determination for eligibility for individualized education program and  
126.31 individualized family service plan services and for medical services identified in a recipient's  
126.32 individualized education program and individualized family service plan and covered under  
126.33 the medical assistance state plan. Covered services include occupational therapy, physical  
126.34 therapy, speech-language therapy, clinical psychological services, nursing services, school

127.1 psychological services, school social work services, personal care assistants serving as  
127.2 management aides, assistive technology devices, transportation services, health assessments,  
127.3 and other services covered under the medical assistance state plan. Mental health services  
127.4 eligible for medical assistance reimbursement must be provided or coordinated through a  
127.5 children's mental health collaborative where a collaborative exists if the child is included  
127.6 in the collaborative operational target population. The provision or coordination of services  
127.7 does not require that the individualized education program be developed by the collaborative.

127.8 The services may be provided by a Minnesota school district that is enrolled as a medical  
127.9 assistance provider or its subcontractor, and only if the services meet all the requirements  
127.10 otherwise applicable if the service had been provided by a provider other than a school  
127.11 district, in the following areas: medical necessity, physician's orders, documentation,  
127.12 personnel qualifications, and prior authorization requirements. The nonfederal share of costs  
127.13 for services provided under this subdivision is the responsibility of the local school district  
127.14 as provided in section 125A.74. Services listed in a child's individualized education program  
127.15 are eligible for medical assistance reimbursement only if those services meet criteria for  
127.16 federal financial participation under the Medicaid program.

127.17 (b) Approval of health-related services for inclusion in the individualized education  
127.18 program does not require prior authorization for purposes of reimbursement under this  
127.19 chapter. The commissioner may require physician review and approval of the plan not more  
127.20 than once annually or upon any modification of the individualized education program that  
127.21 reflects a change in health-related services.

127.22 (c) Services of a speech-language pathologist provided under this section are covered  
127.23 notwithstanding Minnesota Rules, part 9505.0390, subpart 1, item L, if the person:

127.24 (1) holds a masters degree in speech-language pathology;

127.25 (2) is licensed by the Minnesota Board of Teaching as an educational speech-language  
127.26 pathologist; and

127.27 (3) either has a certificate of clinical competence from the American Speech and Hearing  
127.28 Association, has completed the equivalent educational requirements and work experience  
127.29 necessary for the certificate or has completed the academic program and is acquiring  
127.30 supervised work experience to qualify for the certificate.

127.31 (d) Medical assistance coverage for medically necessary services provided under other  
127.32 subdivisions in this section may not be denied solely on the basis that the same or similar  
127.33 services are covered under this subdivision.

128.1 (e) The commissioner shall develop and implement package rates, bundled rates, or per  
 128.2 diem rates for special education services under which separately covered services are grouped  
 128.3 together and billed as a unit in order to reduce administrative complexity.

128.4 (f) The commissioner shall develop a cost-based payment structure for payment of these  
 128.5 services. Only costs reported through the designated Minnesota Department of Education  
 128.6 data systems in distinct service categories qualify for inclusion in the cost-based payment  
 128.7 structure. The commissioner shall reimburse claims submitted based on an interim rate, and  
 128.8 shall settle at a final rate once the department has determined it. The commissioner shall  
 128.9 notify the school district of the final rate. The school district has 60 days to appeal the final  
 128.10 rate. To appeal the final rate, the school district shall file a written appeal request to the  
 128.11 commissioner within 60 days of the date the final rate determination was mailed. The appeal  
 128.12 request shall specify (1) the disputed items and (2) the name and address of the person to  
 128.13 contact regarding the appeal.

128.14 (g) Effective July 1, 2000, medical assistance services provided under an individualized  
 128.15 education program or an individual family service plan by local school districts shall not  
 128.16 count against medical assistance authorization thresholds for that child.

128.17 (h) Nursing services as defined in section 148.171, subdivision 15, and provided as an  
 128.18 individualized education program health-related service, are eligible for medical assistance  
 128.19 payment if they are otherwise a covered service under the medical assistance program.  
 128.20 Medical assistance covers the administration of prescription medications by a licensed nurse  
 128.21 who is employed by or under contract with a school district when the administration of  
 128.22 medications is identified in the child's individualized education program. The simple  
 128.23 administration of medications alone is not covered under medical assistance when  
 128.24 administered by a provider other than a school district or when it is not identified in the  
 128.25 child's individualized education program.

128.26 **EFFECTIVE DATE.** This section is effective August 1, 2017.

128.27 Sec. 9. Laws 2016, chapter 189, article 25, section 62, subdivision 17, is amended to read:

128.28 Subd. 17. **Southwest Minnesota State University special education teacher education**  
 128.29 **program.** (a) For the Southwest Minnesota State University special education teacher  
 128.30 education program to support Minnesota ~~resident~~ residents working toward licensure in an  
 128.31 online program, including persons currently employed as:

128.32 (1) special education paraprofessionals working toward licensure in an online program;  
 128.33 (2) teachers without a special education license working on a variance; or



129.1 (3) individuals teaching with a community expert license:

129.2		<del>385,000</del>		
129.3	\$	<u>132,000</u>	.....	2017
129.4	\$	<u>253,000</u>	.....	<u>2018</u>

129.5 (b) \$253,000 of the \$385,000 appropriation in Laws 2016, chapter 189, article 25, section  
 129.6 62, subdivision 17, is canceled to the state general fund on June 30, 2017.

129.7 ~~The base for this program in fiscal year 2018 is \$0.~~ (c) The 2018 appropriation is available  
 129.8 until June 30, 2019.

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

129.10 **Sec. 10. SPECIAL EDUCATION ASSISTIVE TECHNOLOGY STUDY.**

129.11 Subdivision 1. **Study.** The commissioner of education must examine the use of assistive  
 129.12 technology in Minnesota school districts. The commissioner may examine financial data,  
 129.13 survey school officials, and use other methods to collect data on the use of assistive  
 129.14 technology by Minnesota's students. The commissioner must consult with the Minnesota  
 129.15 Assistive Technology Advisory Council and other interested organizations to determine the  
 129.16 scope and focus of the study.

129.17 Subd. 2. **Data reporting.** The commissioner must examine the federally required uniform  
 129.18 financial accounting and reporting standards object codes and, if necessary, recommend  
 129.19 changes to better capture school district spending on assistive technology. The commissioner  
 129.20 must examine approaches to collecting additional student-level assistive technology data  
 129.21 through the electronic data reporting system.

129.22 Subd. 3. **Assistive technology manual.** The commissioner must examine the department's  
 129.23 assistive technology manual, and determine whether to prepare a revised manual.

129.24 Subd. 4. **Report.** The commissioner of education must report to the chairs and ranking  
 129.25 minority members of the legislative committees with jurisdiction over kindergarten through  
 129.26 grade 12 education by February 15, 2018, on the use of assistive technology by Minnesota's  
 129.27 students and recommend statutory changes to encourage individualized education programs  
 129.28 and individualized family service plans to incorporate a child-centered assistive technology  
 129.29 plan.

130.1 **Sec. 11. SPECIAL EDUCATION ADJUSTMENT; MONTICELLO SCHOOL**  
 130.2 **DISTRICT.**

130.3 Notwithstanding Minnesota Statutes, sections 125A.76 and 127A.45, special education  
 130.4 aid payments to Independent School District No. 882, Monticello, must be increased by  
 130.5 \$800,000 in fiscal year 2018 to mitigate cash flow problems created by an unforeseeable  
 130.6 reduction in the district's special education aid for fiscal year 2016 as a result of the combined  
 130.7 effects of converting from a host district cooperative to a joint powers cooperative and  
 130.8 implementation of a new special education aid formula in the same fiscal year. Special  
 130.9 education aid payments to Independent School District No. 882, Monticello, must be reduced  
 130.10 by the same amount in fiscal year 2019 to offset the fiscal year 2018 increase.

130.11 **Sec. 12. APPROPRIATIONS.**

130.12 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 130.13 appropriated from the general fund to the Department of Education for the fiscal years  
 130.14 designated.

130.15 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,  
 130.16 section 125A.75:

130.17 \$ 1,341,161,000 ..... 2018

130.18 \$ 1,426,827,000 ..... 2019

130.19 The 2018 appropriation includes \$156,403,000 for 2017 and \$1,184,758 for 2018.

130.20 The 2019 appropriation includes \$131,639,000 for 2018 and \$1,295,188 for 2019.

130.21 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section  
 130.22 125A.75, subdivision 3, for children with disabilities placed in residential facilities within  
 130.23 the district boundaries for whom no district of residence can be determined:

130.24 \$ 1,597,000 ..... 2018

130.25 \$ 1,830,000 ..... 2019

130.26 If the appropriation for either year is insufficient, the appropriation for the other year is  
 130.27 available.

130.28 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based  
 130.29 services under Minnesota Statutes, section 125A.75, subdivision 1:

130.30 \$ 508,000 ..... 2018

130.31 \$ 532,000 ..... 2019

130.32 The 2018 appropriation includes \$48,000 for 2017 and \$460,000 for 2018.

131.1 The 2019 appropriation includes \$51,000 for 2018 and \$481,000 for 2019.

131.2 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school  
 131.3 districts for unreimbursed eligible expenditures attributable to children placed in the serving  
 131.4 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

131.5       \$       46,000   ..... 2018

131.6       \$       47,000   ..... 2019

131.7 Subd. 6. **Special education out-of-state tuition.** For special education out-of-state  
 131.8 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

131.9       \$       250,000   ..... 2018

131.10      \$       250,000   ..... 2019

131.11 Sec. 13. **REPEALER.**

131.12 Minnesota Statutes 2016, sections 125A.085; 125A.75, subdivision 7; and 125A.76,  
 131.13 subdivision 2b, are repealed effective for fiscal year 2018 and later.

## 131.14 **ARTICLE 5**

### 131.15 **FACILITIES AND TECHNOLOGY**

131.16 Section 1. **[121A.335] LEAD IN SCHOOL DRINKING WATER.**

131.17 Subdivision 1. **Model plan.** The commissioners of health and education shall jointly  
 131.18 develop a model plan to require school districts to accurately and efficiently test for the  
 131.19 presence of lead in water in public school buildings serving students in kindergarten through  
 131.20 grade 12. To the extent possible, the commissioners shall base the plan on the standards  
 131.21 established by the United States Environmental Protection Agency. The plan may be based  
 131.22 on the technical guidance in the Department of Health's document, "Reducing Lead in  
 131.23 Drinking Water: A Technical Guidance for Minnesota's School and Child Care Facilities."

131.24 Subd. 2. **School plans.** By July 1, 2018, the board of each school district or charter  
 131.25 school must adopt the commissioners' model plan or develop and adopt an alternative plan  
 131.26 to accurately and efficiently test for the presence of lead in water in school buildings serving  
 131.27 prekindergarten students and students in kindergarten through grade 12.

131.28 Subd. 3. **Frequency of testing.** The plan under subdivision 2 must include a testing  
 131.29 schedule for every building serving prekindergarten through grade 12 students. The schedule  
 131.30 must require that each building be tested at least once every five years. A school district  
 131.31 must begin testing school buildings by July 1, 2018, and complete testing of all buildings  
 131.32 that serve students within five years.

132.1 Subd. 4. **Ten-year facilities plan.** A school district may include lead testing and  
132.2 remediation as a part of its ten-year facilities plan under section 123B.595.

132.3 Subd. 5. **Reporting.** A school district that has tested its buildings for the presence of  
132.4 lead shall make the results of the testing available to the public for review and must notify  
132.5 parents of the availability of the information.

132.6 **EFFECTIVE DATE.** This section is effective July 1, 2017.

132.7 Sec. 2. Minnesota Statutes 2016, section 123A.73, subdivision 2, is amended to read:

132.8 Subd. 2. ~~**Involuntary Dissolution;**~~ **referendum revenue.** As of the effective date of  
132.9 the voluntary or involuntary dissolution of a district and its attachment to one or more  
132.10 existing districts pursuant to sections 123A.60 or 123A.64 to 123A.72, the authorization  
132.11 for any referendum revenue previously approved by the voters of the dissolved district in  
132.12 that district pursuant to section 126C.17, subdivision 9, or its predecessor or successor  
132.13 provision, is canceled. The authorization for any referendum revenue previously approved  
132.14 by the voters of a district to which all or part of the dissolved district is attached shall not  
132.15 be affected by the attachment and shall apply to the entire area of the district as enlarged  
132.16 by the attachment.

132.17 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017.

132.18 Sec. 3. Minnesota Statutes 2016, section 123B.595, subdivision 1, is amended to read:

132.19 Subdivision 1. **Long-term facilities maintenance revenue.** (a) For fiscal year 2017  
132.20 only, long-term facilities maintenance revenue equals the greater of (1) the sum of (i) \$193  
132.21 times the district's adjusted pupil units times the lesser of one or the ratio of the district's  
132.22 average building age to 35 years, plus the cost approved by the commissioner for indoor  
132.23 air quality, fire alarm and suppression, and asbestos abatement projects under section  
132.24 123B.57, subdivision 6, with an estimated cost of \$100,000 or more per site, plus (ii) for a  
132.25 school district with an approved voluntary prekindergarten program under section 124D.151,  
132.26 the cost approved by the commissioner for remodeling existing instructional space to  
132.27 accommodate prekindergarten instruction, or (2) the sum of (i) the amount the district would  
132.28 have qualified for under Minnesota Statutes 2014, section 123B.57, Minnesota Statutes  
132.29 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591, and (ii) for a school  
132.30 district with an approved voluntary prekindergarten program under section 124D.151, the  
132.31 cost approved by the commissioner for remodeling existing instructional space to  
132.32 accommodate prekindergarten instruction.

133.1 (b) For fiscal year 2018 only, long-term facilities maintenance revenue equals the greater  
133.2 of (1) the sum of (i) \$292 times the district's adjusted pupil units times the lesser of one or  
133.3 the ratio of the district's average building age to 35 years, plus (ii) the cost approved by the  
133.4 commissioner for indoor air quality, fire alarm and suppression, and asbestos abatement  
133.5 projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000 or more  
133.6 per site, plus (iii) for a school district with an approved voluntary prekindergarten program  
133.7 under section 124D.151, the cost approved by the commissioner for remodeling existing  
133.8 instructional space to accommodate prekindergarten instruction, or (2) the sum of (i) the  
133.9 amount the district would have qualified for under Minnesota Statutes 2014, section 123B.57,  
133.10 Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section 123B.591,  
133.11 and (ii) for a school district with an approved voluntary prekindergarten program under  
133.12 section 124D.151, the cost approved by the commissioner for remodeling existing  
133.13 instructional space to accommodate prekindergarten instruction.

133.14 (c) For fiscal year 2019 and later, long-term facilities maintenance revenue equals the  
133.15 greater of (1) the sum of (i) \$380 times the district's adjusted pupil units times the lesser of  
133.16 one or the ratio of the district's average building age to 35 years, plus (ii) the cost approved  
133.17 by the commissioner for indoor air quality, fire alarm and suppression, and asbestos  
133.18 abatement projects under section 123B.57, subdivision 6, with an estimated cost of \$100,000  
133.19 or more per site, plus (iii) for a school district with an approved voluntary prekindergarten  
133.20 program under section 124D.151, the cost approved by the commissioner for remodeling  
133.21 existing instructional space to accommodate prekindergarten instruction, or (2) the sum of  
133.22 (i) the amount the district would have qualified for under Minnesota Statutes 2014, section  
133.23 123B.57, Minnesota Statutes 2014, section 123B.59, and Minnesota Statutes 2014, section  
133.24 123B.591, and (ii) for a school district with an approved voluntary prekindergarten program  
133.25 under section 124D.151, the cost approved by the commissioner for remodeling existing  
133.26 instructional space to accommodate prekindergarten instruction.

133.27 (d) Notwithstanding paragraphs (a), (b), and (c), a school district that qualified for  
133.28 eligibility under Minnesota Statutes 2014, section 123B.59, subdivision 1, paragraph (a),  
133.29 for fiscal year 2010 remains eligible for funding under this section as a district that would  
133.30 have qualified for eligibility under Minnesota Statutes 2014, section 123B.59, subdivision  
133.31 1, paragraph (a), for fiscal year 2017 and later.

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

134.1 Sec. 4. Minnesota Statutes 2016, section 123B.595, subdivision 4, is amended to read:

134.2 Subd. 4. **Facilities plans.** (a) To qualify for revenue under this section, a school district  
134.3 or intermediate district, not including a charter school, must have a ten-year facility plan  
134.4 adopted by the school board and approved by the commissioner. The plan must include  
134.5 provisions for implementing a health and safety program that complies with health, safety,  
134.6 and environmental regulations and best practices, including indoor air quality management  
134.7 and remediation of lead hazards.

134.8 (b) The district must annually update the plan, submit the plan to the commissioner for  
134.9 approval by July 31, and indicate whether the district will issue bonds to finance the plan  
134.10 or levy for the costs.

134.11 (c) For school districts issuing bonds to finance the plan, the plan must include a debt  
134.12 service schedule demonstrating that the debt service revenue required to pay the principal  
134.13 and interest on the bonds each year will not exceed the projected long-term facilities revenue  
134.14 for that year.

134.15 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2018 and later.

134.16 Sec. 5. Minnesota Statutes 2016, section 123B.71, subdivision 11, is amended to read:

134.17 Subd. 11. **Review of proposals.** In reviewing each proposal, the commissioner shall  
134.18 submit to the school board, within 60 days of receiving the proposal, the review and comment  
134.19 about the educational and economic advisability of the project. The commissioner must  
134.20 include comments from residents of the school district in the review and comment. The  
134.21 review and comment shall be based on information submitted with the proposal and other  
134.22 information the commissioner determines is necessary. If the commissioner submits a  
134.23 negative review and comment for a portion of a proposal, the review and comment shall  
134.24 clearly specify which portion of the proposal received a negative review and comment and  
134.25 which portion of the proposal received a positive review and comment.

134.26 Sec. 6. Minnesota Statutes 2016, section 123B.71, subdivision 12, is amended to read:

134.27 Subd. 12. **Publication.** (a) At least 20 days but not more than 60 days before a referendum  
134.28 for bonds or solicitation of bids for a project that has received a positive or unfavorable  
134.29 review and comment under section 123B.70, the school board shall publish a summary of  
134.30 the commissioner's review and comment of that project in the legal newspaper of the district.  
134.31 The school board must hold a public meeting to discuss the commissioner's review and

135.1 comment before the referendum for bonds. Supplementary information shall be available  
135.2 to the public.

135.3 (b) The publication requirement in paragraph (a) does not apply to alternative facilities  
135.4 projects approved under section ~~123B.59~~ 123B.595.

135.5 Sec. 7. Minnesota Statutes 2016, section 129C.10, subdivision 1, is amended to read:

135.6 Subdivision 1. **Governance.** (a) The board of the Perpich Center for Arts Education  
135.7 shall consist of ~~15~~ 16 persons, including the commissioner of education or a person  
135.8 designated by the commissioner of education who must serve as an ex officio member.

135.9 The remaining 15 members of the board shall be appointed by the governor with the advice  
135.10 and consent of the senate. At least one member must be appointed from each congressional  
135.11 district.

135.12 (b) All board members must complete board training requirements consistent with section  
135.13 127A.19.

135.14 Sec. 8. Minnesota Statutes 2016, section 129C.10, subdivision 4, is amended to read:

135.15 Subd. 4. **Employees.** (a)(1) The board must appoint a director of the Center for Arts  
135.16 Education who shall serve in the unclassified service. The director must hold a Minnesota  
135.17 superintendent license.

135.18 (2) The board must employ, upon recommendation of the director, a coordinator of  
135.19 resource programs who shall serve in the unclassified service.

135.20 (3) The board must employ, upon recommendation of the director, up to six department  
135.21 chairs who shall serve in the unclassified service. The chairs shall be licensed teachers  
135.22 unless no licensure exists for the subject area or discipline for which the chair is hired.

135.23 (4) The board may employ other necessary employees, upon recommendation of the  
135.24 director.

135.25 (5) The board must employ, upon recommendation of the director, an executive secretary  
135.26 for the director, who shall serve in the unclassified service.

135.27 (6) All persons employed as teachers must hold Minnesota teaching licenses in their  
135.28 respective fields or be approved by the Board of Teaching.

135.29 (b) The employees hired under this subdivision and other necessary employees hired by  
135.30 the board shall be state employees in the executive branch.

136.1 Sec. 9. Minnesota Statutes 2016, section 129C.105, is amended to read:

136.2 **129C.105 BOARD MEETINGS BY TELEPHONE OR OTHER ELECTRONIC**  
136.3 **MEANS.**

136.4 (a) Notwithstanding section 13D.01 and if complying with section 13D.02 is impractical,  
136.5 the Board of the Perpich Center for Arts Education may conduct a meeting of its members  
136.6 by telephone or other electronic means when:

136.7 (1) all members of the board participating in the meeting, wherever the members' physical  
136.8 locations, can hear one another and all discussion and testimony;

136.9 (2) members of the public present at the regular meeting location of the board can hear  
136.10 all discussion and testimony and all votes of members of the board;

136.11 (3) at least one member of the board is physically present at the regular meeting location;  
136.12 and

136.13 (4) all votes are conducted by roll call, so each member's vote on each issue can be  
136.14 identified and recorded.

136.15 (b) Each member of the board participating in a meeting by telephone or other electronic  
136.16 means is considered present at the meeting for purposes of determining a quorum and  
136.17 participating in all proceedings.

136.18 (c) If telephone or other electronic means is used to conduct a meeting, the board, to the  
136.19 extent practical, shall allow a person to monitor the meeting electronically from a remote  
136.20 location. The board may require the person making such a connection to pay for documented  
136.21 marginal costs that the board incurs as a result of the additional connection.

136.22 (d) If telephone or other electronic means is used to conduct a regular, special, or  
136.23 emergency meeting, the board shall provide notice of the regular meeting location, of the  
136.24 fact that some members may participate by telephone or other electronic means, and of the  
136.25 provisions of paragraph (c). The timing and method of providing notice is governed by  
136.26 section 13D.04.

136.27 (e) The board must publish minutes of all meetings on the center's Web site.

136.28 Sec. 10. **129C.27] ANNUAL DIRECTOR REPORT.**

136.29 The director must report the following to the education committees of the legislature by  
136.30 January 15 of each year in accordance with section 3.195:



137.1 (1) outreach activities, including the number of districts, teachers, and administrators  
 137.2 that have participated in outreach programs;

137.3 (2) the impact of the center's outreach activities;

137.4 (3) enrollment trends, including the number of students from each congressional district  
 137.5 admitted to the Perpich Arts High School and efforts to increase enrollment by 20 percent  
 137.6 by 2019; and

137.7 (4) students' academic achievement, including performance on standard assessments,  
 137.8 graduation rates, and the number of students enrolled in postsecondary education.

137.9 **EFFECTIVE DATE.** This section is effective July 1, 2017.

137.10 Sec. 11. Laws 2016, chapter 189, article 30, section 25, subdivision 5, is amended to read:

137.11 Subd. 5. **Early repayment aid incentive.** (a) For incentive grants for a district that  
 137.12 repays the full outstanding original principal on its capital loan by November 30, 2016,  
 137.13 under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by this  
 137.14 act:

137.15		<del>2,200,000</del>	
137.16	\$	<u>2,350,000</u>	..... 2017

137.17 (b) Of this amount, \$150,000 is for a grant to Independent School District No. 36,  
 137.18 Kelliher; \$180,000 is for a grant to Independent School District No. 95, Cromwell; \$495,000  
 137.19 is for a grant to Independent School District No. 299, Caledonia; \$220,000 is for a grant to  
 137.20 Independent School District No. 306, Laporte; \$150,000 is for a grant to Independent School  
 137.21 District No. 362, Littlefork; \$650,000 is for a grant to Independent School District No. 682,  
 137.22 Roseau; and \$505,000 is for a grant to Independent School District No. 2580, East Central.

137.23 (c) The grant may be used for any school-related purpose.

137.24 (d) The base appropriation for 2022 is zero.

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

137.26 Sec. 12. **DISPOSITION OF CROSSWINDS SCHOOL; PROCEEDS OF SALE.**

137.27 (a) Notwithstanding the appropriation of state general obligation bond proceeds in Laws  
 137.28 1998, chapter 404, section 5, subdivision 5; Laws 1999, chapter 240, article 1, section 3;  
 137.29 Laws 2000, chapter 492, article 1, section 5, subdivision 2; Laws 2001, First Special Session  
 137.30 chapter 12, section 2, subdivision 2; and Laws 2005, chapter 20, article 1, section 5,  
 137.31 subdivision 3, to acquire and better the Crosswinds school facilities by the Joint Powers

138.1 District No. 6067, East Metro Integration District, in Woodbury, the Crosswinds school  
 138.2 may be conveyed or sold by the commissioner of administration in accordance with  
 138.3 Minnesota Statutes, sections 16B.281 to 16B.287.

138.4 (b) As soon as practicable following July 1, 2017, and consistent with Minnesota Statutes,  
 138.5 sections 16A.695 and 16B.281 to 16B.287, and constraints on the disposition of  
 138.6 bond-financed property, the commissioner of administration shall offer the Crosswinds  
 138.7 school property for sale. Before offering the Crosswinds school property for sale, the  
 138.8 commissioner of administration must determine that the property is no longer needed to  
 138.9 carry out the governmental program for which it was acquired or constructed.

138.10 **EFFECTIVE DATE.** This section is effective July 1, 2017.

138.11 **Sec. 13. TRANSITION REQUIREMENTS; CROSSWINDS SCHOOL.**

138.12 For the 2017-2018 school year only, for a school district or charter school enrolling  
 138.13 pupils at the Crosswinds school, the Department of Education must calculate compensatory  
 138.14 revenue, literacy aid, and alternative compensation revenue for the Crosswinds school based  
 138.15 on the October 1, 2016, enrollment counts at that site.

138.16 **EFFECTIVE DATE.** This section is effective July 1, 2017.

138.17 **Sec. 14. APPROPRIATIONS.**

138.18 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 138.19 appropriated from the general fund to the Department of Education for the fiscal years  
 138.20 designated.

138.21 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under  
 138.22 Minnesota Statutes, section 123B.53, subdivision 6:

138.23     \$    24,908,000    .....    2018

138.24     \$    22,360,000    .....    2019

138.25 The 2018 appropriation includes \$2,324,000 for 2017 and \$22,584,000 for 2018.

138.26 The 2019 appropriation includes \$2,509,000 for 2018 and \$19,851,000 for 2019.

138.27 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities  
 138.28 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

138.29     \$    80,179,000    .....    2018

138.30     \$    103,460,000    .....    2019

138.31 The 2018 appropriation includes \$5,815,000 for 2017 and \$74,364,000 for 2018.

139.1 The 2019 appropriation includes \$8,262,000 for 2018 and \$95,198,000 for 2019.

139.2 Subd. 4. **Equity in telecommunications access.** For equity in telecommunications  
 139.3 access:

139.4 \$ 3,750,000 ..... 2018

139.5 \$ 3,750,000 ..... 2019

139.6 If the appropriation amount is insufficient, the commissioner shall reduce the  
 139.7 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the  
 139.8 revenue for fiscal years 2018 and 2019 shall be prorated.

139.9 Any balance in the first year does not cancel but is available in the second year.

139.10 Subd. 5. **Early repayment aid incentive.** (a) For incentive grants for a district that  
 139.11 repays the full outstanding original principal on its capital loan by November 30, 2016,  
 139.12 under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by Laws  
 139.13 2016, chapter 189, article 30, section 22:

139.14 \$ 2,350,000 ..... 2018

139.15 \$ 2,350,000 ..... 2019

139.16 (b) Of this amount, \$150,000 is for a grant to Independent School District No. 36,  
 139.17 Kelliher; \$180,000 is for a grant to Independent School District No. 95, Cromwell; \$495,000  
 139.18 is for a grant to Independent School District No. 299, Caledonia; \$220,000 is for a grant to  
 139.19 Independent School District No. 306, Laporte; \$150,000 is for a grant to Independent School  
 139.20 District No. 362, Littlefork; \$650,000 is for a grant to Independent School District No. 682,  
 139.21 Roseau; and \$505,000 is for a grant to Independent School District No. 2580, East Central.

139.22 (c) The grant may be used for any school-related purpose.

139.23 (d) The base for 2022 is \$0.

139.24 **Sec. 15. REPEALER.**

139.25 (a) Minnesota Statutes 2016, section 123A.73, subdivision 3, is repealed retroactively  
 139.26 from January 1, 2017.

139.27 (b) Minnesota Statutes 2016, sections 129C.10, subdivision 5a; and 129C.30, are repealed  
 139.28 effective July 1, 2017.

139.29 **ARTICLE 6**

139.30 **NUTRITION**

139.31 **Section 1. Minnesota Statutes 2016, section 123B.52, subdivision 1, is amended to read:**

140.1        Subdivision 1. **Contracts.** A contract for work or labor, or for the purchase of furniture,  
140.2 fixtures, or other property, except books registered under the copyright laws and information  
140.3 systems software, or for the construction or repair of school houses, the estimated cost or  
140.4 value of which shall exceed that specified in section 471.345, subdivision 3, must not be  
140.5 made by the school board without first advertising for bids or proposals by two weeks'  
140.6 published notice in the official newspaper. This notice must state the time and place of  
140.7 receiving bids and contain a brief description of the subject matter.

140.8        Additional publication in the official newspaper or elsewhere may be made as the board  
140.9 shall deem necessary.

140.10       After taking into consideration conformity with the specifications, terms of delivery,  
140.11 and other conditions imposed in the call for bids, every such contract for which a call for  
140.12 bids has been issued must be awarded to the lowest responsible bidder, be duly executed  
140.13 in writing, and be otherwise conditioned as required by law. The person to whom the contract  
140.14 is awarded shall give a sufficient bond to the board for its faithful performance.

140.15 Notwithstanding section 574.26 or any other law to the contrary, on a contract limited to  
140.16 the purchase of a finished tangible product, a board may require, at its discretion, a  
140.17 performance bond of a contractor in the amount the board considers necessary. A record  
140.18 must be kept of all bids, with names of bidders and amount of bids, and with the successful  
140.19 bid indicated thereon. A bid containing an alteration or erasure of any price contained in  
140.20 the bid which is used in determining the lowest responsible bid must be rejected unless the  
140.21 alteration or erasure is corrected as provided in this section. An alteration or erasure may  
140.22 be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and  
140.23 initialed in ink by the person signing the bid. In the case of identical low bids from two or  
140.24 more bidders, the board may, at its discretion, utilize negotiated procurement methods with  
140.25 the tied low bidders for that particular transaction, so long as the price paid does not exceed  
140.26 the low tied bid price. In the case where only a single bid is received, the board may, at its  
140.27 discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid  
140.28 does not exceed the original bid. If no satisfactory bid is received, the board may readvertise.  
140.29 Standard requirement price contracts established for supplies or services to be purchased  
140.30 by the district must be established by competitive bids. Such standard requirement price  
140.31 contracts may contain escalation clauses and may provide for a negotiated price increase  
140.32 or decrease based upon a demonstrable industrywide or regional increase or decrease in the  
140.33 vendor's costs. Either party to the contract may request that the other party demonstrate  
140.34 such increase or decrease. The term of such contracts must not exceed two years with an  
140.35 option on the part of the district to renew for an additional two years, except as provided in

141.1 subdivision 7. Contracts for the purchase of perishable food items, except milk for school  
 141.2 lunches and vocational training programs, in any amount may be made by direct negotiation  
 141.3 by obtaining two or more written quotations for the purchase or sale, when possible, without  
 141.4 advertising for bids or otherwise complying with the requirements of this section or section  
 141.5 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least  
 141.6 one year after receipt.

141.7 Every contract made without compliance with the provisions of this section shall be  
 141.8 void. Except in the case of the destruction of buildings or injury thereto, where the public  
 141.9 interest would suffer by delay, contracts for repairs may be made without advertising for  
 141.10 bids.

141.11 **EFFECTIVE DATE.** This section is effective for contracts entered into on or after July  
 141.12 1, 2017.

141.13 Sec. 2. Minnesota Statutes 2016, section 123B.52, is amended by adding a subdivision to  
 141.14 read:

141.15 Subd. 7. **Food service contracts.** A contract between a school board and a food service  
 141.16 management company that complies with Code of Federal Regulations, title 7, section  
 141.17 210.16, may be renewed annually after its initial term for not more than four additional  
 141.18 years.

141.19 **EFFECTIVE DATE.** This section is effective for contracts entered into on or after July  
 141.20 1, 2017.

141.21 Sec. 3. **APPROPRIATIONS.**

141.22 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 141.23 appropriated from the general fund to the Department of Education for the fiscal years  
 141.24 designated.

141.25 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,  
 141.26 and Code of Federal Regulations, title 7, section 210.17:

141.27       \$     16,721,000     ..... 2018  
 141.28       \$     17,223,000     ..... 2019

141.29 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,  
 141.30 section 124D.1158:

141.31       \$     10,601,000     ..... 2018  
 141.32       \$     11,359,000     ..... 2019

142.1 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,  
 142.2 section 124D.118:

142.3 \$ 758,000 ..... 2018

142.4 \$ 758,000 ..... 2019

142.5 Subd. 5. **Summer school food service replacement aid.** For summer school food service  
 142.6 replacement aid under Minnesota Statutes, section 124D.119:

142.7 \$ 150,000 ..... 2018

142.8 \$ 150,000 ..... 2019

142.9 **ARTICLE 7**

142.10 **LIBRARIES**

142.11 Section 1. Minnesota Statutes 2016, section 134.31, subdivision 2, is amended to read:

142.12 Subd. 2. **Advice and instruction.** The Department of Education shall give advice and  
 142.13 instruction to the managers of any public library or to any governing body maintaining a  
 142.14 library or empowered to do so by law upon any matter pertaining to the organization,  
 142.15 maintenance, or administration of libraries. The department may also give advice and  
 142.16 instruction, as requested, to postsecondary educational institutions, school districts or charter  
 142.17 schools, state agencies, governmental units, nonprofit organizations, or private entities. It  
 142.18 shall assist, to the extent possible, in the establishment and organization of library service  
 142.19 in those areas where adequate services do not exist, and may aid in improving previously  
 142.20 established library services. The department shall also provide assistance to school districts,  
 142.21 regional library systems, and member libraries interested in offering joint library services  
 142.22 at a single location.

142.23 Sec. 2. **APPROPRIATIONS.**

142.24 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 142.25 appropriated from the general fund to the Department of Education for the fiscal years  
 142.26 designated.

142.27 Subd. 2. **Basic system support.** For basic system support aid under Minnesota Statutes,  
 142.28 section 134.355:

142.29 \$ 13,570,000 ..... 2018

142.30 \$ 13,570,000 ..... 2019

142.31 The 2018 appropriation includes \$1,357,000 for 2017 and \$12,213,000 for 2018.

142.32 The 2019 appropriation includes \$1,357,000 for 2018 and \$12,213,000 for 2019.

143.1 Subd. 3. **Multicounty, multitype library systems.** For aid under Minnesota Statutes,  
 143.2 sections 134.353 and 134.354, to multicounty, multitype library systems:

143.3 \$ 1,300,000 ..... 2018

143.4 \$ 1,300,000 ..... 2019

143.5 The 2018 appropriation includes \$130,000 for 2017 and \$1,170,000 for 2018.

143.6 The 2019 appropriation includes \$130,000 for 2018 and \$1,170,000 for 2019.

143.7 Subd. 4. **Electronic library for Minnesota.** For statewide licenses to online databases  
 143.8 selected in cooperation with the Minnesota Office of Higher Education for school media  
 143.9 centers, public libraries, state government agency libraries, and public or private college or  
 143.10 university libraries:

143.11 \$ 900,000 ..... 2018

143.12 \$ 900,000 ..... 2019

143.13 Any balance in the first year does not cancel but is available in the second year.

143.14 Subd. 5. **Regional library telecommunications aid.** For regional library  
 143.15 telecommunications aid under Minnesota Statutes, section 134.355:

143.16 \$ 2,300,000 ..... 2018

143.17 \$ 2,300,000 ..... 2019

143.18 The 2018 appropriation includes \$230,000 for 2017 and \$2,070,000 for 2018.

143.19 The 2019 appropriation includes \$230,000 for 2018 and \$2,070,000 for 2019.

143.20 **ARTICLE 8**

143.21 **EARLY CHILDHOOD AND FAMILY SUPPORT**

143.22 Section 1. Minnesota Statutes 2016, section 124D.151, subdivision 5, is amended to read:

143.23 **Subd. 5. **Application process; priority for high poverty schools.**** (a) To qualify for  
 143.24 program approval for fiscal year 2017, a district or charter school must submit an application  
 143.25 to the commissioner by July 1, 2016. To qualify for program approval for fiscal year 2018  
 143.26 and later, a district or charter school must submit an application to the commissioner by  
 143.27 January 30 of the fiscal year prior to the fiscal year in which the program will be  
 143.28 implemented. The application must include:

143.29 (1) a description of the proposed program, including the number of hours per week the  
 143.30 program will be offered at each school site or mixed-delivery location;

144.1 (2) an estimate of the number of eligible children to be served in the program at each  
144.2 school site or mixed-delivery location; and

144.3 (3) a statement of assurances signed by the superintendent or charter school director that  
144.4 the proposed program meets the requirements of subdivision 2.

144.5 (b) The commissioner must review all applications submitted for fiscal year 2017 by  
144.6 August 1, 2016, and must review all applications submitted for fiscal year 2018 and later  
144.7 by March 1 of the fiscal year in which the applications are received and determine whether  
144.8 each application meets the requirements of paragraph (a).

144.9 (c) The commissioner must divide all applications for new or expanded voluntary  
144.10 prekindergarten programs under this section meeting the requirements of paragraph (a) and  
144.11 school readiness plus programs into four groups as follows: the Minneapolis and St. Paul  
144.12 school districts; other school districts located in the metropolitan equity region as defined  
144.13 in section 126C.10, subdivision 28; school districts located in the rural equity region as  
144.14 defined in section 126C.10, subdivision 28; and charter schools. Within each group, the  
144.15 applications must be ordered by rank using a sliding scale based on the following criteria:

144.16 (1) concentration of kindergarten students eligible for free or reduced-price lunches by  
144.17 school site on October 1 of the previous school year. A school site may contract to partner  
144.18 with a community based provider or Head Start under subdivision 3 or establish an early  
144.19 childhood center and use the concentration of kindergarten students eligible for free or  
144.20 reduced price meals from a specific school site as long as those eligible children are  
144.21 prioritized and guaranteed services at the mixed-delivery site or early education center. For  
144.22 school district programs to be operated at locations that do not have free and reduced-price  
144.23 lunch concentration data for kindergarten programs for October 1 of the previous school  
144.24 year, including mixed-delivery programs, the school district average concentration of  
144.25 kindergarten students eligible for free or reduced-price lunches must be used for the rank  
144.26 ordering;

144.27 (2) presence or absence of a three- or four-star Parent Aware rated program within the  
144.28 school district or close proximity of the district. School sites with the highest concentration  
144.29 of kindergarten students eligible for free or reduced-price lunches that do not have a three-  
144.30 or four-star Parent Aware program within the district or close proximity of the district shall  
144.31 receive the highest priority, and school sites with the lowest concentration of kindergarten  
144.32 students eligible for free or reduced-price lunches that have a three- or four-star Parent  
144.33 Aware rated program within the district or close proximity of the district shall receive the  
144.34 lowest priority; and



145.1 (3) whether the district has implemented a mixed delivery system.

145.2 (d) The ~~aid available~~ limit on participation for the ~~program~~ programs as specified in  
145.3 subdivision 6, ~~paragraph (b)~~, must initially be allocated among the four groups based on  
145.4 each group's percentage share of the statewide kindergarten enrollment on October 1 of the  
145.5 previous school year. Within each group, the ~~available aid~~ participation limit for fiscal years  
145.6 2018 and 2019 must first be allocated to school sites approved for aid in the previous year  
145.7 to ensure that those sites are funded for the same number of participants as approved for  
145.8 the previous year. The remainder of the participation limit for each group must be allocated  
145.9 among school sites in priority order until that region's share of the ~~aid~~ participation limit  
145.10 is reached. If the ~~aid~~ participation limit is not reached for all groups, the remaining amount  
145.11 must be allocated to the highest priority school sites, as designated under this section, not  
145.12 funded in the initial allocation on a statewide basis. For fiscal year 2020 and later, the  
145.13 participation limit must first be allocated to school sites approved for aid in fiscal year 2017,  
145.14 and then to school sites approved for aid in fiscal year 2018 based on the statewide rankings  
145.15 under paragraph(c).

145.16 (e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid  
145.17 under this subdivision, it shall remain eligible for aid if it continues to meet program  
145.18 requirements, regardless of changes in the concentration of students eligible for free or  
145.19 reduced-price lunches.

145.20 (f) If the total ~~aid entitlement~~ number of participants approved based on applications  
145.21 submitted under paragraph (a) is less than the ~~aid entitlement~~ participation limit under  
145.22 subdivision 6, ~~paragraph (b)~~, the commissioner must notify all school districts and charter  
145.23 schools of the amount that remains available within 30 days of the initial application deadline  
145.24 under paragraph (a), and complete a second round of allocations based on applications  
145.25 received within 60 days of the initial application deadline.

145.26 (g) Procedures for approving applications submitted under paragraph (f) shall be the  
145.27 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the  
145.28 highest priority school sites not funded in the initial allocation on a statewide basis.

145.29 **EFFECTIVE DATE.** This section is effective for fiscal year 2018 and later.

145.30 Sec. 2. Minnesota Statutes 2016, section 124D.151, subdivision 6, is amended to read:

145.31 Subd. 6. **Program and aid entitlement Participation limits.** (a) Notwithstanding section  
145.32 126C.05, subdivision 1, paragraph (d), the pupil units for a voluntary prekindergarten  
145.33 program for an eligible school district or charter school must not exceed 60 percent of the

146.1 kindergarten pupil units for that school district or charter school under section 126C.05,  
146.2 subdivision 1, paragraph (e).

146.3 (b) In reviewing applications under subdivision 5, the commissioner must limit the  
146.4 estimated state aid entitlement approved under this section to \$27,092,000 for fiscal year  
146.5 2017, ~~\$27,239,000 for fiscal year 2018, and \$26,399,000 for fiscal year 2019 and later.~~ If  
146.6 the actual state aid entitlement based on final data exceeds the limit in any year, the aid of  
146.7 the participating districts must be prorated so as not to exceed the limit.

146.8 (c) The commissioner must limit the total number of funded participants in the voluntary  
146.9 prekindergarten program under this section to not more than 3,160.

146.10 (d) Notwithstanding paragraph (c), the commissioner must limit the total number of  
146.11 participants in the voluntary prekindergarten and school readiness plus programs to not  
146.12 more than 6,160 participants for fiscal year 2018 and 7,160 participants for fiscal year 2019.

146.13 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2018 and later.

146.14 Sec. 3. Minnesota Statutes 2016, section 124D.165, subdivision 1, is amended to read:

146.15 Subdivision 1. **Establishment; purpose.** There is established an early learning  
146.16 scholarships program in order to ~~increase~~ close the opportunity gap by increasing access to  
146.17 high-quality early childhood programs ~~for children ages three to five.~~

146.18 **EFFECTIVE DATE.** This section is effective July 1, 2017.

146.19 Sec. 4. Minnesota Statutes 2016, section 124D.165, subdivision 2, is amended to read:

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

146.22 (1) have a an eligible child ~~three or four years of age on September 1 of the current~~  
146.23 ~~school year, who has not yet started kindergarten;~~ and

146.24 (2) have income equal to or less than 185 percent of federal poverty level income in the  
146.25 current calendar year, or be able to document their child's current participation in the free  
146.26 and reduced-price lunch program or child and adult care food program, National School  
146.27 Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution  
146.28 Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections  
146.29 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act  
146.30 of 2007; Minnesota family investment program under chapter 256J; child care assistance

147.1 programs under chapter 119B; the supplemental nutrition assistance program; or placement  
147.2 in foster care under section 260C.212.

147.3 ~~(b) Notwithstanding the other provisions of this section, a parent under age 21 who is~~  
147.4 ~~pursuing a high school or general education equivalency diploma is eligible for an early~~  
147.5 ~~learning scholarship if the parent has a child age zero to five years old and meets the income~~  
147.6 ~~eligibility guidelines in this subdivision.~~

147.7 ~~(e) Any siblings between the ages zero to~~ (b) An "eligible child" means a child who has  
147.8 not yet enrolled in kindergarten and is:

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

147.10 (2) a sibling from birth to age five years old of a child who has been awarded a  
147.11 scholarship under this section ~~must be awarded a scholarship upon request~~, provided the  
147.12 sibling attends the same program as long as funds are available;

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

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

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

147.19 ~~(e)~~ (d) Early learning scholarships may not be counted as earned income for the purposes  
147.20 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota  
147.21 family investment program under chapter 256J, child care assistance programs under chapter  
147.22 119B, or Head Start under the federal Improving Head Start for School Readiness Act of  
147.23 2007.

147.24 ~~(f)~~ (e) A child from an adjoining state whose family resides at a Minnesota address as  
147.25 assigned by the United States Postal Service, who has received developmental screening  
147.26 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,  
147.27 and whose family meets the criteria of paragraph (a) is eligible for an early learning  
147.28 scholarship under this section.

147.29 **EFFECTIVE DATE.** This section is effective July 1, 2017.

147.30 Sec. 5. Minnesota Statutes 2016, section 124D.165, subdivision 3, is amended to read:

147.31 Subd. 3. **Administration.** (a) The commissioner shall establish application timelines  
147.32 and determine the schedule for awarding scholarships that meets operational needs of eligible

148.1 families and programs. The commissioner must give highest priority to applications from  
148.2 children who:

148.3 (1) have a parent under age 21 who is pursuing a high school diploma or a course of  
148.4 study for a high school equivalency test;

148.5 (2) are in foster care or otherwise in need of protection or services; or

148.6 (3) have experienced homelessness in the last 24 months, as defined under the federal  
148.7 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

148.8 The commissioner may prioritize applications on additional factors including family  
148.9 income, geographic location, and whether the child's family is on a waiting list for a publicly  
148.10 funded program providing early education or child care services.

148.11 (b) ~~For fiscal years 2014 and 2015 only, scholarships may not exceed \$5,000 per year~~  
148.12 ~~for each eligible child. For fiscal year 2016 and later,~~ The commissioner shall establish a  
148.13 target for the average scholarship amount per child based on the results of the rate survey  
148.14 conducted under section 119B.02.

148.15 (c) A four-star rated program that has children eligible for a scholarship enrolled in or  
148.16 on a waiting list for a program beginning in July, August, or September may notify the  
148.17 commissioner, in the form and manner prescribed by the commissioner, each year of the  
148.18 program's desire to enhance program services or to serve more children than current funding  
148.19 provides. The commissioner may designate a predetermined number of scholarship slots  
148.20 for that program and notify the program of that number. For fiscal year 2018 and later, the  
148.21 statewide amount of funding directly designated by the commissioner must not exceed the  
148.22 funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district  
148.23 or Head Start program qualifying under this paragraph may use its established registration  
148.24 process to enroll scholarship recipients and may verify a scholarship recipient's family  
148.25 income in the same manner as for other program participants.

148.26 (d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not  
148.27 been accepted and subsequently enrolled in a rated program within ten months of the  
148.28 awarding of the scholarship, the scholarship cancels and the recipient must reapply in order  
148.29 to be eligible for another scholarship. A child may not be awarded more than one scholarship  
148.30 in a 12-month period.

148.31 (e) A child who receives a scholarship who has not completed development screening  
148.32 under sections 121A.16 to 121A.19 must complete that screening within 90 days of first  
148.33 attending an eligible program.

149.1 (f) For fiscal year 2017 and later, a school district or Head Start program enrolling  
149.2 scholarship recipients under paragraph (c) may apply to the commissioner, in the form and  
149.3 manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of  
149.4 the application, the commissioner must pay each program directly for each approved  
149.5 scholarship recipient enrolled under paragraph (c) according to the metered payment system  
149.6 or another schedule established by the commissioner.

149.7 Sec. 6. Minnesota Statutes 2016, section 124D.165, subdivision 4, is amended to read:

149.8 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an  
149.9 early learning scholarship, a program must:

149.10 (1) participate in the quality rating and improvement system under section 124D.142;  
149.11 and

149.12 (2) beginning July 1, ~~2016~~ 2020, have a three- or four-star rating in the quality rating  
149.13 and improvement system.

149.14 (b) Any program accepting scholarships must use the revenue to supplement and not  
149.15 supplant federal funding.

149.16 (c) Notwithstanding paragraph (a), all Minnesota early learning foundation scholarship  
149.17 program pilot sites are eligible to accept an early learning scholarship under this section.

149.18 Sec. 7. Minnesota Statutes 2016, section 124D.59, subdivision 2, is amended to read:

149.19 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through  
149.20 grade 12 or a prekindergarten student enrolled in an approved voluntary prekindergarten  
149.21 program under section 124D.151 or a school readiness plus program who meets the  
149.22 requirements under subdivision 2a or the following requirements:

149.23 (1) the pupil, as declared by a parent or guardian first learned a language other than  
149.24 English, comes from a home where the language usually spoken is other than English, or  
149.25 usually speaks a language other than English; and

149.26 (2) the pupil is determined by a valid assessment measuring the pupil's English language  
149.27 proficiency and by developmentally appropriate measures, which might include observations,  
149.28 teacher judgment, parent recommendations, or developmentally appropriate assessment  
149.29 instruments, to lack the necessary English skills to participate fully in academic classes  
149.30 taught in English.

150.1 (b) A pupil enrolled in a Minnesota public school in any grade 4 through 12 who in the  
150.2 previous school year took a commissioner-provided assessment measuring the pupil's  
150.3 emerging academic English, shall be counted as an English learner in calculating English  
150.4 learner pupil units under section 126C.05, subdivision 17, and shall generate state English  
150.5 learner aid under section 124D.65, subdivision 5, if the pupil scored below the state cutoff  
150.6 score or is otherwise counted as a nonproficient participant on the assessment measuring  
150.7 the pupil's emerging academic English, or, in the judgment of the pupil's classroom teachers,  
150.8 consistent with section 124D.61, clause (1), the pupil is unable to demonstrate academic  
150.9 language proficiency in English, including oral academic language, sufficient to successfully  
150.10 and fully participate in the general core curriculum in the regular classroom.

150.11 (c) Notwithstanding paragraphs (a) and (b), a pupil in prekindergarten under section  
150.12 124D.151, through grade 12 shall not be counted as an English learner in calculating English  
150.13 learner pupil units under section 126C.05, subdivision 17, and shall not generate state English  
150.14 learner aid under section 124D.65, subdivision 5, if:

150.15 (1) the pupil is not enrolled during the current fiscal year in an educational program for  
150.16 English learners under sections 124D.58 to 124D.64; or

150.17 (2) the pupil has generated seven or more years of average daily membership in Minnesota  
150.18 public schools since July 1, 1996.

150.19 Sec. 8. Minnesota Statutes 2016, section 126C.05, subdivision 1, is amended to read:

150.20 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age  
150.21 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in  
150.22 average daily membership enrolled in the district of residence, in another district under  
150.23 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under  
150.24 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,  
150.25 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03  
150.26 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

150.27 (a) A prekindergarten pupil with a disability who is enrolled in a program approved by  
150.28 the commissioner and has an individualized education program is counted as the ratio of  
150.29 the number of hours of assessment and education service to 825 times 1.0 with a minimum  
150.30 average daily membership of 0.28, but not more than 1.0 pupil unit.

150.31 (b) A prekindergarten pupil who is assessed but determined not to be disabled is counted  
150.32 as the ratio of the number of hours of assessment service to 825 times 1.0.

151.1 (c) A kindergarten pupil with a disability who is enrolled in a program approved by the  
151.2 commissioner is counted as the ratio of the number of hours of assessment and education  
151.3 services required in the fiscal year by the pupil's individualized education program to 875,  
151.4 but not more than one.

151.5 (d) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled  
151.6 in an approved voluntary prekindergarten program under section 124D.151 is counted as  
151.7 the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil  
151.8 units.

151.9 (e) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil  
151.10 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to  
151.11 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in  
151.12 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,  
151.13 every day kindergarten program available to all kindergarten pupils at the pupil's school.

151.14 (f) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

151.15 (g) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

151.16 (h) A pupil who is in the postsecondary enrollment options program is counted as 1.2  
151.17 pupil units.

151.18 (i) For fiscal years 2018 and 2019 only, a prekindergarten pupil who;

151.19 (1) is not included in paragraphs (a), (b), or (d);

151.20 (2) is enrolled in a school readiness plus program; and

151.21 (3) has one or more of the risk factors specified by the eligibility requirements for a  
151.22 school readiness plus program;

151.23 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not  
151.24 more than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the  
151.25 same manner as a voluntary prekindergarten student for all general education and other  
151.26 school funding formulas.

151.27 **EFFECTIVE DATE.** Paragraph (i) of this section expires at the end of fiscal year 2019.

151.28 **Sec. 9. SCHOOL READINESS PLUS PROGRAM.**

151.29 Subdivision 1. **Establishment; purpose.** A district, a charter school, or a group of  
151.30 districts and charter schools may establish a school readiness plus program for children age

152.1 four to kindergarten entrance. The purpose of a school readiness plus program is to prepare  
152.2 children for success as they enter kindergarten in the following year.

152.3 Subd. 2. **Program Requirements.** A school readiness plus program provider must:

152.4 (1) assess each child's cognitive and language skills with a comprehensive child  
152.5 assessment instrument when the child enters and again before the child leaves the program  
152.6 to improve program planning and implementation, communicate with parents, and promote  
152.7 kindergarten readiness;

152.8 (2) provide comprehensive program content and intentional instructional practice aligned  
152.9 with the state early childhood learning guidelines and kindergarten standards and based on  
152.10 early childhood research and professional practice that is focused on children's cognitive,  
152.11 social, emotional, and physical skills and development and prepares children for the transition  
152.12 to kindergarten, including early literacy and language skills;

152.13 (3) coordinate appropriate kindergarten transition with parents and kindergarten teachers;

152.14 (4) involve parents in program planning and decision making;

152.15 (5) coordinate with relevant community-based services;

152.16 (6) cooperate with adult basic education programs and other adult literacy programs;

152.17 (7) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20 children  
152.18 with at least one licensed teacher;

152.19 (8) have teachers knowledgeable in early childhood curriculum content, assessment,  
152.20 native and English language development programs, and instruction; and

152.21 (9) provide instructional content and activities that are of sufficient length and intensity  
152.22 to address learning needs including offering a program with at least 350 hours of instruction  
152.23 per school year.

152.24 Subd. 3. **Mixed delivery of services.** A district or charter school may contract with a  
152.25 charter school, Head Start or child care center, family child care program licensed under  
152.26 Minnesota Statutes section 245A.03, or a community-based organization to provide eligible  
152.27 children with developmentally appropriate services that meet the program requirements in  
152.28 subdivision 2.

152.29 Subd. 4. **Eligibility.** (a) A child who is four years of age as of September 1 in the calendar  
152.30 year in which the school year commences and has one or more of the risk factors under  
152.31 paragraph (b) is eligible to participate in a school readiness plus program free of charge. A  
152.32 child who is four years of age as of September 1 in the calendar year in which the school



153.1 year commences and does not have one or more of the risk factors under paragraph (b) may  
 153.2 participate on a fee-for-service basis. A district must adopt a sliding fee schedule based on  
 153.3 a family's income but must waive a fee for a participant unable to pay. School districts and  
 153.4 charter schools must use school readiness plus aid for eligible children. Each eligible child  
 153.5 must complete a health and developmental screening within 90 days of program enrollment  
 153.6 under Minnesota Statutes sections 121A.16 to 121A.19, and provide documentation of  
 153.7 required immunizations under section 121A.15.

153.8 (b) An at-risk four-year-old child may participate in the school readiness plus program  
 153.9 free of charge if the child:

153.10 (1) qualifies for free or reduced price lunch;

153.11 (2) is an English language learner;

153.12 (3) is homeless;

153.13 (4) has an individualized education program, or individual interagency intervention plan;

153.14 (5) is identified through health and developmental screening under Minnesota Statutes,  
 153.15 sections 121A.16 to 121.19, with a potential risk factor that may influence learning; or

153.16 (6) is in foster care.

153.17 Subd. 5. **Application process; priority for high poverty schools.** (a) For 2017-2018  
 153.18 school year, a school district or charter school that did not apply to participate in a voluntary  
 153.19 prekindergarten program under Minnesota Statutes, section 124D.151, may apply to the  
 153.20 commissioner by July 1, 2017 to participate in a school readiness plus program in the form  
 153.21 and manner specified by the commissioner. By June 15, 2017, the commissioner must notify  
 153.22 districts and charter schools of the availability of additional money for voluntary  
 153.23 prekindergarten and school readiness plus programs. A school district or charter school that  
 153.24 previously applied to participate in a voluntary prekindergarten program may amend its  
 153.25 application by July 1, 2017 to apply instead for school readiness plus. The commissioner  
 153.26 must review all applications for school readiness plus and notify applicant districts and  
 153.27 charter schools by August 1, 2017 whether they have been selected for participation.

153.28 (b) For the 2018-2019 school year, a school district or charter school may apply to the  
 153.29 commissioner by January 30, 2018, to participate in school readiness plus in the form and  
 153.30 manner specified by the commissioner.

153.31 (c) A district or charter school submitting an application under this section must include:

153.32 (1) a description of the proposed program, including the number of hours per week the

153.33 program will be offered at each school site or mixed-delivery location; (2) an estimate of

154.1 the number of eligible children to be served in the program at each school site or  
 154.2 mixed-delivery location; (3) the number of children being served that will be new to the  
 154.3 program; and (4) a statement of assurances signed by the superintendent or charter school  
 154.4 director that the proposed program meets the requirements of subdivision 2.

154.5 (d) The commissioner must award funding for school readiness plus programs across  
 154.6 school districts and charter schools in the same manner as for the voluntary prekindergarten  
 154.7 program.

154.8 (e) A school site or mixed-delivery site approved for aid under this subdivision remains  
 154.9 eligible for aid if the site continues to meet program requirements, regardless of changes in  
 154.10 the concentration of students eligible for free or reduced-price lunches.

154.11 Subd. 6. **No supplanting.** For a site first qualifying in fiscal year 2018 or 2019, mixed  
 154.12 delivery revenue, including voluntary prekindergarten and school readiness plus program  
 154.13 revenue, must be used to supplement not supplant existing state, federal, and local revenue  
 154.14 for prekindergarten activities.

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

154.16 Sec. 10. **APPROPRIATIONS.**

154.17 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 154.18 appropriated from the general fund to the Department of Education for the fiscal years  
 154.19 designated.

154.20 Subd. 2. **School readiness.** For revenue for school readiness programs under Minnesota  
 154.21 Statutes, sections 124D.15 and 124D.16:

154.22     \$    33,683,000    .....    2018

154.23     \$    33,683,000    .....    2019

154.24 The 2018 appropriation includes \$3,368,000 for 2017 and \$30,315,000 for 2018.

154.25 The 2019 appropriation includes \$3,368,000 for 2018 and \$30,315,000 for 2019.

154.26 Subd. 3. **Mixed delivery prekindergarten programs.** (a) For mixed delivery  
 154.27 prekindergarten programs and school readiness plus programs:

154.28     \$    21,429,000    .....    2018

154.29     \$    28,571,000    .....    2019

154.30 (b) The fiscal year 2018 appropriation includes \$0 for 2017 and \$21,429,000 for 2018.

155.1 (c) The fiscal year 2019 appropriation includes \$2,381,000 for 2018 and \$26,190,000  
 155.2 for 2019.

155.3 (d) The commissioner must proportionately allocate the amounts appropriated in this  
 155.4 subdivision among each education funding program affected by the enrollment of mixed  
 155.5 delivery system prekindergarten pupils.

155.6 (e) The appropriation under this subdivision is reduced by any other amounts specifically  
 155.7 appropriated for those purposes.

155.8 Subd. 4. **Early learning scholarships.** (a) For the early learning scholarship program  
 155.9 under Minnesota Statutes, section 124D.165:

155.10 \$ 70,209,000 ..... 2018

155.11 \$ 70,209,000 ..... 2019

155.12 (b) Up to \$950,000 each year is for administration of this program.

155.13 (c) Any balance in the first year does not cancel but is available in the second year.

155.14 (d) The base for fiscal year 2020 is \$70,709,000.

155.15 Subd. 5. **Head Start program.** For Head Start programs under Minnesota Statutes,  
 155.16 section 119A.52:

155.17 \$ 25,100,000 ..... 2018

155.18 \$ 25,100,000 ..... 2019

155.19 Subd. 5. **Early childhood family education aid.** For early childhood family education  
 155.20 aid under Minnesota Statutes, section 124D.135:

155.21 \$ 30,405,000 ..... 2018

155.22 \$ 31,977,000 ..... 2019

155.23 The 2018 appropriation includes \$2,904,000 for 2017 and \$27,501,000 for 2018.

155.24 The 2019 appropriation includes \$3,055,000 for 2018 and \$28,922,000 for 2019.

155.25 Subd. 6. **Developmental screening aid.** For developmental screening aid under  
 155.26 Minnesota Statutes, sections 121A.17 and 121A.19:

155.27 \$ 3,606,000 ..... 2018

155.28 \$ 3,629,000 ..... 2019

155.29 The 2018 appropriation includes \$358,000 for 2017 and \$3,248,000 for 2018.

155.30 The 2019 appropriation includes \$360,000 for 2018 and \$3,269,000 for 2019.

155.31 Subd. 7. **Parent-child home program.** For a grant to the parent-child home program:

156.1           \$           900,000   ..... 2018

156.2           \$           900,000   ..... 2019

156.3           The grant must be used for an evidence-based and research-validated early childhood  
 156.4 literacy and school readiness program for children ages 16 months to four years at its existing  
 156.5 suburban program location. The program must include urban and rural program locations  
 156.6 for fiscal years 2018 and 2019.

156.7           The base for this program for fiscal year 2020 and later is \$900,000.

156.8           Subd. 8. Kindergarten entrance assessment initiative and intervention program.

156.9           For the kindergarten entrance assessment initiative and intervention program under Minnesota  
 156.10 Statutes, section 124D.162:

156.11           \$           281,000   ..... 2018

156.12           \$           281,000   ..... 2019

156.13           Subd. 9. Quality rating and improvement system. (a) For transfer to the commissioner  
 156.14 of human services for the purposes of expanding the quality rating and improvement system  
 156.15 under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports  
 156.16 for providers participating in the quality rating and improvement system:

156.17           \$           1,750,000   ..... 2018

156.18           \$           1,750,000   ..... 2019

156.19           (b) The amounts in paragraph (a) must be in addition to any federal funding under the  
 156.20 child care and development block grant authorized under Public Law 101-508 in that year  
 156.21 for the system under Minnesota Statutes, section 124D.142.

156.22           (c) Any balance in the first year does not cancel but is available in the second year.

156.23           (d) The base for this program in fiscal year 2020 and later is \$1,750,000.

156.24           Subd. 10. Early childhood programs at tribal schools. For early childhood family  
 156.25 education programs at tribal contract schools under Minnesota Statutes, section 124D.83,  
 156.26 subdivision 4:

156.27           \$           68,000   ..... 2018

156.28           \$           68,000   ..... 2019

156.29           Subd. 11. Educate parents partnership. For the educate parents partnership under  
 156.30 Minnesota Statutes, section 124D.129:

156.31           \$           49,000   ..... 2018

156.32           \$           49,000   ..... 2019

157.1 Subd. 12. **Home visiting aid.** For home visiting aid under Minnesota Statutes, section  
 157.2 124D.135:

157.3 \$ 527,000 ..... 2018

157.4 \$ 571,000 ..... 2019

157.5 The 2018 appropriation includes \$0 for 2017 and \$527,000 for 2018.

157.6 The 2019 appropriation includes \$58,000 for 2018 and \$513,000 for 2019.

157.7 **ARTICLE 9**

157.8 **COMMUNITY EDUCATION AND PREVENTION**

157.9 Section 1. **[124D.99] EDUCATION PARTNERSHIPS COALITION FUND.**

157.10 Subdivision 1. **Program establishment.** The commissioner of education shall establish  
 157.11 a program supporting a coalition of coordinated, aligned education partnerships as specified  
 157.12 in this section, for a comprehensive network of evidence-based support services designed  
 157.13 to close opportunity gaps by improving educational and developmental outcomes of children  
 157.14 and their families within communities experiencing poverty and impediments to economic  
 157.15 viability.

157.16 Subd. 2. **Definitions.** (a) For purposes of this section the terms defined in this subdivision  
 157.17 have the meanings given them.

157.18 (b) "Tier 1 grant" means a sustaining grant for the ongoing operation, stability, and  
 157.19 expansion of existing education partnership program locations.

157.20 (c) "Tier 2 grant" means an implementation grant for expanding activity in education  
 157.21 partnership program locations.

157.22 Subd. 3. **Administration; design.** (a) The commissioner shall establish program  
 157.23 requirements, an application process and timeline for each tier of grants specified in  
 157.24 subdivision 4, criteria for evaluation of applications, and a grant awards process. The  
 157.25 commissioner's process must minimize administrative costs, minimize burdens for applicants  
 157.26 and grant recipients, and provide a framework that permits flexibility in program design  
 157.27 and implementation among grant recipients.

157.28 (b) To the extent practicable, the commissioner shall design the program to align with  
 157.29 programs implemented or proposed by organizations in Minnesota that:

157.30 (1) identify and increase the capacity of organizations that are focused on achieving  
 157.31 data-driven, locally controlled positive outcomes for children and youth throughout an entire

- 158.1 neighborhood or geographic area through programs such as Strive Together, Promise  
158.2 Neighborhood, and the Education Partnerships Coalition members;
- 158.3 (2) build a continuum of educational family and community supports with academically  
158.4 rigorous schools at the center;
- 158.5 (3) maximize program efficiencies by integrating programmatic activities and eliminating  
158.6 administrative barriers;
- 158.7 (4) develop local infrastructure needed to sustain and scale up proven and effective  
158.8 solutions beyond the initial neighborhood or geographic area; and
- 158.9 (5) utilize appropriate outcome measures based on unique community needs and interests  
158.10 and apply rigorous evaluation on a periodic basis to be used to both monitor outcomes and  
158.11 allow for continuous improvements to systems.
- 158.12 (c) A grant recipient's supportive services programming must address:
- 158.13 (1) kindergarten readiness and youth development;
- 158.14 (2) grade 3 reading proficiency;
- 158.15 (3) high school graduation;
- 158.16 (4) postsecondary educational attainment;
- 158.17 (5) physical and mental health;
- 158.18 (6) development of career skills and readiness;
- 158.19 (7) parental engagement and development;
- 158.20 (8) community engagement and programmatic alignment; and
- 158.21 (9) reduction of remedial education.
- 158.22 (d) The commissioner, in consultation with grant recipients, must:
- 158.23 (1) develop and revise core indicators of progress toward outcomes specifying impacts  
158.24 for each tier identified under subdivision 4;
- 158.25 (2) establish a reporting system for grant recipients to measure program outcomes using  
158.26 data sources and program goals; and
- 158.27 (3) evaluate effectiveness based on the core indicators established by each partnership  
158.28 for each tier.
- 158.29 Subd. 4. **Requirements.** A grant recipient's program in the planning, development, or  
158.30 implementation phase must include:

159.1 (1) integrated supportive services programming, as specified in paragraph (b), within a  
 159.2 specific community or geographic area for all ages of children and youth and their families  
 159.3 within that area, provided that services may be phased in to all ages over time; and

159.4 (2) a system for evaluating goals and outcomes as provided under subdivision 3,  
 159.5 paragraph (c).

159.6 Subd. 5. **Grants.** The commissioner shall award Tier 1 and Tier 2 grants to qualifying  
 159.7 recipients that can demonstrate a nonstate source of funds, including in-kind contributions.

159.8 Subd. 6. **Legislative report.** By December 15 of each odd-numbered year, the  
 159.9 commissioner shall submit a report on the education partnership program to the chairs and  
 159.10 ranking minority members of the legislative committees having jurisdiction over kindergarten  
 159.11 through grade 12 education, early childhood education, economic development, and human  
 159.12 services. At a minimum, the report must summarize grantee activities, identify grant  
 159.13 recipients and awards, analyze program performance measures and outcomes, and make  
 159.14 any recommendations for legislative changes.

159.15 **EFFECTIVE DATE.** This section is effective July 1, 2017, and subdivision 6 applies  
 159.16 to reports due starting in calendar year 2019.

159.17 Sec. 2. **APPROPRIATIONS.**

159.18 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 159.19 appropriated from the general fund to the Department of Education for the fiscal years  
 159.20 designated.

159.21 Subd. 2. **Community education aid.** For community education aid under Minnesota  
 159.22 Statutes, section 124D.20:

159.23     \$        483,000    .....    2018

159.24     \$        393,000    .....    2019

159.25 The 2018 appropriation includes \$53,000 for 2017 and \$430,000 for 2018.

159.26 The 2019 appropriation includes \$47,000 for 2018 and \$346,000 for 2019.

159.27 Subd. 3. **Adults with disabilities program aid.** For adults with disabilities programs  
 159.28 under Minnesota Statutes, section 124D.56:

159.29     \$        710,000    .....    2018

159.30     \$        710,000    .....    2019

159.31 The 2018 appropriation includes \$71,000 for 2017 and \$639,000 for 2018.

160.1 The 2019 appropriation includes \$71,000 for 2018 and \$639,000 for 2019.

160.2 Subd. 4. **Hearing-impaired adults.** For programs for hearing-impaired adults under  
 160.3 Minnesota Statutes, section 124D.57:

160.4       \$       70,000    ..... 2018

160.5       \$       70,000    ..... 2019

160.6 Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section  
 160.7 124D.22:

160.8       \$       1,000     ..... 2018

160.9       \$       1,000     ..... 2019

160.10 The 2018 appropriation includes \$0 for 2017 and \$1,000 for 2018.

160.11 The 2019 appropriation includes \$0 for 2018 and \$1,000 for 2019.

160.12 Subd. 6. **Tier 1 grants.** (a) For education partnership program Tier 1 sustaining grants  
 160.13 under Minnesota Statutes, section 124D.99:

160.14       \$       2,600,000   ..... 2018

160.15       \$       2,600,000   ..... 2019

160.16 (b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside  
 160.17 Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

160.18 (c) The base funding for Tier 1 sustaining grants is \$2,600,000.

160.19 (d) Any balance in the first year does not cancel but is available in the second year.

160.20 Subd. 7. **Tier 2 implementing grants.** (a) For Tier 2 implementing grants under  
 160.21 Minnesota Statutes, section 124D.99:

160.22       \$       480,000    ..... 2018

160.23       \$       480,000    ..... 2019

160.24 (b) For fiscal years 2018 and 2019 only, \$160,000 each year is for the Northfield Healthy  
 160.25 Community Initiative in Northfield; \$160,000 is for the Jones Family Foundation for the  
 160.26 Every Hand Joined program in Red Wing; and \$160,000 is for the United Way of Central  
 160.27 Minnesota for the Partners for Student Success program.

160.28 (c) The base funding for Tier 2 implementing grants is \$480,000. The commissioner  
 160.29 must competitively award all grants under this subdivision for fiscal year 2020 and later.

160.30 (d) Any balance in the first year does not cancel but is available in the second year.



161.1

**ARTICLE 10**

161.2

**SELF-SUFFICIENCY AND LIFELONG LEARNING**

161.3

Section 1. Minnesota Statutes 2016, section 124D.52, subdivision 7, is amended to read:

161.4

Subd. 7. **Performance tracking system.** (a) By July 1, 2000, each approved adult basic

161.5

education program must develop and implement a performance tracking system to provide

161.6

information necessary to comply with federal law and serve as one means of assessing the

161.7

effectiveness of adult basic education programs. For required reporting, longitudinal studies,

161.8

and program improvement, the tracking system must be designed to collect data on the

161.9

following core outcomes for learners, including English learners, who have completed

161.10

participating in the adult basic education program:

161.11

(1) demonstrated improvements in literacy skill levels in reading, writing, speaking the

161.12

English language, numeracy, problem solving, English language acquisition, and other

161.13

literacy skills;

161.14

(2) placement in, retention in, or completion of postsecondary education, training,

161.15

unsubsidized employment, or career advancement;

161.16

(3) receipt of a secondary school diploma or its recognized equivalent; and

161.17

(4) reduction in participation in the diversionary work program, Minnesota family

161.18

investment program; and food support education and training program.

161.19

(b) A district, group of districts, state agency, or private nonprofit organization providing

161.20

an adult basic education program may meet this requirement by developing a tracking system

161.21

based on either or both of the following methodologies:

161.22

(1) conducting a reliable follow-up survey; or

161.23

(2) submitting student information, including collected Social Security numbers for data

161.24

matching.

161.25

~~Data related to obtaining employment must be collected in the first quarter following~~

161.26

~~program completion or can be collected while the student is enrolled, if known. Data related~~

161.27

~~to employment retention must be collected in the third quarter following program exit. Data~~

161.28

related to any ~~other~~ of the specified ~~outcome~~ outcomes may be collected at any time during

161.29

a program year.

161.30

(c) When a student in a program is requested to provide the student's Social Security

161.31

number, the student must be notified in a written form easily understandable to the student

161.32

that:

162.1 (1) providing the Social Security number is optional and no adverse action may be taken  
 162.2 against the student if the student chooses not to provide the Social Security number;

162.3 (2) the request is made under section 124D.52, subdivision 7;

162.4 (3) if the student provides the Social Security number, it will be used to assess the  
 162.5 effectiveness of the program by tracking the student's subsequent career; and

162.6 (4) the Social Security number will be shared with the Department of Education;  
 162.7 Minnesota State Colleges and Universities; Office of Higher Education; Department of  
 162.8 Human Services; and Department of Employment and Economic Development in order to  
 162.9 accomplish the purposes described in paragraph (a) and will not be used for any other  
 162.10 purpose or reported to any other governmental entities.

162.11 (d) Annually a district, group of districts, state agency, or private nonprofit organization  
 162.12 providing programs under this section must forward the tracking data collected to the  
 162.13 Department of Education. For the purposes of longitudinal studies on the employment status  
 162.14 of former students under this section, the Department of Education must forward the Social  
 162.15 Security numbers to the Department of Employment and Economic Development to  
 162.16 electronically match the Social Security numbers of former students with wage detail reports  
 162.17 filed under section 268.044. The results of data matches must, for purposes of this section  
 162.18 and consistent with the requirements of the ~~United States Code, title 29, section 2871, of~~  
 162.19 ~~the Workforce Investment Act of 1998~~ Workforce Innovation and Opportunity Act, be  
 162.20 compiled in a longitudinal form by the Department of Employment and Economic  
 162.21 Development and released to the Department of Education in the form of summary data  
 162.22 that does not identify the individual students. The Department of Education may release  
 162.23 this summary data. State funding for adult basic education programs must not be based on  
 162.24 the number or percentage of students who decline to provide their Social Security numbers  
 162.25 or on whether the program is evaluated by means of a follow-up survey instead of data  
 162.26 matching.

162.27 Sec. 2. Minnesota Statutes 2016, section 124D.549, is amended to read:

162.28 **~~124D.549 GENERAL EDUCATION DEVELOPMENT (GED) TESTS RULES;~~**  
 162.29 **~~COMMISSIONER~~ COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY**  
 162.30 **TEST.**

162.31 The commissioner ~~may amend rules to reflect changes in the national minimum standard~~  
 162.32 ~~score for passing the general education development (GED) tests, in consultation with adult~~  
 162.33 basic education stakeholders, must select a high school equivalency test. The commissioner

163.1 may issue a high school equivalency diploma to a Minnesota resident 19 years of age or  
 163.2 older who has not earned a high school diploma, who has not previously been issued a  
 163.3 general education development (GED) certification, and who has exceeded or achieved a  
 163.4 minimum passing score on the equivalency test established by the publisher. The  
 163.5 commissioner of education may waive the minimum age requirement if supportive evidence  
 163.6 is provided by an employer or a recognized education or rehabilitation provider.

163.7 Sec. 3. Minnesota Statutes 2016, section 124D.55, is amended to read:

163.8 **124D.55 GENERAL EDUCATION DEVELOPMENT (GED)**  
 163.9 **COMMISSIONER-SELECTED HIGH SCHOOL EQUIVALENCY TEST FEES.**

163.10 The commissioner shall pay 60 percent of the fee that is charged to an eligible individual  
 163.11 for the full battery of ~~general education development (GED)~~ the commissioner-selected  
 163.12 high school equivalency tests, but not more than \$40 for an eligible individual.

163.13 For fiscal year 2017 only, the commissioner shall pay 100 percent of the fee charged to  
 163.14 an eligible individual for the full battery of general education development (GED) tests, but  
 163.15 not more than the cost of one full battery of tests per year for any individual.

163.16 Sec. 4. Minnesota Statutes 2016, section 256J.08, subdivision 38, is amended to read:

163.17 Subd. 38. **Full-time student.** "Full-time student" means a person who is enrolled in a  
 163.18 graded or ungraded primary, intermediate, secondary, ~~GED~~ commissioner of  
 163.19 education-selected high school equivalency preparatory, trade, technical, vocational, or  
 163.20 postsecondary school, and who meets the school's standard for full-time attendance.

163.21 Sec. 5. Minnesota Statutes 2016, section 256J.08, subdivision 39, is amended to read:

163.22 Subd. 39. ~~General educational development or GED~~ **Commissioner of**  
 163.23 **education-selected high school equivalency.** "General educational development" or "GED"  
 163.24 "Commissioner of education-selected high school equivalency" means the ~~general educational~~  
 163.25 ~~development~~ high school equivalency certification issued by the commissioner of education  
 163.26 as an equivalent to a secondary school diploma under ~~Minnesota Rules, part 3500.3100,~~  
 163.27 ~~subpart 4~~ section 124D.549.

163.28 Sec. 6. **APPROPRIATIONS.**

163.29 Subdivision 1. Department of Education. The sums indicated in this section are  
 163.30 appropriated from the general fund to the Department of Education for the fiscal years  
 163.31 designated.

164.1 Subd. 2. **Adult basic education aid.** For adult basic education aid under Minnesota  
 164.2 Statutes, section 124D.531:

164.3 \$ 50,010,000 ..... 2018

164.4 \$ 51,497,000 ..... 2019

164.5 The 2018 appropriation includes \$4,881,000 for 2017 and \$45,129,000 for 2018.

164.6 The 2019 appropriation includes \$5,014,000 for 2018 and \$46,483,000 for 2019.

164.7 Subd. 3. **High school equivalency tests.** For payment of 60 percent of the costs of the  
 164.8 commissioner-selected high school equivalency tests under Minnesota Statutes, section  
 164.9 124D.55:

164.10 \$ 125,000 ..... 2018

164.11 \$ 125,000 ..... 2019

164.12 **Sec. 7. REVISOR'S INSTRUCTION.**

164.13 In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the  
 164.14 term "commissioner-selected high school equivalency" or similar term for "general education  
 164.15 development," "GED," or similar terms for wherever the term refers to the tests or programs  
 164.16 leading to a certification issued by the commissioner of education as an equivalency to a  
 164.17 secondary diploma.

164.18 **Sec. 8. REPEALER.**

164.19 Minnesota Rules, part 3500.3100, subpart 4, is repealed.

164.20 **ARTICLE 11**

164.21 **STATE AGENCIES**

164.22 **Section 1.** Minnesota Statutes 2016, section 122A.14, subdivision 9, is amended to read:

164.23 **Subd. 9. Fee.** Each person licensed by the Board of School Administrators shall pay  
 164.24 the board a fee of \$75, collected each fiscal year. When transmitting notice of the license  
 164.25 fee, the board also must notify the licensee of the penalty for failing to pay the fee within  
 164.26 the time specified by the board. The board may provide a lower fee for persons on retired  
 164.27 or inactive status. After receiving notice from the board, any licensed school administrator  
 164.28 who does not pay the fee in the given fiscal year shall have all administrative licenses held  
 164.29 by the person automatically suspended, without the right to a hearing, until the fee has been  
 164.30 paid to the board. If the board suspends a licensed school administrator for failing to pay  
 164.31 the fee, it must immediately notify the district currently employing the school administrator

165.1 of the school administrator's suspension. The executive secretary shall deposit the fees in  
165.2 the educator licensure account in the special revenue fund in the state treasury.

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

165.4 Sec. 2. **[122A.175] SPECIAL REVENUE FUND ACCOUNTS; EDUCATOR**  
165.5 **LICENSURE AND BACKGROUND CHECKS.**

165.6 Subdivision 1. **Educator licensure account.** An educator licensure account is created  
165.7 in the special revenue fund. Applicant licensure fees received by the Department of  
165.8 Education, the Board of Teaching, or the Board of School Administrators must be deposited  
165.9 in the educator licensure account. Any funds appropriated from this account that remain  
165.10 unexpended at the end of the biennium cancel to the educator licensure account in the special  
165.11 revenue fund.

165.12 Subd. 2. **Background check account.** An educator licensure background check account  
165.13 is created in the special revenue fund. The Department of Education, the Board of Teaching,  
165.14 and the Board of School Administrators must deposit all payments submitted by license  
165.15 applicants for criminal background checks conducted by the Bureau of Criminal  
165.16 Apprehension in the educator licensure background check account. Amounts in the account  
165.17 are annually appropriated to the commissioner of education for payment to the superintendent  
165.18 of the Bureau of Criminal Apprehension for the costs of background checks on applicants  
165.19 for licensure.

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

165.21 Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

165.22 Subd. 7c. **Temporary military license.** The Board of Teaching shall establish a  
165.23 temporary license in accordance with section 197.4552 for teaching. The fee for a temporary  
165.24 license under this subdivision shall be \$87.90 for an online application or \$86.40 for a paper  
165.25 application. The board must deposit the fees received from applicants in the educator  
165.26 licensure account in the special revenue fund.

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

165.28 Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

165.29 Subd. 8. **Background checks.** (a) The Board of Teaching and the commissioner of  
165.30 education must request a criminal history background check from the superintendent of the

166.1 Bureau of Criminal Apprehension on all first-time teaching applicants for licenses under  
166.2 their jurisdiction. Applicants must include with their licensure applications:

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

166.4 (2) ~~a money order or cashier's check payable to the Bureau of Criminal Apprehension~~  
166.5 ~~for the fee for conducting~~ payment to conduct the criminal history background check. The  
166.6 Board of Teaching and the commissioner of education must deposit payments received  
166.7 under this subdivision in the educator licensure background check account in the special  
166.8 revenue fund.

166.9 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the  
166.10 background check required under paragraph (a) by retrieving criminal history data as defined  
166.11 in section 13.87 and shall also conduct a search of the national criminal records repository.  
166.12 The superintendent is authorized to exchange fingerprints with the Federal Bureau of  
166.13 Investigation for purposes of the criminal history check. The superintendent shall recover  
166.14 the cost to the bureau of a background check through the fee charged to the applicant under  
166.15 paragraph (a).

166.16 (c) The Board of Teaching or the commissioner of education may issue a license pending  
166.17 completion of a background check under this subdivision, but must notify the individual  
166.18 that the individual's license may be revoked based on the result of the background check.

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

166.20 Sec. 5. Minnesota Statutes 2016, section 122A.21, subdivision 1, is amended to read:

166.21 Subdivision 1. **Licensure applications.** Each applicant submitting an application for  
166.22 ~~the issuance, renewal, or extension of~~ to the Board of Teaching to issue, renew, or extend  
166.23 a teaching license to teach, including applications for licensure via portfolio under subdivision  
166.24 2, ~~must be accompanied by~~ include a processing fee of \$57. The processing fee for a teacher's  
166.25 license and for the licenses of supervisory personnel must be paid to the executive secretary  
166.26 of the appropriate board and deposited in the educator licensure account in the special  
166.27 revenue fund. ~~The executive secretary of the board shall deposit the fees with the~~  
166.28 ~~commissioner of management and budget.~~ The fees as set by the board are nonrefundable  
166.29 for applicants not qualifying for a license. However, ~~a fee must be refunded by the~~  
166.30 commissioner of management and budget must refund a fee in any case in which the applicant  
166.31 already holds a valid unexpired license. The board may waive or reduce fees for applicants  
166.32 who apply at the same time for more than one license.

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

167.1 Sec. 6. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

167.2 Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure via portfolio  
167.3 to obtain a professional five-year teaching license or to add a licensure field, consistent with  
167.4 applicable Board of Teaching licensure rules.

167.5 (b) A candidate for a professional five-year teaching license must submit to the Educator  
167.6 Licensing Division at the department one portfolio demonstrating pedagogical competence  
167.7 and one portfolio demonstrating content competence.

167.8 (c) A candidate seeking to add a licensure field must submit to the Educator Licensing  
167.9 Division at the department one portfolio demonstrating content competence.

167.10 (d) The Board of Teaching must notify a candidate who submits a portfolio under  
167.11 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not  
167.12 the portfolio was approved. If the portfolio was not approved, the board must immediately  
167.13 inform the candidate how to revise the portfolio to successfully demonstrate the requisite  
167.14 competence. The candidate may resubmit a revised portfolio at any time and the Educator  
167.15 Licensing Division at the department must approve or disapprove the portfolio within 60  
167.16 calendar days of receiving it.

167.17 (e) A candidate must pay to the executive secretary of the Board of Teaching a \$300 fee  
167.18 for the first portfolio submitted for review and a \$200 fee for any portfolio submitted  
167.19 subsequently. The revenue generated from Board of Teaching executive secretary must  
167.20 deposit the fee must be deposited in an education the educator licensure portfolio account  
167.21 in the special revenue fund. The fees set by the Board of Teaching are nonrefundable for  
167.22 applicants not qualifying for a license. The Board of Teaching may waive or reduce fees  
167.23 for candidates based on financial need.

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

167.25 Sec. 7. Minnesota Statutes 2016, section 122A.21, is amended by adding a subdivision to  
167.26 read:

167.27 Subd. 3. **Annual appropriations.** (a) The amounts collected under subdivision 2 and  
167.28 deposited in the educator licensure account in the special revenue fund are annually  
167.29 appropriated to the Board of Teaching.

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

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

168.1 Sec. 8. **TRANSFERS.**

168.2 Subdivision 1. **Portfolio account.** On July 1, 2019, the commissioner of management  
 168.3 and budget shall transfer any balances in the educator licensure portfolio account in the  
 168.4 special revenue fund to the educator licensure account in the special revenue fund.

168.5 Subd. 2. **Background check.** Any balance in an account that holds fees collected under  
 168.6 Minnesota Statutes, section 122A.18, subdivision 8, is transferred to the educator licensure  
 168.7 background check account in the special revenue fund under Minnesota Statutes, section  
 168.8 122A.175, subdivision 2. On July 2, 2019, \$80,000 is transferred from the educator licensure  
 168.9 background check account in the special revenue fund to the educator licensure account in  
 168.10 the special revenue fund.

168.11 Sec. 9. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

168.12 Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated  
 168.13 in this section are appropriated from the general fund to the Department of Education for  
 168.14 the fiscal years designated.

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

168.16	\$	<u>27,158,000</u>	.....	<u>2018</u>
168.17	\$	<u>24,874,000</u>	.....	<u>2019</u>

168.18 Of these amounts:

168.19 (1) \$231,000 each year is for the Board of School Administrators, and beginning in fiscal  
 168.20 year 2020, the amount indicated is from the educator licensure account in the special revenue  
 168.21 fund;

168.22 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
 168.23 section 120B.115;

168.24 (3) \$500,000 each year is for the school safety technical assistance center under Minnesota  
 168.25 Statutes, section 127A.052;

168.26 (4) \$250,000 each year is for the School Finance Division to enhance financial data  
 168.27 analysis;

168.28 (5) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
 168.29 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

168.30 (6) \$2,750,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for the Department  
 168.31 of Education's mainframe update;



169.1 (7) \$123,000 each year is for a dyslexia specialist; and

169.2 (8) \$2,000,000 each year is for legal fees and costs associated with litigation.

169.3 (b) Any balance in the first year does not cancel but is available in the second year.

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

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

169.8 (e) This appropriation includes funds for information technology project services and  
 169.9 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing  
 169.10 information technology costs will be incorporated into the service level agreement and will  
 169.11 be paid to the Office of MN.IT Services by the Department of Education under the rates  
 169.12 and mechanism specified in that agreement.

169.13 (f) The agency's base is \$22,054,000 for fiscal year 2020 and \$21,965,000 for 2021.

169.14 Sec. 10. **APPROPRIATIONS; BOARD OF TEACHING.**

169.15 Subdivision 1. **Board of Teaching.** (a) The sums indicated in this section are appropriated  
 169.16 from the general fund to the Board of Teaching or any successor organization for the fiscal  
 169.17 years designated:

169.18 \$ 3,481,000 ..... 2018

169.19 \$ 3,493,000 ..... 2019

169.20 (b) This appropriation includes funds for information technology project services and  
 169.21 support subject to Minnesota Statutes, section 16E.0466. Any ongoing information  
 169.22 technology costs will be incorporated into an interagency agreement and will be paid to the  
 169.23 Office of MN.IT Services by the Board of Teaching under the mechanism specified in that  
 169.24 agreement.

169.25 (c) Any balance in the first year does not cancel but is available in the second year.

169.26 (d) Beginning in fiscal year 2020, the amounts indicated are appropriated from the  
 169.27 educator licensure account in the special revenue fund or, if the amount in the educator  
 169.28 licensure account is insufficient, from the general fund to the Board of Teaching or any  
 169.29 successor organization. If a successor organization is established, the Department of  
 169.30 Administration must provide administrative support to the successor organization under  
 169.31 Minnesota Statutes, section 16B.371. The commissioner of administration must assess the  
 169.32 board for services provided under this section.

170.1 (e) The base for fiscal year 2020 is \$2,734,000 and \$2,709,000 for fiscal year 2021.

170.2 Subd. 2. Licensure by portfolio. For licensure by portfolio:

170.3 \$ 34,000 ..... 2018

170.4 \$ 34,000 ..... 2019

170.5 This appropriation is from the educator licensure portfolio account in the special revenue  
 170.6 fund.

170.7 Sec. 11. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.

170.8 (a) The sums indicated in this section are appropriated from the general fund to the  
 170.9 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

170.10 \$ 14,026,000 ..... 2018

170.11 \$ 14,352,000 ..... 2019

170.12 (b) Any balance in the first year does not cancel but is available in the second year.

170.13 (c) The base for fiscal year 2020 and later is \$13,186,000.

170.14 Sec. 12. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.

170.15 (a) The sums in this section are appropriated from the general fund to the Perpich Center  
 170.16 for Arts Education for the fiscal years designated:

170.17 \$ 8,173,000 ..... 2018

170.18 \$ 6,973,000 ..... 2019

170.19 (b) Of the amounts appropriated in paragraph (a), \$370,000 is for fiscal years 2018 or  
 170.20 2019 only for arts integration and Turnaround Arts programs.

170.21 (c) \$1,200,000 in fiscal year 2018 is for severance payments related to the closure of  
 170.22 Crosswinds school and is available until June 30, 2019.

170.23 Sec. 13. CROSSWINDS DISPOSITION COSTS.

170.24 \$162,000 in fiscal year 2018 only is appropriated from the general fund to the Perpich  
 170.25 Center for Arts Education. The amount appropriated in this section is for transfer to the  
 170.26 commissioner of administration for costs related to the sale of the Crosswinds school and  
 170.27 is available until June 30, 2019.

171.1

**ARTICLE 12**

171.2

**PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**

171.3

Section 1. Minnesota Statutes 2016, section 122A.06, is amended to read:

171.4

**122A.06 DEFINITIONS.**

171.5

171.6

171.7

Subdivision 1. **Scope.** For the purpose of sections 122A.05 to ~~122A.09~~ 122A.093, the terms defined in this section have the meanings given them, unless another meaning is clearly indicated.

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171.10

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

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171.12

Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards Board of Teaching.

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Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive, scientifically based reading instruction" includes a program or collection of instructional practices that is based on valid, replicable evidence showing that when these programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension.

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Comprehensive, scientifically based reading instruction also includes and integrates instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs in order to design and implement ongoing interventions so that students of all ages and proficiency levels can read and comprehend text, write, and apply higher level thinking skills. For English learners developing literacy skills, districts are encouraged to use strategies that teach reading and writing in the students' native language and English at the same time.

171.27

171.28

(b) "Fluency" is the ability of students to read text with speed, accuracy, and proper expression.

171.29

171.30

(c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate individual sounds in spoken syllables and words.

171.31

171.32

(d) "Phonics" is the understanding that there are systematic and predictable relationships between written letters and spoken words. Phonics instruction is a way of teaching reading

172.1 that stresses learning how letters correspond to sounds and how to apply this knowledge in  
172.2 reading and spelling.

172.3 (e) "Reading comprehension" is an active process that requires intentional thinking  
172.4 during which meaning is constructed through interactions between text and reader.  
172.5 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and  
172.6 implementing specific cognitive strategies to help beginning readers derive meaning through  
172.7 intentional, problem-solving thinking processes.

172.8 (f) "Vocabulary development" is the process of teaching vocabulary both directly and  
172.9 indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich  
172.10 contexts, incidental learning, and use of computer technology enhance the acquiring of  
172.11 vocabulary.

172.12 (g) Nothing in this subdivision limits the authority of a school district to select a school's  
172.13 reading program or curriculum.

172.14 Subd. 5. **Field.** A "field" or "subject area" means the content area in which a teacher  
172.15 may become licensed to teach.

172.16 Subd. 6. **Shortage area.** "Shortage area" means:

172.17 (1) licensure fields and economic development regions reported by the commissioner  
172.18 of education or the Professional Educator Licensing and Standards Board as experiencing  
172.19 a teacher shortage; and

172.20 (2) economic development regions where there is a shortage of licensed teachers who  
172.21 reflect the racial or ethnic diversity of students in the region.

172.22 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a  
172.23 program approved by the Professional Educator Licensing and Standards Board for the  
172.24 purpose of preparing individuals for a specific teacher licensure field in Minnesota. Teacher  
172.25 preparation programs include traditional programs delivered by postsecondary institutions,  
172.26 alternative teacher preparation programs, and nonconventional teacher preparation programs.

172.27 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program  
172.28 provider" or "unit" means an entity that has primary responsibility for overseeing and  
172.29 delivering a teacher preparation program.

172.30 **EFFECTIVE DATE.** This section is effective January 1, 2018.

173.1 Sec. 2. Minnesota Statutes 2016, section 122A.07, is amended to read:

173.2 **122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING**  
 173.3 **AND STANDARDS BOARD MEMBERSHIP.**

173.4 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and  
 173.5 Standards Board of Teaching consists of 11 members appointed by the governor, with the  
 173.6 advice and consent of the senate. Membership terms, compensation of members, removal  
 173.7 of members, the filling of membership vacancies, and fiscal year and reporting requirements  
 173.8 are as provided in sections 214.07 to 214.09. No member may be reappointed for more than  
 173.9 one additional term.

173.10 Subd. 2. **Eligibility; board composition.** ~~Except for the representatives of higher~~  
 173.11 ~~education and the public, to be eligible for appointment to the Board of Teaching a person~~  
 173.12 ~~must be a teacher currently teaching in a Minnesota school and fully licensed for the position~~  
 173.13 ~~held and have at least five years teaching experience in Minnesota, including the two years~~  
 173.14 ~~immediately preceding nomination and appointment.~~ Each nominee, other than a public  
 173.15 nominee, must be selected on the basis of professional experience and knowledge of teacher  
 173.16 education, accreditation, and licensure. The board must be composed of:

173.17 (1) six teachers who are currently teaching in a Minnesota school or who were teaching  
 173.18 at the time of the appointment ~~and who do not qualify under clause (2) or (3), at least four~~  
 173.19 ~~of whom must be teaching in a public school;~~ have at least five years of teaching experience,  
 173.20 and were not serving in an administrative function at a school district or school when  
 173.21 appointed. The six teachers must include the following:

173.22 (i) one teacher in a charter school;

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

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

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

173.27 (v) one special education teacher; and

173.28 (vi) one teacher from a teacher preparation program;

173.29 (2) ~~one higher education representative, who must be a faculty member preparing teachers~~  
 173.30 one superintendent that alternates each term between a superintendent from the seven-county  
 173.31 metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from  
 173.32 outside the metropolitan area;

174.1 (3) one school ~~administrator~~ district human resources director; ~~and~~

174.2 (4) ~~three members of the public, two of whom must be present or former members of~~  
 174.3 ~~school boards~~ one administrator of a cooperative unit under section 123A.24, subdivision  
 174.4 2, who oversees a special education program;

174.5 (5) one principal that alternates each term between an elementary and a secondary school  
 174.6 principal; and

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

174.8 Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the  
 174.9 Professional Educator Licensing and Standards Board. The terms of the initial board members  
 174.10 must be as follows:

174.11 (1) two members must be appointed for terms that expire January 1, 2019;

174.12 (2) three members must be appointed for terms that expire January 1, 2020;

174.13 (3) three members must be appointed for terms that expire January 1, 2021; and

174.14 (4) three members must be appointed for terms that expire January 1, 2022.

174.15 (b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first  
 174.16 appointments to the Professional Educator Licensing and Standards Board for four years  
 174.17 from the effective date of this section, except that two members of the Board of Teaching  
 174.18 as of January 1, 2017, are eligible for appointment under paragraph (a), clause (1).

174.19 Subd. 3. **Vacant position.** With the exception of a teacher who retires from teaching  
 174.20 during the course of completing a board term, the position of a member who leaves Minnesota  
 174.21 or whose employment status changes to a category different from that from which appointed  
 174.22 is deemed vacant.

174.23 Subd. 4. ~~**Administration, Terms, compensation; removal; vacancies.**~~ ~~The provision~~  
 174.24 ~~of staff, administrative services and office space; the review and processing of complaints;~~  
 174.25 ~~the setting of fees; the selection and duties of an executive secretary~~ director to serve the  
 174.26 board; and other provisions relating to board operations not provided in this chapter are as  
 174.27 provided in chapter 214. Membership terms, except as provided in subdivision 2a,  
 174.28 compensation of members, removal of members, the filling of membership vacancies, and  
 174.29 fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

174.30 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief  
 174.31 administrative officer for the board but shall not be a member of the board. The executive  
 174.32 director shall maintain the records of the board, account for all fees received by the board,

175.1 supervise and direct employees servicing the board, and perform other services as directed  
 175.2 by the board.

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

175.6 (c) The Department of Education must provide suitable offices and other space to the  
 175.7 board at reasonable cost until January 1, 2020. Thereafter, the board may contract with  
 175.8 either the Department of Education or the Department of Administration for the provision  
 175.9 of suitable offices and other space, joint conference and hearing facilities, and examination  
 175.10 rooms.

175.11 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional  
 175.12 Educator Licensing and Standards Board may reimburse local school districts for the costs  
 175.13 of substitute teachers employed when regular teachers are providing professional assistance  
 175.14 to the state by serving on the board or on a committee or task force appointed by the board  
 175.15 and charged to make recommendations concerning standards for teacher licensure in this  
 175.16 state.

175.17 **EFFECTIVE DATE.** This section is effective September 1, 2017.

175.18 Sec. 3. Minnesota Statutes 2016, section 122A.08, is amended to read:

175.19 **122A.08 MEETINGS.**

175.20 Subdivision 1. **Meetings.** The Professional Educator Licensing and Standards Board of  
 175.21 Teaching must meet regularly at the times and places as the board determines. Meetings  
 175.22 must be called by the chair or at the written request of any eight members.

175.23 Subd. 2. **Executive ~~secretary~~ director.** The Professional Educator Licensing and  
 175.24 Standards Board of Teaching must have an executive secretary director who is in the  
 175.25 unclassified civil service and who is not a member of the board. The executive director must  
 175.26 fulfill the duties provided in section 122A.09, subdivision 6. The board must review the  
 175.27 performance of the executive director and set the salary of the executive director, not to  
 175.28 exceed the limit for a position listed in section 15A.0815, subdivision 2.

175.29 **EFFECTIVE DATE.** This section is effective January 1, 2018.

176.1 Sec. 4. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

176.2 Subdivision 1. **Code of ethics.** The Professional Educator Licensing and Standards  
176.3 Board of Teaching must develop by rule a code of ethics covering standards of professional  
176.4 teaching practices, including areas of ethical conduct and professional performance and  
176.5 methods of enforcement.

176.6 **EFFECTIVE DATE.** This section is effective January 1, 2018.

176.7 Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

176.8 Subd. 2. **Advise members of profession.** The Professional Educator Licensing and  
176.9 Standards Board must act in an advisory capacity to members of the profession in matters  
176.10 of interpretation of the code of ethics.

176.11 **EFFECTIVE DATE.** This section is effective January 1, 2018.

176.12 Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

176.13 Subd. 3. **Election of chair and officers.** The Professional Educator Licensing and  
176.14 Standards Board shall elect a chair and such other officers as it may deem necessary.

176.15 **EFFECTIVE DATE.** This section is effective January 1, 2018.

176.16 Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

176.17 Subd. 4. **License and rules Licensing.** (a) The Professional Educator Licensing and  
176.18 Standards Board must ~~adopt rules to license public school teachers and interns subject to~~  
176.19 ~~chapter 14.~~ license teachers, as defined in section 122A.15, subdivision 1, except for  
176.20 supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not  
176.21 delegate its authority to make all licensing decisions with respect to candidates for teacher  
176.22 licensure. The board must evaluate candidates for compliance with statutory or rule  
176.23 requirements for licensure and develop licensure verification requirements.

176.24 ~~(b) The board must require all candidates for teacher licensure to demonstrate a passing~~  
176.25 ~~score on a board-adopted skills examination in reading, writing, and mathematics, as a~~  
176.26 ~~requirement for an initial professional five-year teaching license, except that the board may~~  
176.27 ~~issue up to four initial professional one-year teaching licenses to an otherwise qualified~~  
176.28 ~~candidate who has not yet passed the board-adopted skills exam. The board must require~~  
176.29 ~~colleges and universities offering a board-approved teacher preparation program to provide~~  
176.30 ~~remedial assistance to persons who did not achieve a qualifying score on the board-adopted~~  
176.31 ~~skills examination, including those for whom English is a second language. The requirement~~



177.1 ~~to pass a board-adopted reading, writing, and mathematics skills examination does not apply~~  
177.2 ~~to nonnative English speakers, as verified by qualified Minnesota school district personnel~~  
177.3 ~~or Minnesota higher education faculty, who, after meeting the content and pedagogy~~  
177.4 ~~requirements under this subdivision, apply for a teaching license to provide direct instruction~~  
177.5 ~~in their native language or world language instruction under section 120B.022, subdivision~~  
177.6 ~~1. The Board of Teaching and the entity administering the content, pedagogy, and skills~~  
177.7 ~~examinations must allow any individual who produces documentation of a disability in the~~  
177.8 ~~form of an evaluation, 504 plan, or individual education program (IEP) to receive the same~~  
177.9 ~~testing accommodations on the content, pedagogy, and skills examinations that the applicant~~  
177.10 ~~received during their secondary or postsecondary education.~~

177.11 ~~(c) The board must adopt rules to approve teacher preparation programs. The board,~~  
177.12 ~~upon the request of a postsecondary student preparing for teacher licensure or a licensed~~  
177.13 ~~graduate of a teacher preparation program, shall assist in resolving a dispute between the~~  
177.14 ~~person and a postsecondary institution providing a teacher preparation program when the~~  
177.15 ~~dispute involves an institution's recommendation for licensure affecting the person or the~~  
177.16 ~~person's credentials. At the board's discretion, assistance may include the application of~~  
177.17 ~~chapter 14.~~

177.18 ~~(d) The board must provide the leadership and adopt rules for the redesign of teacher~~  
177.19 ~~education programs to implement a research based, results-oriented curriculum that focuses~~  
177.20 ~~on the skills teachers need in order to be effective. Among other components, teacher~~  
177.21 ~~preparation programs may use the Minnesota State Colleges and Universities program model~~  
177.22 ~~to provide a school-year-long student teaching program that combines clinical opportunities~~  
177.23 ~~with academic coursework and in-depth student teaching experiences to offer students~~  
177.24 ~~ongoing mentorship, coaching, and assessment, help to prepare a professional development~~  
177.25 ~~plan, and structured learning experiences. The board shall implement new systems of teacher~~  
177.26 ~~preparation program evaluation to assure program effectiveness based on proficiency of~~  
177.27 ~~graduates in demonstrating attainment of program outcomes. Teacher preparation programs~~  
177.28 ~~including alternative teacher preparation programs under section 122A.245, among other~~  
177.29 ~~programs, must include a content-specific, board-approved, performance-based assessment~~  
177.30 ~~that measures teacher candidates in three areas: planning for instruction and assessment;~~  
177.31 ~~engaging students and supporting learning; and assessing student learning. The board's~~  
177.32 ~~redesign rules must include creating flexible, specialized teaching licenses, credentials, and~~  
177.33 ~~other endorsement forms to increase students' participation in language immersion programs,~~  
177.34 ~~world language instruction, career development opportunities, work-based learning, early~~

178.1 college courses and careers, career and technical programs, Montessori schools, and project  
178.2 and place-based learning, among other career and college ready learning offerings.

178.3 (e) The board must adopt rules requiring candidates for professional five-year teaching  
178.4 licenses to pass an examination of general pedagogical knowledge and examinations of  
178.5 licensure-specific teaching skills. The rules shall be effective by September 1, 2001. The  
178.6 rules under this paragraph also must require candidates for initial licenses to teach  
178.7 prekindergarten or elementary students to pass, as part of the examination of  
178.8 licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and  
178.9 ability in comprehensive, scientifically based reading instruction under section 122A.06,  
178.10 subdivision 4, and their knowledge and understanding of the foundations of reading  
178.11 development, the development of reading comprehension, and reading assessment and  
178.12 instruction, and their ability to integrate that knowledge and understanding.

178.13 (f) The board must adopt rules requiring teacher educators to work directly with  
178.14 elementary or secondary school teachers in elementary or secondary schools to obtain  
178.15 periodic exposure to the elementary or secondary teaching environment.

178.16 (g) The board must grant licenses to interns and to candidates for professional five-year  
178.17 teaching licenses based on appropriate professional competencies that are aligned with the  
178.18 board's licensing system and students' diverse learning needs. All teacher candidates must  
178.19 have preparation in English language development and content instruction for English  
178.20 learners in order to be able to effectively instruct the English learners in their classrooms.  
178.21 The board must include these licenses in a statewide differentiated licensing system that  
178.22 creates new leadership roles for successful experienced teachers premised on a collaborative  
178.23 professional culture dedicated to meeting students' diverse learning needs in the 21st century,  
178.24 recognizes the importance of cultural and linguistic competencies, including the ability to  
178.25 teach and communicate in culturally competent and aware ways, and formalizes mentoring  
178.26 and induction for newly licensed teachers provided through a teacher support framework.

178.27 (h) The board must design and implement an assessment system which requires a  
178.28 candidate for an initial license and first continuing license to demonstrate the abilities  
178.29 necessary to perform selected, representative teaching tasks at appropriate levels.

178.30 (i) The board must receive recommendations from local committees as established by  
178.31 the board for the renewal of teaching licenses. The board must require a licensed teacher  
178.32 who is renewing a professional five-year teaching license to include in the renewal  
178.33 requirements further preparation in English language development and specially designed  
178.34 content instruction in English for English learners.

179.1 ~~(j) The board must grant life licenses to those who qualify according to requirements~~  
179.2 ~~established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and~~  
179.3 ~~214.10. The board must not establish any expiration date for application for life licenses.~~

179.4 ~~(k) The board must adopt rules that require all licensed teachers who are renewing their~~  
179.5 ~~professional five-year teaching licenses to include in their renewal requirements further~~  
179.6 ~~preparation in the areas of using positive behavior interventions and in accommodating,~~  
179.7 ~~modifying, and adapting curricula, materials, and strategies to appropriately meet the needs~~  
179.8 ~~of individual students and ensure adequate progress toward the state's graduation rule.~~

179.9 ~~(l) In adopting rules to license public school teachers who provide health-related services~~  
179.10 ~~for disabled children, the board shall adopt rules consistent with license or registration~~  
179.11 ~~requirements of the commissioner of health and the health-related boards who license~~  
179.12 ~~personnel who perform similar services outside of the school.~~

179.13 ~~(m) The board must adopt rules that require all licensed teachers who are renewing their~~  
179.14 ~~professional five-year teaching licenses to include in their renewal requirements further~~  
179.15 ~~reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take~~  
179.16 ~~effect until they are approved by law. Teachers who do not provide direct instruction~~  
179.17 ~~including, at least, counselors, school psychologists, school nurses, school social workers,~~  
179.18 ~~audiovisual directors and coordinators, and recreation personnel are exempt from this section.~~

179.19 ~~(n) The board must adopt rules that require all licensed teachers who are renewing their~~  
179.20 ~~professional five-year teaching licenses to include in their renewal requirements at least~~  
179.21 ~~one hour of suicide prevention best practices in each licensure renewal period that are based~~  
179.22 ~~on nationally recognized evidence-based programs and practices, among the continuing~~  
179.23 ~~education credits required to renew a license under this paragraph, and further preparation,~~  
179.24 ~~first, in understanding the key warning signs of early-onset mental illness in children and~~  
179.25 ~~adolescents and then, during subsequent licensure renewal periods, preparation may include~~  
179.26 ~~providing a more in-depth understanding of students' mental illness trauma, accommodations~~  
179.27 ~~for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol~~  
179.28 ~~Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive~~  
179.29 ~~procedures, and de-escalation methods, among other similar topics.~~

179.30 ~~(o) The board must adopt rules by January 1, 2016, to license applicants under sections~~  
179.31 ~~122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications~~  
179.32 ~~through the board's recognition of a teaching license from another state in a similar content~~  
179.33 ~~field, completion of a state-approved teacher preparation program, teaching experience as~~  
179.34 ~~the teacher of record in a similar licensure field, depth of content knowledge, depth of~~

180.1 ~~content methods or general pedagogy, subject-specific professional development and~~  
 180.2 ~~contribution to the field, or classroom performance as determined by documented student~~  
 180.3 ~~growth on normed assessments or documented effectiveness on evaluations. The rules must~~  
 180.4 ~~adopt criteria for determining a "similar content field" and "similar licensure area."~~

180.5 EFFECTIVE DATE. This section is effective July 1, 2018.

180.6 Sec. 8. Minnesota Statutes 2016, section 122A.09, subdivision 4a, is amended to read:

180.7 Subd. 4a. ~~Teacher and administrator preparation and performance data; report~~  
 180.8 Reports. (a) ~~The Board of Teaching and the Board of School Administrators, in cooperation~~  
 180.9 ~~with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges~~  
 180.10 ~~and universities offering board-adopted teacher or administrator preparation programs,~~  
 180.11 ~~annually must collect and report summary data on teacher and administrator preparation~~  
 180.12 ~~and performance outcomes, consistent with this subdivision. The Board of Teaching and~~  
 180.13 ~~the Board of School Administrators annually by June 1 must update and post the reported~~  
 180.14 ~~summary preparation and performance data on teachers and administrators from the preceding~~  
 180.15 ~~school years on a Web site hosted jointly by the boards. The Professional Educator Licensing~~  
 180.16 ~~and Standards Board must provide reports in accordance with section 122A.091.~~

180.17 (b) ~~Publicly reported summary data on teacher preparation programs must include:~~  
 180.18 ~~student entrance requirements for each Board of Teaching-approved program, including~~  
 180.19 ~~grade point average for enrolling students in the preceding year; the average board-adopted~~  
 180.20 ~~skills examination or ACT or SAT scores of students entering the program in the preceding~~  
 180.21 ~~year; summary data on faculty qualifications, including at least the content areas of faculty~~  
 180.22 ~~undergraduate and graduate degrees and their years of experience either as kindergarten~~  
 180.23 ~~through grade 12 classroom teachers or school administrators; the average time resident~~  
 180.24 ~~and nonresident program graduates in the preceding year needed to complete the program;~~  
 180.25 ~~the current number and percent of students by program who graduated, received a standard~~  
 180.26 ~~Minnesota teaching license, and were hired to teach full time in their licensure field in a~~  
 180.27 ~~Minnesota district or school in the preceding year; the number of content area credits and~~  
 180.28 ~~other credits by undergraduate program that students in the preceding school year needed~~  
 180.29 ~~to complete to graduate; students' pass rates on skills and subject matter exams required for~~  
 180.30 ~~graduation in each program and licensure area in the preceding school year; survey results~~  
 180.31 ~~measuring student and graduate satisfaction with the program in the preceding school year;~~  
 180.32 ~~a standard measure of the satisfaction of school principals or supervising teachers with the~~  
 180.33 ~~student teachers assigned to a school or supervising teacher; and information under~~  
 180.34 ~~paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.~~

181.1 ~~(e) Publicly reported summary data on administrator preparation programs approved by~~  
181.2 ~~the Board of School Administrators must include: summary data on faculty qualifications;~~  
181.3 ~~including at least the content areas of faculty undergraduate and graduate degrees and their~~  
181.4 ~~years of experience either as kindergarten through grade 12 classroom teachers or school~~  
181.5 ~~administrators; the average time program graduates in the preceding year needed to complete~~  
181.6 ~~the program; the current number and percent of students who graduated, received a standard~~  
181.7 ~~Minnesota administrator license, and were employed as an administrator in a Minnesota~~  
181.8 ~~school district or school in the preceding year; the number of credits by graduate program~~  
181.9 ~~that students in the preceding school year needed to complete to graduate; survey results~~  
181.10 ~~measuring student, graduate, and employer satisfaction with the program in the preceding~~  
181.11 ~~school year; and information under paragraphs (f) and (g). Program reporting must be~~  
181.12 ~~consistent with section 122A.14, subdivision 10.~~

181.13 ~~(d) School districts annually by October 1 must report to the Board of Teaching the~~  
181.14 ~~following information for all teachers who finished the probationary period and accepted~~  
181.15 ~~a continuing contract position with the district from September 1 of the previous year through~~  
181.16 ~~August 31 of the current year: the effectiveness category or rating of the teacher on the~~  
181.17 ~~summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;~~  
181.18 ~~the licensure area in which the teacher primarily taught during the three-year evaluation~~  
181.19 ~~cycle; and the teacher preparation program preparing the teacher in the teacher's primary~~  
181.20 ~~areas of instruction and licensure.~~

181.21 ~~(e) School districts annually by October 1 must report to the Board of Teaching the~~  
181.22 ~~following information for all probationary teachers in the district who were released or~~  
181.23 ~~whose contracts were not renewed from September 1 of the previous year through August~~  
181.24 ~~31 of the current year: the licensure areas in which the probationary teacher taught; and the~~  
181.25 ~~teacher preparation program preparing the teacher in the teacher's primary areas of instruction~~  
181.26 ~~and licensure.~~

181.27 ~~(f) School districts annually by October 1 must report to the Board of School~~  
181.28 ~~Administrators the following information for all school principals and assistant principals~~  
181.29 ~~who finished the probationary period and accepted a continuing contract position with the~~  
181.30 ~~district from September 1 of the previous year through August 31 of the current year: the~~  
181.31 ~~effectiveness category or rating of the principal or assistant principal on the summative~~  
181.32 ~~evaluation under section 123B.147, subdivision 3; and the principal preparation program~~  
181.33 ~~providing instruction to the principal or assistant principal.~~

181.34 ~~(g) School districts annually by October 1 must report to the Board of School~~  
181.35 ~~Administrators all probationary school principals and assistant principals in the district who~~

182.1 ~~were released or whose contracts were not renewed from September 1 of the previous year~~  
 182.2 ~~through August 31 of the current year.~~

182.3 **EFFECTIVE DATE.** This section is effective July 1, 2018.

182.4 Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

182.5 Subd. 6. **Register of persons licensed.** The executive ~~seeretary~~ director of the  
 182.6 Professional Educator Licensing and Standards Board of Teaching ~~shall~~ must keep a record  
 182.7 of the proceedings of and a register of all persons licensed pursuant to the provisions of this  
 182.8 chapter. The register must show the name, address, license number and the renewal of the  
 182.9 license. The board must on July 1, of each year or as soon thereafter as is practicable, compile  
 182.10 a list of such duly licensed teachers ~~and transmit a copy of the list to the board.~~ A copy of  
 182.11 the register must be available during business hours at the office of the board to any interested  
 182.12 person.

182.13 **EFFECTIVE DATE.** This section is effective January 1, 2018.

182.14 Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

182.15 Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards**  
 182.16 **Board money.** ~~The commissioner shall provide all necessary materials and assistance for~~  
 182.17 ~~the transaction of the business of the Board of Teaching and~~ All moneys received by the  
 182.18 Professional Educator Licensing and Standards Board of Teaching shall be paid into the  
 182.19 state treasury as provided by law. The expenses of administering sections 120B.363, 122A.01,  
 182.20 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183,  
 182.21 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, 122A.22,  
 182.22 122A.23, 122A.2451, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49,  
 182.23 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Professional  
 182.24 Educator Licensing and Standards Board of Teaching shall be paid for from appropriations  
 182.25 made to the Professional Educator Licensing and Standards Board of Teaching.

182.26 **EFFECTIVE DATE.** This section is effective January 1, 2018.

182.27 Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

182.28 Subd. 9. **Professional Educator Licensing and Standards Board may must adopt**  
 182.29 **rules.** (a) The Professional Educator Licensing and Standards Board of Teaching may must  
 182.30 adopt rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05  
 182.31 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183,

183.1 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23,  
 183.2 122A.26, 122A.28, and 122A.29.

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

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

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

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

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

183.14 **EFFECTIVE DATE.** This section is effective January 1, 2018.

183.15 Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

183.16 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and  
 183.17 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant  
 183.18 waivers to its rules upon application by a school district or a charter school for purposes of  
 183.19 implementing experimental programs in learning or management.

183.20 (b) To enable a school district or a charter school to meet the needs of students enrolled  
 183.21 in an alternative education program and to enable licensed teachers instructing those students  
 183.22 to satisfy content area licensure requirements, the Professional Educator Licensing and  
 183.23 Standards Board of Teaching annually may permit a licensed teacher teaching in an  
 183.24 alternative education program to instruct students in a content area for which the teacher is  
 183.25 not licensed, consistent with paragraph (a).

183.26 (c) A special education license permission issued by the Professional Educator Licensing  
 183.27 and Standards Board of Teaching for a primary employer's low-incidence region is valid  
 183.28 in all low-incidence regions.

183.29 ~~(d) The Board of Teaching may issue a one-year professional license under paragraph~~  
 183.30 ~~(a), which the board may renew two times, to allow a person holding a full credential from~~  
 183.31 ~~the American Montessori Society, a diploma from Association Montessori Internationale,~~  
 183.32 ~~or a certificate of completion from a program accredited by the Montessori Accreditation~~

184.1 ~~Council for Teacher Education to teach in a Montessori program operated by a school district~~  
 184.2 ~~or charter school.~~

184.3 ~~(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow~~  
 184.4 ~~individuals who hold a bachelor's degree from an accredited postsecondary institution,~~  
 184.5 ~~demonstrate occupational competency based on at least three years of full-time work~~  
 184.6 ~~experience in business or industry, and enroll and make satisfactory progress in an alternative~~  
 184.7 ~~preparation program leading to certification as a career and technical education instructor~~  
 184.8 ~~to teach career and technical education courses offered by a school district or charter school.~~

184.9 (d) A candidate that has obtained career and technical education certification may apply for  
 184.10 a Tier 1 license under section 122A.181. Consistent with this paragraph and section 136F.361,  
 184.11 the Professional Educator Licensing and Standards Board of Teaching must strongly  
 184.12 encourage approved college or university-based teacher preparation programs and institutions  
 184.13 throughout Minnesota to develop alternative pathways for certifying and licensing high  
 184.14 school career and technical education instructors and teachers, allowing such candidates to  
 184.15 meet certification and licensure standards that demonstrate their content knowledge,  
 184.16 classroom experience, and pedagogical practices and their qualifications based on a  
 184.17 combination of occupational testing, professional certification or licensure, and long-standing  
 184.18 work experience.

184.19 **EFFECTIVE DATE.** This section is effective July 1, 2018.

184.20 Sec. 13. **[122A.091] REPORTS.**

184.21 Subdivision 1. **Teacher and administrator preparation and performance data;**  
 184.22 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of  
 184.23 School Administrators, in cooperation with board-adopted teacher or administrator  
 184.24 preparation programs, annually must collect and report summary data on teacher and  
 184.25 administrator preparation and performance outcomes, consistent with this subdivision. The  
 184.26 Professional Educator Licensing and Standards Board and the Board of School Administrators  
 184.27 annually by June 1 must update and post the reported summary preparation and performance  
 184.28 data on teachers and administrators from the preceding school years on a Web site hosted  
 184.29 jointly by the boards.

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

184.31 (1) student entrance requirements for each Professional Educator Licensing and Standards  
 184.32 Board-approved program, including grade point average for enrolling students in the  
 184.33 preceding year;



185.1 (2) the average board-adopted skills examination or ACT or SAT scores of students  
185.2 entering the program in the preceding year;

185.3 (3) summary data on faculty qualifications, including at least the content areas of faculty  
185.4 undergraduate and graduate degrees and their years of experience either as kindergarten  
185.5 through grade 12 classroom teachers or school administrators;

185.6 (4) the average time resident and nonresident program graduates in the preceding year  
185.7 needed to complete the program;

185.8 (5) the current number and percentage of students by program who graduated, received  
185.9 a standard Minnesota teaching license, and were hired to teach full time in their licensure  
185.10 field in a Minnesota district or school in the preceding year disaggregated by race, except  
185.11 when disaggregation would not yield statistically reliable results or would reveal personally  
185.12 identifiable information about an individual;

185.13 (6) the number of content area credits and other credits by undergraduate program that  
185.14 students in the preceding school year needed to complete to graduate;

185.15 (7) students' pass rates on skills and subject matter exams required for graduation in  
185.16 each program and licensure area in the preceding school year;

185.17 (8) survey results measuring student and graduate satisfaction with the program in the  
185.18 preceding school year disaggregated by race, except when disaggregation would not yield  
185.19 statistically reliable results or would reveal personally identifiable information about an  
185.20 individual;

185.21 (9) a standard measure of the satisfaction of school principals or supervising teachers  
185.22 with the student teachers assigned to a school or supervising teacher; and

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

185.24 Program reporting must be consistent with subdivision 2.

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

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

185.30 (2) the average time program graduates in the preceding year needed to complete the  
185.31 program;

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

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

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

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

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

186.14 **Subd. 2. Teacher preparation program reporting.** (a) By December 31, 2018, and  
186.15 annually thereafter, the Professional Educator Licensing and Standards Board shall report  
186.16 and publish on its Web site the cumulative summary results of at least three consecutive  
186.17 years of data reported to the board under subdivision 1, paragraph (b). Where the data are  
186.18 sufficient to yield statistically reliable information and the results would not reveal personally  
186.19 identifiable information about an individual teacher, the board shall report the data by teacher  
186.20 preparation program.

186.21 (b) The Professional Educator Licensing and Standards Board must report annually to  
186.22 the chairs and ranking minority members of the legislative committees with jurisdiction  
186.23 over kindergarten through grade 12 education, the following information:

186.24 (1) the total number of teacher candidates during the most recent school year taking a  
186.25 board-adopted skills examination;

186.26 (2) the number who achieve a qualifying score on the examination;

186.27 (3) the number who do not achieve a qualifying score on the examination; and

186.28 (4) the candidates who have not passed a content or pedagogy exam.

186.29 The information reported under this paragraph must be disaggregated by categories of race,  
186.30 ethnicity, and eligibility for financial aid. The report must be submitted in accordance with  
186.31 section 3.195.

187.1 Subd. 3. School district reports. (a) School districts annually by October 1 must report  
187.2 to the Professional Educator Licensing and Standards Board the following information for  
187.3 all teachers who finished the probationary period and accepted a continuing contract position  
187.4 with the district from September 1 of the previous year through August 31 of the current  
187.5 year:

187.6 (1) the effectiveness category or rating of the teacher on the summative evaluation under  
187.7 section 122A.40, subdivision 8, or 122A.41, subdivision 5;

187.8 (2) the licensure area in which the teacher primarily taught during the three-year  
187.9 evaluation cycle; and

187.10 (3) the teacher preparation program preparing the teacher in the teacher's primary areas  
187.11 of instruction and licensure.

187.12 (b) School districts annually by October 1 must report to the Professional Educator  
187.13 Licensing and Standards Board the following information for all probationary teachers in  
187.14 the district who were released or whose contracts were not renewed from September 1 of  
187.15 the previous year through August 31 of the current year:

187.16 (1) the licensure areas in which the probationary teacher taught; and

187.17 (2) the teacher preparation program preparing the teacher in the teacher's primary areas  
187.18 of instruction and licensure.

187.19 (c) School districts annually by October 1 must report to the Board of School  
187.20 Administrators the following information for all school principals and assistant principals  
187.21 who finished the probationary period and accepted a continuing contract position with the  
187.22 district from September 1 of the previous year through August 31 of the current year:

187.23 (1) the effectiveness category or rating of the principal or assistant principal on the  
187.24 summative evaluation under section 123B.147, subdivision 3; and

187.25 (2) the principal preparation program providing instruction to the principal or assistant  
187.26 principal.

187.27 (d) School districts annually by October 1 must report to the Board of School  
187.28 Administrators all probationary school principals and assistant principals in the district who  
187.29 were released or whose contracts were not renewed from September 1 of the previous year  
187.30 through August 31 of the current year.

187.31 Subd. 4. State reports. The Professional Educator Licensing and Standards Board must  
187.32 prepare reports in accordance with section 214.07.

188.1 Subd. 5. **Survey of districts.** (a) The Professional Educator Licensing and Standards  
188.2 Board must survey the state's school districts and teacher preparation programs and report  
188.3 to the education committees of the legislature by February 1, 2019, and each odd-numbered  
188.4 year thereafter, on the status of teacher early retirement patterns, the access to effective and  
188.5 more diverse teachers who reflect the students under section 120B.35, subdivision 3,  
188.6 paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the  
188.7 substitute teacher shortage, including patterns and shortages in licensure field areas and the  
188.8 economic development regions of the state.

188.9 (b) The report must also include:

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

188.11 (2) data on how districts are making progress in hiring teachers and substitute teachers  
188.12 in the areas of shortage; and

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

188.16 Subd. 6. **Implementation report.** By January 1, 2019, the Professional Educator  
188.17 Licensing and Standards Board must prepare a report to the legislature on the implementation  
188.18 of the teacher licensure system established under sections 122A.18 to 122A.184. The report  
188.19 must include the number of applicants for licensure in each tier, the number of applications  
188.20 granted and denied, summary data on the reasons applications were denied, and the status  
188.21 of the board's rulemaking process for all licensure related rules.

188.22 **EFFECTIVE DATE.** This section is effective January 1, 2018.

188.23 Sec. 14. **[122A.092] TEACHER PREPARATION PROGRAMS.**

188.24 Subdivision 1. **Rules.** The board must adopt rules to approve teacher preparation  
188.25 programs, including alternative teacher preparation programs under section 122A.2451,  
188.26 nonconventional programs, and Montessori teacher training programs.

188.27 Subd. 2. **Requirements for board approval.** Teacher preparation programs must  
188.28 demonstrate the following to obtain board approval:

188.29 (1) the program has implemented a research-based, results-oriented curriculum that  
188.30 focuses on the skills teachers need in order to be effective;

188.31 (2) the program provides a student teaching program;

189.1 (3) the program demonstrates effectiveness based on proficiency of graduates in  
189.2 demonstrating attainment of program outcomes;

189.3 (4) the program includes a common core of teaching knowledge and skills. This common  
189.4 core shall meet the standards developed by the Interstate New Teacher Assessment and  
189.5 Support Consortium in its 1992 model standards for beginning teacher licensing and  
189.6 development. Amendments to standards adopted under this clause are subject to chapter  
189.7 14. The Professional Educator Licensing and Standards Board shall report annually to the  
189.8 education committees of the legislature on the performance of teacher candidates on common  
189.9 core assessments of knowledge and skills under this clause during the most recent school  
189.10 year;

189.11 (5) the program includes instruction on the knowledge and skills needed to provide  
189.12 appropriate instruction to English learners to support and accelerate their academic literacy,  
189.13 including oral academic language and achievement in content areas in a regular classroom  
189.14 setting; and

189.15 (6) the program includes culturally competent training in instructional strategies consistent  
189.16 with section 120B.30, subdivision 1, paragraph (q).

189.17 Subd. 3. **Specialized credentials.** The board must adopt rules creating flexible,  
189.18 specialized teaching licenses, credentials, and other endorsement forms to increase students'  
189.19 participation in language immersion programs, world language instruction, career  
189.20 development opportunities, work-based learning, early college courses and careers, career  
189.21 and technical programs, Montessori schools, and project- and place-based learning, among  
189.22 other career and college readiness learning offerings.

189.23 Subd. 4. **Teacher educators.** The board must adopt rules requiring teacher educators  
189.24 to work directly with elementary or secondary school teachers in elementary or secondary  
189.25 schools to obtain periodic exposure to the elementary and secondary teaching environments.

189.26 Subd. 5. **Reading strategies.** (a) All colleges and universities approved by the  
189.27 Professional Educator Licensing and Standards Board to prepare persons for classroom  
189.28 teacher licensure must include in their teacher preparation programs research-based best  
189.29 practices in reading, consistent with section 122A.06, subdivision 4, that enables the licensure  
189.30 candidate to teach reading in the candidate's content areas. Teacher candidates must be  
189.31 instructed in using students' native languages as a resource in creating effective differentiated  
189.32 instructional strategies for English learners developing literacy skills. These colleges and  
189.33 universities also must prepare early childhood and elementary teacher candidates for Tier  
189.34 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the

190.1 portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering  
190.2 assessment of reading instruction.

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

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

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

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

190.13 Subd. 6. **Technology strategies.** All colleges and universities approved by the  
190.14 Professional Educator Licensing and Standards Board to prepare persons for classroom  
190.15 teacher licensure must include in their teacher preparation programs the knowledge and  
190.16 skills teacher candidates need to engage students with technology and deliver digital and  
190.17 blended learning and curriculum.

190.18 Subd. 7. **Student teaching program.** A teacher preparation program may provide a  
190.19 year-long student teaching program that combines clinical opportunities with academic  
190.20 coursework and in-depth student teaching experiences to offer students:

190.21 (1) ongoing mentorship;

190.22 (2) coaching;

190.23 (3) assessment;

190.24 (4) help to prepare a professional development plan; and

190.25 (5) structured learning experiences.

190.26 Subd. 8. **Existing programs.** The approval of teacher preparation programs approved  
190.27 by the Board of Teaching before the effective date of this section must remain in effect  
190.28 unless and until the Professional Educator Licensing and Standards Board denies approval  
190.29 or reapproves the program.

190.30 **EFFECTIVE DATE.** This section is effective July 1, 2018.

191.1 Sec. 15. **[122A.093] FRAUD; GROSS MISDEMEANOR.**

191.2 A person who claims to be a licensed teacher without a valid existing license issued by  
 191.3 the board or any person who employs fraud or deception in applying for or securing a license  
 191.4 is guilty of a gross misdemeanor.

191.5 **EFFECTIVE DATE.** This section is effective January 1, 2018.

191.6 Sec. 16. Minnesota Statutes 2016, section 122A.22, is amended to read:

191.7 **122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

191.8 No person shall be accounted a qualified teacher until the school district or charter school  
 191.9 contracting with the person for teaching services verifies through the Minnesota education  
 191.10 licensing system available on the ~~department~~ Professional Educator Licensing and Standards  
 191.11 Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and  
 191.12 122A.44, subdivision 1.

191.13 **EFFECTIVE DATE.** This section is effective January 1, 2018.

191.14 Sec. 17. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

191.15 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's  
 191.16 school districts and teacher preparation programs and report to the education committees  
 191.17 of the legislature by February 1 of each odd-numbered year until 2018 on the status of  
 191.18 teacher early retirement patterns, the access to effective and more diverse teachers who  
 191.19 reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled  
 191.20 in a district or school, the teacher shortage, and the substitute teacher shortage, including  
 191.21 patterns and shortages in subject areas and the economic development regions of the state.  
 191.22 The report must also include: aggregate data on teachers' self-reported race and ethnicity;  
 191.23 data on how districts are making progress in hiring teachers and substitutes in the areas of  
 191.24 shortage; and a five-year projection of teacher demand for each district, taking into account  
 191.25 the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to  
 191.26 enroll in the district during that five-year period.

191.27 Sec. 18. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

191.28 Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the~~  
 191.29 ~~Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private  
 191.30 Detective and Protective Agent Services; the Board of Peace Officer Standards and Training;  
 191.31 and the commissioner of revenue with respect to the Board of Assessors, shall provide

192.1 suitable offices and other space, joint conference and hearing facilities, examination rooms,  
 192.2 and the following administrative support services: purchasing service, accounting service,  
 192.3 advisory personnel services, consulting services relating to evaluation procedures and  
 192.4 techniques, data processing, duplicating, mailing services, automated printing of license  
 192.5 renewals, and such other similar services of a housekeeping nature as are generally available  
 192.6 to other agencies of state government. Investigative services shall be provided the boards  
 192.7 by employees of the Office of Attorney General. The commissioner of health with respect  
 192.8 to the health-related licensing boards shall provide mailing and office supply services and  
 192.9 may provide other facilities and services listed in this subdivision at a central location upon  
 192.10 request of the health-related licensing boards. The commissioner of commerce with respect  
 192.11 to the remaining non-health-related licensing boards shall provide the above facilities and  
 192.12 services at a central location for the remaining non-health-related licensing boards. The  
 192.13 legal and investigative services for the boards shall be provided by employees of the attorney  
 192.14 general assigned to the departments servicing the boards. Notwithstanding the foregoing,  
 192.15 the attorney general shall not be precluded by this section from assigning other attorneys  
 192.16 to service a board if necessary in order to insure competent and consistent legal  
 192.17 representation. Persons providing legal and investigative services shall to the extent  
 192.18 practicable provide the services on a regular basis to the same board or boards.

192.19 **EFFECTIVE DATE.** This section is effective July 1, 2018.

192.20 Sec. 19. Minnesota Statutes 2016, section 214.045, is amended to read:

192.21 **214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING**  
 192.22 **AND STANDARDS BOARD OF TEACHING.**

192.23 The commissioner of health and the health-related licensing boards must coordinate  
 192.24 with the Professional Educator Licensing and Standards Board of Teaching when modifying  
 192.25 licensure requirements for regulated persons in order to have consistent regulatory  
 192.26 requirements for personnel who perform services in schools.

192.27 **EFFECTIVE DATE.** This section is effective January 1, 2018.

192.28 Sec. 20. **TRANSFER OF POWERS.**

192.29 (a) The creation of the Professional Educator Licensing and Standards Board shall be  
 192.30 considered a transfer by law of the responsibilities of the Board of Teaching and the  
 192.31 Minnesota Department of Education with respect to licensure and credentialing of teachers  
 192.32 and school personnel to the Professional Educator Licensing and Standards Board for  
 192.33 purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions



193.1 associated with the responsibilities being transferred to the Professional Educator Licensing  
193.2 and Standards Board are transferred with their incumbents to the new agency pursuant to  
193.3 Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota  
193.4 Statutes, section 122A.07.

193.5 (b) The responsibilities of the Minnesota Department of Education with respect to  
193.6 licensure of school administrators are transferred by law to the Board of School  
193.7 Administrators for purposes of section 15.039.

193.8 (c) The responsibilities of the Minnesota Department of Education with respect to the  
193.9 survey of districts under section 127A.05, subdivision 6, and the staff automated reporting  
193.10 (STAR) system, are transferred by law to the Professional Educator Licensing and Standards  
193.11 Board for purposes of section 15.039.

193.12 (d) The Professional Educator Licensing and Standards Board must review all rules  
193.13 adopted by the Board of Teaching and amend or repeal rules not consistent with statute.  
193.14 The Professional Educator Licensing and Standards Board must review all teacher preparation  
193.15 programs approved by the Board of Teaching to determine whether the approved programs  
193.16 meet the needs of schools in Minnesota.

193.17 **EFFECTIVE DATE.** This section is effective January 1, 2018.

193.18 Sec. 21. **FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR**  
193.19 **LICENSING AND STANDARDS BOARD.**

193.20 (a) The governor shall make appointments to the Professional Educator Licensing and  
193.21 Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor  
193.22 shall designate one member of the board to convene the first meeting by February 1, 2018,  
193.23 and to act as chair until the board elects a chair at its first meeting. The first superintendent  
193.24 appointed under Minnesota Statutes, section 122A.07, subdivision 2, clause (2), must be  
193.25 from outside the metropolitan area. The governor is encouraged to consider eligible  
193.26 candidates that have previously served on the Board of Teaching for appointment to the  
193.27 Professional Educator Licensing and Standards Board.

193.28 (b) The terms of the first members appointed to the board do not count towards the term  
193.29 limit under Minnesota Statutes, section 122A.07, subdivision 1, if the term expires before  
193.30 2022.

193.31 (c) Beginning October 2, 2017, the board members appointed by the governor under  
193.32 paragraph (a) may informally organize and prepare for their terms. The appointee representing  
193.33 the superintendent member must convene the first transition meeting. At the first meeting,

194.1 the appointees must select a chairperson to lead the transition meetings. Between October  
 194.2 2, 2017, and January 1, 2018, the board members must begin the selection process for the  
 194.3 executive director under Minnesota Statutes, section 122A.08, subdivision 2. The board  
 194.4 members' transition meetings are subject to the Open Meeting Law under Minnesota Statutes,  
 194.5 chapter 13D.

194.6 Sec. 22. **REVISOR INSTRUCTION.**

194.7 In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the  
 194.8 term "Professional Educator Licensing and Standards Board" for "Board of Teaching"  
 194.9 wherever the term refers to the powers, duties, and responsibilities of the Board of Teaching.  
 194.10 The revisor shall also make grammatical changes related to the change in terms.

194.11 Sec. 23. **REPEALER.**

194.12 Minnesota Statutes 2016, section 122A.09, subdivisions 5, 8, and 11, are repealed.

194.13 **EFFECTIVE DATE.** This section is effective January 1, 2018.

## 194.14 **ARTICLE 13**

### 194.15 **FORECAST ADJUSTMENTS**

#### 194.16 **A. GENERAL EDUCATION**

194.17 Section 1. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision  
 194.18 2, as amended by Laws 2016, chapter 189, article 27, section 17, is amended to read:

194.19 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,  
 194.20 section 126C.13, subdivision 4:

194.21       \$ 6,649,435,000       ..... 2016

194.22       ~~6,815,372,000~~

194.23       \$ 6,848,521,000       ..... 2017

194.24 The 2016 appropriation includes \$622,908,000 for 2015 and 6,026,524,000 for 2016.

194.25 The 2017 appropriation includes \$641,412,000 for 2016 and ~~\$6,173,962,000~~

194.26 \$6,207,109,000 for 2017.

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

195.1 Sec. 2. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 3, is  
 195.2 amended to read:

195.3 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending  
 195.4 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation  
 195.5 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

195.6	\$	39,000	.....	2016
195.7		<del>42,000</del>		
195.8	\$	<u>26,000</u>	.....	2017

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

195.10 Sec. 3. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 4, as  
 195.11 amended by Laws 2016, chapter 189, article 34, section 1, is amended to read:

195.12 Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section  
 195.13 127A.49:

195.14	\$	3,051,000	.....	2016
195.15		<del>3,425,000</del>		
195.16	\$	<u>2,666,000</u>	.....	2017

195.17 The 2016 appropriation includes \$278,000 for 2015 and \$2,773,000 for 2016.

195.18 The 2017 appropriation includes \$308,000 for 2016 and ~~\$3,117,000~~ \$2,358,000 for  
 195.19 2017.

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

195.21 Sec. 4. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 6, as  
 195.22 amended by Laws 2016, chapter 189, article 34, section 3, is amended to read:

195.23 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under  
 195.24 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

195.25	\$	16,759,000	.....	2016
195.26		<del>17,235,000</del>		
195.27	\$	<u>16,879,000</u>	.....	2017

195.28 The 2016 appropriation includes \$1,575,000 for 2015 and \$15,184,000 for 2016.

195.29 The 2017 appropriation includes \$1,687,000 for 2016 and ~~\$15,548,000~~ \$15,192,000 for  
 195.30 2017.

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

196.1 Sec. 5. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 7, as  
 196.2 amended by Laws 2016, chapter 189, article 34, section 4, is amended to read:

196.3 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under  
 196.4 Minnesota Statutes, section 123B.92, subdivision 9:

196.5	\$	17,673,000	.....	2016
196.6		<del>18,103,000</del>		
196.7	\$	<u>18,278,000</u>	.....	2017

196.8 The 2016 appropriation includes \$1,816,000 for 2015 and \$15,857,000 for 2016.

196.9 The 2017 appropriation includes \$1,761,000 for 2016 and ~~\$16,342,000~~ \$16,517,000 for  
 196.10 2017.

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

196.12 Sec. 6. Laws 2015, First Special Session chapter 3, article 1, section 27, subdivision 9, as  
 196.13 amended by Laws 2016, chapter 189, article 34, section 5, is amended to read:

196.14 Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota  
 196.15 Statutes, section 124D.4531, subdivision 1b:

196.16	\$	5,922,000	.....	2016
196.17		<del>4,262,000</del>		
196.18	\$	<u>4,806,000</u>	.....	2017

196.19 The 2016 appropriation includes \$574,000 for 2015 and \$5,348,000 for 2016.

196.20 The 2017 appropriation includes \$517,000 for 2016 and ~~\$3,745,000~~ \$4,289,000 for  
 196.21 2017.

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

196.23 **B. EDUCATION EXCELLENCE**

196.24 Sec. 7. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 2, as  
 196.25 amended by Laws 2016, chapter 189, article 25, section 44, is amended to read:

196.26 Subd. 2. **Alternative compensation.** For alternative teacher compensation aid under  
 196.27 Minnesota Statutes, section 122A.415, subdivision 4:

196.28	\$	78,907,000	.....	2016
196.29		<del>89,049,000</del>		
196.30	\$	<u>88,137,000</u>	.....	2017

196.31 The 2016 appropriation includes \$7,766,000 for 2015 and \$71,141,000 for 2016.

197.1 The 2017 appropriation includes \$7,876,000 for 2016 and ~~\$81,173,000~~ \$80,261,000 for  
 197.2 2017.

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

197.4 Sec. 8. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 3, as  
 197.5 amended by Laws 2016, chapter 189, article 25, section 45, is amended to read:

197.6 Subd. 3. **Achievement and integration aid.** For achievement and integration aid under  
 197.7 Minnesota Statutes, section 124D.862:

197.8	\$	65,439,000	.....	2016
197.9		<del>69,372,000</del>		
197.10	\$	<u>67,091,000</u>	.....	2017

197.11 The 2016 appropriation includes \$6,382,000 for 2015 and \$59,057,000 for 2016.

197.12 The 2017 appropriation includes \$6,561,000 for 2016 and ~~\$62,811,000~~ \$60,530,000 for  
 197.13 2017.

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

197.15 Sec. 9. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 4, as  
 197.16 amended by Laws 2016, chapter 189, article 34, section 6, is amended to read:

197.17 Subd. 4. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes,  
 197.18 section 124D.98:

197.19	\$	44,538,000	.....	2016
197.20		<del>45,855,000</del>		
197.21	\$	<u>45,803,000</u>	.....	2017

197.22 The 2016 appropriation includes \$4,683,000 for 2015 and \$39,855,000 for 2016.

197.23 The 2017 appropriation includes \$4,428,000 for 2016 and ~~\$41,427,000~~ \$41,375,000 for  
 197.24 2017.

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

197.26 Sec. 10. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 5,  
 197.27 as amended by Laws 2016, chapter 189, article 34, section 7, is amended to read:

197.28 Subd. 5. **Interdistrict desegregation or integration transportation grants.** For  
 197.29 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
 197.30 section 124D.87:

197.31	\$	14,423,000	.....	2016
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198.1 ~~15,193,000~~  
 198.2 \$ 13,496,000 ..... 2017

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

198.4 Sec. 11. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 7,  
 198.5 as amended by Laws 2016, chapter 189, article 34, section 8, is amended to read:

198.6 Subd. 7. **Tribal contract schools.** For tribal contract school aid under Minnesota Statutes,  
 198.7 section 124D.83:

198.8 \$ 3,539,000 ..... 2016

198.9 ~~3,715,000~~  
 198.10 \$ 3,278,000 ..... 2017

198.11 The 2016 appropriation includes \$204,000 for 2015 and \$3,335,000 for 2016.

198.12 The 2017 appropriation includes \$370,000 for 2016 and ~~\$3,345,000~~ \$2,908,000 for  
 198.13 2017.

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

198.15 Sec. 12. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 11,  
 198.16 as amended by Laws 2016, chapter 189, article 34, section 9, is amended to read:

198.17 Subd. 11. **American Indian education aid.** For American Indian education aid under  
 198.18 Minnesota Statutes, section 124D.81, subdivision 2a:

198.19 \$ 7,740,000 ..... 2016

198.20 ~~8,878,000~~  
 198.21 \$ 8,838,000 ..... 2017

198.22 The 2016 appropriation includes \$0 for 2015 and \$7,740,000 for 2016.

198.23 The 2017 appropriation includes \$860,000 for 2016 and ~~\$8,018,000~~ \$7,978,000 for  
 198.24 2017.

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

198.26 Sec. 13. Laws 2015, First Special Session chapter 3, article 4, section 9, subdivision 2, as  
 198.27 amended by Laws 2016, chapter 189, article 28, section 10, is amended to read:

198.28 Subd. 2. **Charter school building lease aid.** For building lease aid under Minnesota  
 198.29 Statutes, section 124E.22:

198.30 \$ 63,540,000 ..... 2016

198.31 ~~70,132,000~~  
 198.32 \$ 68,046,000 ..... 2017

199.1 The 2016 appropriation includes \$6,032,000 for 2015 and \$57,508,000 for 2016.

199.2 The 2017 appropriation includes \$6,389,000 for 2016 and ~~\$63,743,000~~ \$61,657,000 for  
 199.3 2017.

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

199.5 **C. SPECIAL EDUCATION**

199.6 Sec. 14. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 2,  
 199.7 as amended by Laws 2016, chapter 189, article 29, section 15, is amended to read:

199.8 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,  
 199.9 section 125A.75:

199.10 \$ 1,183,619,000 ..... 2016

199.11 ~~1,247,107,000~~

199.12 \$ 1,258,250,000 ..... 2017

199.13 The 2016 appropriation includes \$137,932,000 for 2015 and \$1,045,687,000 for 2016.

199.14 The 2017 appropriation includes \$147,202,000 for 2016 and ~~\$1,099,905,000~~

199.15 \$1,111,048,000 for 2017.

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

199.17 Sec. 15. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 3,  
 199.18 as amended by Laws 2016, chapter 189, article 34, section 10, is amended to read:

199.19 Subd. 3. **Travel for home-based services.** For aid for teacher travel for home-based  
 199.20 services under Minnesota Statutes, section 125A.75, subdivision 1:

199.21 \$ 416,000 ..... 2016

199.22 ~~435,000~~

199.23 \$ 482,000 ..... 2017

199.24 The 2016 appropriation includes \$35,000 for 2015 and \$381,000 for 2016.

199.25 The 2017 appropriation includes \$42,000 for 2016 and ~~\$393,000~~ \$440,000 for 2017.

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

200.1 Sec. 16. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 5,  
 200.2 as amended by Laws 2016, chapter 189, article 34, section 11, is amended to read:

200.3 Subd. 5. **Aid for children with disabilities.** For aid under Minnesota Statutes, section  
 200.4 125A.75, subdivision 3, for children with disabilities placed in residential facilities within  
 200.5 the district boundaries for whom no district of residence can be determined:

200.6	\$	1,307,000	.....	2016
200.7		<del>1,516,000</del>		
200.8	\$	<u>1,390,000</u>	.....	2017

200.9 If the appropriation for either year is insufficient, the appropriation for the other year is  
 200.10 available.

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

200.12 Sec. 17. Laws 2015, First Special Session chapter 3, article 5, section 30, subdivision 6,  
 200.13 is amended to read:

200.14 Subd. 6. **Court-placed special education revenue.** For reimbursing serving school  
 200.15 districts for unreimbursed eligible expenditures attributable to children placed in the serving  
 200.16 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

200.17	\$	56,000	.....	2016
200.18		<del>57,000</del>		
200.19	\$	<u>45,000</u>	.....	2017

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

200.21 **D. FACILITIES AND TECHNOLOGY**

200.22 Sec. 18. Laws 2015, First Special Session chapter 3, article 6, section 13, subdivision 2,  
 200.23 as amended by Laws 2016, chapter 189, article 30, section 23, is amended to read:

200.24 Subd. 2. **Long-term facilities maintenance equalization equalized aid.** For long-term  
 200.25 facilities maintenance equalization equalized aid under Minnesota Statutes, section 123B.595:

200.26	\$	0	.....	2016
200.27		<del>52,844,000</del>		
200.28	\$	<u>50,571,000</u>	.....	2017

200.29 The 2017 appropriation includes \$0 for 2016 and ~~\$52,844,000~~ \$50,571,000 for 2017.

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



201.1 Sec. 19. Laws 2015, First Special Session chapter 3, article 6, section 13, subdivision 3,  
 201.2 as amended by Laws 2016, chapter 189, article 34, section 12, is amended to read:

201.3 Subd. 3. **Debt service equalization.** For debt service aid according to Minnesota Statutes,  
 201.4 section 123B.53, subdivision 6:

201.5	\$	20,349,000	.....	2016
201.6		<del>22,926,000</del>		
201.7	\$	<u>20,406,000</u>	.....	2017

201.8 The 2016 appropriation includes \$2,295,000 for 2015 and \$18,054,000 for 2016.

201.9 The 2017 appropriation includes \$2,005,000 for 2016 and ~~\$20,921,000~~ \$18,401,000 for  
 201.10 2017.

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

201.12 **E. NUTRITION**

201.13 Sec. 20. Laws 2015, First Special Session chapter 3, article 7, section 7, subdivision 2, as  
 201.14 amended by Laws 2016, chapter 189, article 27, section 18, is amended to read:

201.15 Subd. 2. **School lunch.** For school lunch aid according to Minnesota Statutes, section  
 201.16 124D.111, and Code of Federal Regulations, title 7, section 210.17:

201.17	\$	16,251,000	.....	2016
201.18		<del>16,775,000</del>		
201.19	\$	<u>16,234,000</u>	.....	2017

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

201.21 Sec. 21. Laws 2015, First Special Session chapter 3, article 7, section 7, subdivision 3, as  
 201.22 amended by Laws 2016, chapter 189, article 27, section 19, is amended to read:

201.23 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,  
 201.24 section 124D.1158:

201.25	\$	9,457,000	.....	2016
201.26		<del>10,365,000</del>		
201.27	\$	<u>9,869,000</u>	.....	2017

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

202.1 Sec. 22. Laws 2015, First Special Session chapter 3, article 7, section 7, subdivision 4, as  
 202.2 amended by Laws 2016, chapter 189, article 34, section 15, is amended to read:

202.3 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,  
 202.4 section 124D.118:

202.5 \$ 788,000 ..... 2016

202.6 ~~788,000~~

202.7 \$ 758,000 ..... 2017

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

202.9 **F. EARLY CHILDHOOD EDUCATION**

202.10 Sec. 23. Laws 2015, First Special Session chapter 3, article 9, section 8, subdivision 5, as  
 202.11 amended by Laws 2016, chapter 189, article 34, section 16, is amended to read:

202.12 Subd. 5. **Early childhood family education aid.** For early childhood family education  
 202.13 aid under Minnesota Statutes, section 124D.135:

202.14 \$ 27,948,000 ..... 2016

202.15 ~~29,336,000~~

202.16 \$ 28,944,000 ..... 2017

202.17 The 2016 appropriation includes \$2,713,000 for 2015 and \$25,235,000 for 2016.

202.18 The 2017 appropriation includes \$2,803,000 for 2016 and ~~\$26,533,000~~ \$26,141,000 for  
 202.19 2017.

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

202.21 Sec. 24. Laws 2015, First Special Session chapter 3, article 9, section 8, subdivision 6, as  
 202.22 amended by Laws 2016, chapter 189, article 34, section 17, is amended to read:

202.23 Subd. 6. **Developmental screening aid.** For developmental screening aid under  
 202.24 Minnesota Statutes, sections 121A.17 and 121A.19:

202.25 \$ 3,477,000 ..... 2016

202.26 ~~3,488,000~~

202.27 \$ 3,573,000 ..... 2017

202.28 The 2016 appropriation includes \$338,000 for 2015 and \$3,139,000 for 2016.

202.29 The 2017 appropriation includes \$348,000 for 2016 and ~~\$3,140,000~~ \$3,225,000 for  
 202.30 2017.

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

203.1 Sec. 25. Laws 2015, First Special Session chapter 3, article 10, section 3, subdivision 2,  
 203.2 as amended by Laws 2016, chapter 189, article 34, section 18, is amended to read:

203.3 Subd. 2. **Community education aid.** For community education aid under Minnesota  
 203.4 Statutes, section 124D.20:

203.5 \$ 790,000 ..... 2016

203.6 ~~553,000~~

203.7 \$ 555,000 ..... 2017

203.8 The 2016 appropriation includes \$107,000 for 2015 and \$683,000 for 2016.

203.9 The 2017 appropriation includes \$75,000 for 2016 and ~~\$478,000~~ \$480,000 for 2017.

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

203.11 **G. SELF-SUFFICIENCY AND LIFELONG LEARNING**

203.12 Sec. 26. Laws 2015, First Special Session chapter 3, article 11, section 3, subdivision 2,  
 203.13 as amended by Laws 2016, chapter 189, article 34, section 19, is amended to read:

203.14 Subd. 2. **Adult basic education aid.** For adult basic education aid under Minnesota  
 203.15 Statutes, section 124D.531:

203.16 \$ 48,231,000 ..... 2016

203.17 ~~49,683,000~~

203.18 \$ 48,762,000 ..... 2017

203.19 The 2016 appropriation includes \$4,782,000 for 2015 and \$43,449,000 for 2016.

203.20 The 2017 appropriation includes \$4,827,000 for 2016 and ~~\$44,856,000~~ \$43,935,000 for  
 203.21 2017.

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

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**122A.09 DUTIES.**

Subd. 5. **Commissioner's representative to comment on proposed rule.** Before the Board of Teaching adopts any rule that must be submitted to public hearing, a representative of the commissioner shall appear before the Board of Teaching and at the hearing required under section 14.14, subdivision 1, to comment on the cost and educational implications of that proposed rule.

Subd. 8. **Fraud; gross misdemeanor.** A person who claims to be a licensed teacher without a valid existing license issued by the board or any person who employs fraud or deception in applying for or securing a license is guilty of a gross misdemeanor.

Subd. 11. **Teacher preparation program reporting.** By December 31, 2018, and annually thereafter, the Board of Teaching shall report and publish on its Web site the cumulative summary results of at least three consecutive years of data reported to the board under subdivision 4a, paragraph (b). Where the data are sufficient to yield statistically reliable information and the results would not reveal personally identifiable information about an individual teacher, the board shall report the data by teacher preparation program.

**122A.14 DUTIES OF BOARD OF SCHOOL ADMINISTRATORS.**

Subd. 5. **Commissioner's representative to comment on proposed rule.** Before adopting any rule that must be submitted to public hearing, a representative of the commissioner of education shall appear before the board and at any hearing required under section 14.14, subdivision 1, to comment on the cost and educational implications of the proposed rule.

**122A.162 LICENSURE RULES.**

The commissioner may make rules relating to licensure of school personnel not licensed by the Board of Teaching or Board of School Administrators.

**122A.163 TEACHER RULE VARIANCES; COMMISSIONER.**

Notwithstanding any law to the contrary, and only upon receiving the agreement of the State Board of Teaching or Board of School Administrators, whichever has jurisdiction over the licensure, the commissioner of education may grant a variance to rules governing licensure of persons licensed by the Board of Teaching or Board of School Administrators, whichever has jurisdiction.

**122A.18 BOARD TO ISSUE LICENSES.**

Subd. 2a. **Reading strategies.** (a) All colleges and universities approved by the Board of Teaching to prepare persons for classroom teacher licensure must include in their teacher preparation programs research-based best practices in reading, consistent with section 122A.06, subdivision 4, that enable the licensure candidate to know how to teach reading in the candidate's content areas. Teacher candidates must be instructed in using students' native languages as a resource in creating effective differentiated instructional strategies for English learners developing literacy skills. These colleges and universities also must prepare early childhood and elementary teacher candidates for professional five-year teaching licenses for the portion of the examination under section 122A.09, subdivision 4, paragraph (e), covering assessment of reading instruction.

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

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

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

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

Subd. 3. **Supervisory and coach qualifications; code of ethics.** The commissioner of education must issue licenses under its jurisdiction to persons the commissioner finds to be qualified and competent for their respective positions under the rules it adopts. The commissioner of education may develop, by rule, a code of ethics for supervisory personnel covering standards

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### Repealed Minnesota Statutes: 171-H0002-1

of professional practices, including areas of ethical conduct and professional performance and methods of enforcement.

Subd. 3a. **Technology strategies.** All colleges and universities approved by the Board of Teaching to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to deliver digital and blended learning and curriculum and engage students with technology.

Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education issues through its licensing section must bear the date of issue and the name of the state-approved teacher training provider. Licenses must expire and be renewed according to the respective rules the Board of Teaching, the Board of School Administrators, or the commissioner of education adopts. Requirements for renewing a license must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completing such additional preparation as the Board of Teaching prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The State Board of Teaching shall establish requirements for renewing the licenses of athletic coaches.

(b) Applicants for license renewal who have been employed as a teacher during the renewal period of their expiring license, as a condition of license renewal, must present to their local continuing education and relicensure committee or other local relicensure committee evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, practices in meeting the varied needs of English learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. The applicant must include a reflective statement of professional accomplishment and the applicant's own assessment of professional growth showing evidence of:

- (1) support for student learning;
- (2) use of best practices techniques and their applications to student learning;
- (3) collaborative work with colleagues that includes examples of collegiality such as attested-to committee work, collaborative staff development programs, and professional learning community work; or
- (4) continual professional development that may include (i) job-embedded or other ongoing formal professional learning or (ii) for teachers employed for only part of the renewal period of their expiring license, other similar professional development efforts made during the relicensure period.

The Board of Teaching must ensure that its teacher relicensing requirements also include this paragraph.

(c) The Board of Teaching shall offer alternative options for license renewal for teachers who are accepted into and complete the National Board for Professional Teaching Standards certification process, and offer additional continuing relicensure options for teachers who earn National Board for Professional Teaching Standards certification. Continuing relicensure requirements for teachers who do not maintain National Board for Professional Teaching Standards certification are those the board prescribes, consistent with this section.

Subd. 4a. **Limited provisional licenses.** The board may grant two-year provisional licenses to licensure candidates in a field in which they were not previously licensed or in a field in which a shortage of licensed teachers exists. A shortage is defined as an inadequate supply of licensed personnel in a given licensure area as determined by the commissioner.

Subd. 6. **Human relations.** The Board of Teaching shall accept training programs completed through Peace Corps, VISTA, or Teacher Corps in lieu of completing the human relations component of the training program for purposes of issuing or renewing a teaching license.

Subd. 7. **Limited provisional licenses.** The Board of Teaching may grant provisional licenses, which shall be valid for two years, in fields in which licenses were not issued previously or in fields in which a shortage of licensed teachers exists. A shortage is defined as a lack of or an inadequate supply of licensed personnel within a given licensure area in a school district that has notified the Board of Teaching of the shortage and has applied to the Board of Teaching for provisional licenses for that district's licensed staff.

Subd. 7b. **Temporary limited licenses; personnel variances.** (a) The Board of Teaching must accept applications for a temporary limited teaching license beginning July 1 of the school year for which the license is requested and must issue or deny the temporary limited teaching license within 30 days of receiving the complete application.

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(b) The Board of Teaching must accept applications for a personnel variance beginning July 1 of the school year for which the variance is requested and must issue or deny the personnel variance within 30 days of receiving the complete application.

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

Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure via portfolio to obtain a professional five-year teaching license or to add a licensure field, consistent with applicable Board of Teaching licensure rules.

(b) A candidate for a professional five-year teaching license must submit to the Educator Licensing Division at the department one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the Educator Licensing Division at the department one portfolio demonstrating content competence.

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

(e) A candidate must pay to the executive secretary of the Board of Teaching a \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio submitted subsequently. The revenue generated from the fee must be deposited in an education licensure portfolio account in the special revenue fund. The fees set by the Board of Teaching are nonrefundable for applicants not qualifying for a license. The Board of Teaching may waive or reduce fees for candidates based on financial need.

#### **122A.23 APPLICANTS TRAINED IN OTHER STATES.**

Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state university, or of the University of Minnesota, or of a liberal arts university, or a technical training institution, such license may also, in the discretion of the Board of Teaching, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state. The diploma or degree must be granted by virtue of completing coursework in teacher preparation as preliminary to the granting of a diploma or a degree of the same rank and class. For purposes of granting a Minnesota teaching license to a person who receives a diploma or degree from a state-accredited, out-of-state teacher training program leading to licensure, the Board of Teaching must establish criteria and streamlined policies and procedures by January 1, 2016, to recognize the experience and professional credentials of the person holding the out-of-state diploma or degree and allow that person to demonstrate to the board the person's qualifications for receiving a Minnesota teaching license based on performance measures the board adopts by January 1, 2016, under this section.

Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a professional five-year teaching license or an initial professional one-year teaching license under paragraphs (c) to (f) to an applicant who holds at least a baccalaureate degree from a regionally accredited college or university and holds or held an out-of-state teaching license that requires the applicant to successfully complete a teacher preparation program approved by the issuing state, which includes either (1) field-specific teaching methods, student teaching, or equivalent experience, or (2) at least two years of teaching experience as the teacher of record in a similar licensure area.

(b) The Board of Teaching may issue a professional five-year teaching license on the basis of teaching experience and examination requirements only.

(c) The Board of Teaching must issue a professional five-year teaching license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar content field and grade levels if the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, and either (i) has completed field-specific teaching methods, student teaching, or equivalent experience, or (ii) has at least two years of teaching experience as the teacher of record in a similar licensure area.

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(d) The Board of Teaching, consistent with board rules and paragraph (i), must issue up to four initial professional one-year teaching licenses to an applicant who holds or held an out-of-state teaching license to teach a similar licensure area and grade levels, where the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, but has not successfully completed all exams and human relations preparation components required by the Board of Teaching. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

(e) The Board of Teaching, consistent with board rules, must issue up to four initial professional one-year teaching licenses to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar licensure area and grade levels, where the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, but has not completed field-specific teaching methods or student teaching or equivalent experience.

The applicant may complete field-specific teaching methods by successfully participating in a one-year school district mentorship program consistent with board-adopted standards of effective practice and Minnesota graduation requirements. If no school district mentorship program is available, the applicant must complete field-specific teaching methods coursework while serving as a teacher of record and providing classroom instruction in the applicant's field of licensure. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

(f) The Board of Teaching must issue to an applicant with an out-of-state teaching license up to four initial professional one-year teaching licenses that are restricted in content or grade levels specified in the out-of-state license if the applicant's out-of-state teaching license is more limited than a similar Minnesota license in content field or grade levels. The Board of Teaching must issue a professional five-year teaching license to an applicant who successfully completes all exams and human relations preparation components required by the Board of Teaching. Any content or grade level restriction placed on a license under this paragraph remains in effect.

(g) The Board of Teaching may issue a two-year provisional permission to an applicant under this subdivision to teach in a shortage area, consistent with section 122A.18, subdivision 4a.

(h) The Board of Teaching may issue a license under this subdivision if the applicant has attained the additional degrees, credentials, or licenses required in a particular licensure field and the applicant can demonstrate competency by obtaining qualifying scores on the board-adopted skills examination in reading, writing, and mathematics, and on applicable board-adopted rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraphs (a) and (e).

(i) The Board of Teaching must require an applicant for a professional five-year teaching license or an initial professional one-year teaching license under this subdivision to pass a board-adopted skills examination in reading, writing, and mathematics before the board issues the license unless, notwithstanding other provisions of this subdivision, an applicable board-approved National Association of State Directors of Teacher Education and Certification interstate agreement exists to allow fully certified teachers from other states to transfer their certification to Minnesota.

#### **122A.245 ALTERNATIVE TEACHER PREPARATION PROGRAM AND PRELIMINARY TEACHER LICENSE.**

Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic and cultural diversity in the classroom, and close the academic achievement gap, the Board of Teaching must approve qualified teacher preparation programs under this section that are a means to acquire a two-year preliminary teacher license, which the board may renew one time for an additional one-year term, and to prepare for acquiring a professional five-year license. The following entities are eligible to participate under this section:

(1) a school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose that forms a partnership with a college or university that has a board-approved alternative teacher preparation program; or

(2) a school district or charter school, after consulting with a college or university with a board-approved teacher preparation program, that forms a partnership with a nonprofit corporation organized under chapter 317A for an education-related purpose that has a board-approved teacher preparation program.

(b) Before becoming a teacher of record, a candidate must:



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(1) have a bachelor's degree with a 3.0 or higher grade point average unless the board waives the grade point average requirement based on board-adopted criteria adopted by January 1, 2016;

(2) demonstrate a passing score on a board-adopted reading, writing, and mathematics skills examination under section 122A.09, subdivision 4, paragraph (b); and

(3) obtain qualifying scores on applicable board-approved rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

(c) The Board of Teaching must issue a two-year preliminary teacher license to a person who enrolls in an alternative teacher preparation program.

**Subd. 2. Characteristics.** An alternative teacher preparation program under this section must include:

(1) a minimum 200-hour instructional phase that provides intensive preparation and student teaching before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) strategies to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program and to support their efforts to successfully complete the program;

(5) intensive, ongoing, and multiyear professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a workplace orientation, professional staff development, and mentoring and peer review focused on standards of professional practice and continuous professional growth; and

(6) a requirement that teacher candidates demonstrate to the local site team under subdivision 5 satisfactory progress toward acquiring professional five-year teaching licenses from the Board of Teaching.

**Subd. 3. Program approval; disapproval.** (a) The Board of Teaching must approve alternative teacher preparation programs under this section based on board-adopted criteria that reflect best practices for alternative teacher preparation programs, consistent with this section.

(b) The board must permit teacher candidates to demonstrate mastery of pedagogy and content standards in school-based settings and through other nontraditional means.

"Nontraditional means" must include a portfolio of previous experiences, teaching experience, educator evaluations, certifications marking the completion of education training programs, and essentially equivalent demonstrations.

(c) The board must use nontraditional criteria to determine the qualifications of program instructors.

(d) The board may permit instructors to hold a baccalaureate degree only.

(e) If the Board of Teaching determines that a teacher preparation program under this section does not meet the requirements of this section, it may revoke its approval of the program after it notifies the program provider of any deficiencies and gives the program provider an opportunity to remedy the deficiencies.

**Subd. 4. Employment conditions.** Where applicable, teacher candidates with a preliminary teacher license under this section are members of the local employee organization representing teachers and subject to the terms of the local collective bargaining agreement between the exclusive representative of the teachers and the school board. A collective bargaining agreement between a school board and the exclusive representative of the teachers must not prevent or restrict or otherwise interfere with a school district's ability to employ a teacher prepared under this section.

**Subd. 5. Approval for professional five-year license.** A school board or its designee must appoint members to a local site team that includes teachers, school administrators, and postsecondary faculty under subdivision 1, paragraph (a), clause (1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a), clause (2), to evaluate the performance of the teacher candidate. The evaluation must be consistent with board-adopted performance measures, use the Minnesota state standards of effective practice and subject matter content standards for teachers established in Minnesota Rules, and include a report to the board recommending whether or not to issue the teacher candidate a professional five-year teaching license.

**Subd. 6. Applicants trained in other states.** A person who successfully completes another state's alternative teacher preparation program, consistent with section 122A.23, may apply to the Board of Teaching for an initial professional one-year teaching license or a professional five-year teaching license.

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Subd. 7. **Professional five-year license.** The Board of Teaching must issue a professional five-year teaching license to an otherwise qualified teacher candidate under this section who successfully performs throughout a program under this section, obtains qualifying scores on applicable board-adopted rigorous skills, pedagogy, and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to the board qualifications for licensure under subdivision 6.

Subd. 8. **Qualified teacher.** A person holding a valid limited-term license under this section is a qualified teacher and the teacher of record under section 122A.16.

Subd. 9. **Exchange of best practices.** By July 31 in an even-numbered year, approved alternative preparation program providers, the Minnesota State Colleges and Universities, the University of Minnesota, the Minnesota Private College Council, and the Department of Education must exchange information about best practices and educational innovations.

Subd. 10. **Reports.** The Board of Teaching must submit an interim report on the efficacy of this program to the policy and finance committees of the legislature with jurisdiction over kindergarten through grade 12 education by February 15, 2013, and a final report by February 15, 2015.

#### **122A.25 NONLICENSED COMMUNITY EXPERTS; VARIANCE.**

Subdivision 1. **Authorization.** Notwithstanding any law or commissioner of education rule to the contrary, the Board of Teaching may allow school districts or charter schools to hire nonlicensed community experts to teach in the public schools or charter schools on a limited basis according to this section.

Subd. 2. **Applications; criteria.** The school district or charter school shall apply to the Board of Teaching for approval to hire nonlicensed teaching personnel from the community. In approving or disapproving the application for each community expert, the board shall consider:

- (1) the qualifications of the community person whom the district or charter school proposes to employ;
- (2) the reasons for the need for a variance from the teacher licensure requirements;
- (3) the district's efforts to obtain licensed teachers, who are acceptable to the school board, for the particular course or subject area or the charter school's efforts to obtain licensed teachers for the particular course or subject area;
- (4) the amount of teaching time for which the community expert would be hired;
- (5) the extent to which the district or charter school is utilizing other nonlicensed community experts under this section;
- (6) the nature of the community expert's proposed teaching responsibility; and
- (7) the proposed level of compensation to the community expert.

Subd. 3. **Approval of plan.** The Board of Teaching shall approve or disapprove an application within 60 days of receiving it from a school district or charter school.

Subd. 4. **Background check.** A school district or charter school shall provide the Board of Teaching with confirmation that criminal background checks have been completed for all nonlicensed community experts employed by the district or charter school and approved by the Board of Teaching under this section.

#### **122A.40 EMPLOYMENT; CONTRACTS; TERMINATION.**

Subd. 11. **Unrequested leave of absence.** The board may place on unrequested leave of absence, without pay or fringe benefits, as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. The unrequested leave is effective at the close of the school year. In placing teachers on unrequested leave, the board is governed by the following provisions:

(a) The board may place probationary teachers on unrequested leave first in the inverse order of their employment. A teacher who has acquired continuing contract rights must not be placed on unrequested leave of absence while probationary teachers are retained in positions for which the teacher who has acquired continuing contract rights is licensed;

(b) Teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by the school district. In the case of equal seniority, the order in which teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed is negotiable;

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(c) Notwithstanding the provisions of paragraph (b), a teacher is not entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the board of teaching, unless that exercise of seniority results in the placement on unrequested leave of absence of another teacher who also holds a provisional license in the same field. The provisions of this paragraph do not apply to vocational education licenses;

(d) Notwithstanding paragraphs (a), (b), and (c), if the placing of a probationary teacher on unrequested leave before a teacher who has acquired continuing rights, the placing of a teacher who has acquired continuing contract rights on unrequested leave before another teacher who has acquired continuing contract rights but who has greater seniority, or the restriction imposed by the provisions of paragraph (c) would place the district in violation of its affirmative action program, the district may retain the probationary teacher, the teacher with less seniority, or the provisionally licensed teacher;

(e) Teachers placed on unrequested leave of absence must be reinstated to the positions from which they have been given leaves of absence or, if not available, to other available positions in the school district in fields in which they are licensed. Reinstatement must be in the inverse order of placement on leave of absence. A teacher must not be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license, while another teacher who holds a nonprovisional license in the same field remains on unrequested leave. The order of reinstatement of teachers who have equal seniority and who are placed on unrequested leave in the same school year is negotiable;

(f) Appointment of a new teacher must not be made while there is available, on unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the teacher fails to advise the school board within 30 days of the date of notification that a position is available to that teacher who may return to employment and assume the duties of the position to which appointed on a future date determined by the board;

(g) A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave;

(h) The unrequested leave of absence must not impair the continuing contract rights of a teacher or result in a loss of credit for previous years of service;

(i) The unrequested leave of absence of a teacher who is placed on unrequested leave of absence and who is not reinstated shall continue for a period of five years, after which the right to reinstatement shall terminate. The teacher's right to reinstatement shall also terminate if the teacher fails to file with the board by April 1 of any year a written statement requesting reinstatement;

(j) The same provisions applicable to terminations of probationary or continuing contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of absence;

(k) Nothing in this subdivision shall be construed to impair the rights of teachers placed on unrequested leave of absence to receive unemployment benefits if otherwise eligible.

### **122A.41 TEACHER TENURE ACT; CITIES OF THE FIRST CLASS; DEFINITIONS.**

#### **Subd. 14. Services terminated by discontinuance or lack of pupils; preference given.**

(a) A teacher whose services are terminated on account of discontinuance of position or lack of pupils must receive first consideration for other positions in the district for which that teacher is qualified. In the event it becomes necessary to discontinue one or more positions, in making such discontinuance, teachers must be discontinued in any department in the inverse order in which they were employed, unless a board and the exclusive representative of teachers in the district negotiate a plan providing otherwise.

(b) Notwithstanding the provisions of clause (a), a teacher is not entitled to exercise any seniority when that exercise results in that teacher being retained by the district in a field for which the teacher holds only a provisional license, as defined by the Board of Teaching, unless that exercise of seniority results in the termination of services, on account of discontinuance of position or lack of pupils, of another teacher who also holds a provisional license in the same field. The provisions of this clause do not apply to vocational education licenses.

(c) Notwithstanding the provisions of clause (a), a teacher must not be reinstated to a position in a field in which the teacher holds only a provisional license, other than a vocational education license, while another teacher who holds a nonprovisional license in the same field is available for reinstatement.

### **123A.73 LEVY LIMITATIONS OF REORGANIZED DISTRICTS.**

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Subd. 3. **Voluntary dissolution; referendum revenue.** As of the effective date of the voluntary dissolution of a district and its attachment to one or more existing districts pursuant to section 123A.46, the authorization for all referendum revenues previously approved by the voters of all affected districts for those districts pursuant to section 126C.17, subdivision 9, or its predecessor provision, is canceled. However, if all of the territory of any independent district is included in the enlarged district, and if the adjusted net tax capacity of taxable property in that territory comprises 90 percent or more of the adjusted net tax capacity of all taxable property in an enlarged district, the enlarged district's referendum revenue shall be determined as follows:

The referendum revenue shall be the revenue per adjusted pupil unit times the number of adjusted pupil units in the enlarged district. Any new referendum revenue shall be authorized only after approval is granted by the voters of the entire enlarged district in an election pursuant to section 126C.17, subdivision 9.

### **124D.73 DEFINITIONS.**

Subd. 2. **American Indian child.** "American Indian child" means any child, living on or off a reservation, who is enrolled or eligible for enrollment in a federally recognized tribe.

### **125A.085 ONLINE REPORTING OF REQUIRED DATA.**

(a) To ensure a strong focus on outcomes for children with disabilities informs federal and state compliance and accountability requirements and to increase opportunities for special educators and related-services providers to focus on teaching children with disabilities, the commissioner must customize a streamlined, user-friendly statewide online system, with a single model online form, for effectively and efficiently collecting and reporting required special education-related data to individuals with a legitimate educational interest and who are authorized by law to access the data.

(b) The commissioner must consult with qualified experts, including information technology specialists, licensed special education teachers and directors of special education, related-services providers, third-party vendors, a designee of the commissioner of human services, parents of children with disabilities, representatives of advocacy groups representing children with disabilities, and representatives of school districts and special education cooperatives on integrating, field testing, customizing, and sustaining this simple, easily accessible, efficient, and effective online data system for uniform statewide reporting of required due process compliance data. Among other outcomes, the system must:

(1) reduce special education teachers' paperwork burden and thereby increase the teachers' opportunities to focus on teaching children;

(2) to the extent authorized by chapter 13 or other applicable state or federal law governing access to and dissemination of educational records, provide for efficiently and effectively transmitting the records of all transferring children with disabilities, including highly mobile and homeless children with disabilities, among others, and avoid fragmented service delivery;

(3) address language and other barriers and disparities that prevent parents from understanding and communicating information about the needs of their children with disabilities; and

(4) help continuously improve the interface among the online systems serving children with disabilities in order to maintain and reinforce the children's ability to learn.

(c) The commissioner must use the federal Office of Special Education Programs model forms for the (1) individualized education program, (2) notice of procedural safeguards, and (3) prior written notice that are consistent with Part B of IDEA to integrate and customize a state-sponsored universal special education online case management system, consistent with the requirements of state law and this section for customizing a statewide online reporting system. The commissioner must use a request for proposal process to contract for the technology and software needed for customizing the online system in order for the system to be fully functional, consistent with the requirements of this section. This online system must be made available to school districts without charge beginning in the 2016-2017 school year. For the 2016-2017 and later school years, school districts may use this online system or may contract with an outside vendor for compliance reporting.

(d) All data on individuals maintained in the statewide reporting system are classified as provided in chapter 13 or other applicable state or federal law. An authorized individual's ability to enter, update, or access data must be limited through the use of role-based access codes corresponding to that individual's official duties or training level, and the statutory authorization that grants access for a particular purpose. Any action in which data in the system are entered,

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updated, accessed, or shared or disseminated outside of the system must be recorded in an audit trail. The audit trail must identify the specific user responsible for the action, the date and time the action occurred, and the purpose for the action. Data contained in the audit trail maintain the same classification as the underlying data affected by the action, provided the responsible authority makes the data available to a student or the student's parent upon request, and the responsible authority may access the data to audit the system's user activity and security safeguards. Before entering data on a student, the responsible authority must provide the student or the student's parent written notice of the data practices rights and responsibilities required by this section and a reasonable opportunity to refuse consent to have the student's data included in the system. Upon receiving the student or the student's parent written refusal to consent, the school district must not enter data on that student into the system and must delete any existing data on that student currently in the system.

(e) Consistent with this section, the commissioner must establish a public Internet Web interface to provide information to educators, parents, and the public about the form and content of required special education reports, to respond to queries from educators, parents, and the public about specific aspects of special education reports and reporting, and to use the information garnered from the interface to streamline and revise special education reporting on the online system under this section. The public Internet Web interface must have a prominently linked page describing the rights and responsibilities of students and parents whose data are included in the statewide reporting system, and include information on the data practices rights of students and parents provided by this section and a form students or parents may use to refuse consent to have a student's data included in the system. The public Internet Web interface must not provide access to the educational records of any individual child.

(f) The commissioner annually by February 1 must submit to the legislature a report on the status, recent changes, and sustainability of the online system under this section.

#### **125A.75 SPECIAL EDUCATION PROGRAMS; APPROVAL; AID PAYMENTS; TRAVEL AID; LITIGATION COSTS.**

Subd. 7. **Allocation from cooperative centers, service cooperatives, education districts, and intermediate districts.** For purposes of this section, a special education cooperative, service cooperative, education district, or an intermediate district must allocate its approved expenditures for special education programs among participating districts. Special education aid for services provided by a cooperative, service cooperative, education district, or intermediate district must be paid to the participating school districts.

#### **125A.76 SPECIAL EDUCATION AID.**

Subd. 2b. **Cross subsidy reduction aid.** For fiscal years 2014 and 2015, the cross subsidy reduction aid for a school district, not including a charter school, equals the lesser of (a) the product of the cross subsidy reduction aid limit and the district's average daily membership served or (b) the sum of the product of the cross subsidy reduction aid percentage, the district's average daily membership served, and the sum of:

- (1) \$450; plus
- (2) \$400 times the ratio of the sum of the number of pupils enrolled on October 1 who are eligible to receive free lunch plus one-half of the pupils enrolled on October 1 who are eligible to receive reduced-price lunch to the total October 1 enrollment; plus
- (3) .008 times the district's average daily membership served; plus the product of the cross subsidy aid percentage and the sum of:
  - (i) \$10,100 times the December 1 child count for the primary disability areas of autism spectrum disorders, developmental delay, and severely multiply impaired; plus
  - (ii) \$17,500 times the December 1 child count for the primary disability areas of deaf and hard-of-hearing and emotional or behavioral disorders; plus
  - (iii) \$26,000 times the December 1 child count for the primary disability areas of developmentally cognitive mild-moderate, developmentally cognitive severe-profound, physically impaired, visually impaired, and deafblind.

#### **129C.10 PERPICH CENTER FOR ARTS EDUCATION.**

Subd. 5a. **Interdistrict voluntary integration magnet program.** Notwithstanding Minnesota Rules, parts 3535.0110 and 3535.0150, the board may establish and operate an interdistrict integration magnet program according to section 129C.30. For fiscal year 2016

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and later, the board must have an approved achievement and integration plan and budget under section 124D.861.

**129C.30 CROSSWINDS INTEGRATION MAGNET SCHOOL.**

Subdivision 1. **Definitions.** (a) The following terms have the meanings given them for this chapter.

(b) "Board" means the board of directors of the Perpich Center for Arts Education.

(c) "Crosswinds school" means the Crosswinds school in Woodbury operated during the 2012-2013 school year by Joint Powers District No. 6067, East Metro Integration District.

Subd. 2. **Board to operate the Crosswinds school.** The board may operate the Crosswinds school with the powers and duties granted to it under this chapter. A student may apply to the Crosswinds school under section 124D.03 and the Crosswinds school may accept students under that section.

Subd. 3. **General education funding.** General education revenue must be paid to the Crosswinds school as though it were a district. The general education revenue for each adjusted pupil unit is the state average general education revenue per pupil unit, plus the referendum equalization aid allowance in the pupil's district of residence, minus an amount equal to the product of the formula allowance according to section 126C.10, subdivision 2, times .0466, calculated without declining enrollment, basic skills revenue, extended time revenue, pension adjustment revenue, transition revenue, and transportation sparsity revenue, plus declining enrollment, basic skills revenue, extended time revenue, pension adjustment revenue, and transition revenue as though the school were a school district. The general education revenue for each extended time pupil unit equals \$4,794.

Subd. 4. **Special education funding.** Special education aid must be paid to the Crosswinds school according to sections 125A.76 and 125A.79, as though it were a school district. The special education aid paid to the Crosswinds school shall be adjusted as follows:

(1) if the Crosswinds school does not receive general education revenue on behalf of the student according to subdivision 3, the aid shall be adjusted as provided in section 125A.11; or

(2) if the Crosswinds school receives general education revenue on behalf of the student according to subdivision 3, the aid shall be adjusted as provided in section 127A.47, subdivision 7, paragraphs (b) to (d).

Subd. 5. **Pupil transportation.** (a) For fiscal year 2015 only, a member district of Joint Powers District No. 6067, East Metro Integration District, must transport pupils enrolled at the Crosswinds school in the same manner as they were transported in fiscal year 2014.

(b) Pupil transportation expenses under this section are reimbursable under section 124D.87.

Subd. 6. **Achievement and integration aid.** For fiscal year 2016 and later, the Crosswinds school is eligible for achievement and integration aid under section 124D.862 as if it were a school district.

Subd. 7. **Other aids, grants, revenue.** (a) The Crosswinds school is eligible to receive other aids, grants, and revenue according to chapters 120A to 129C as though it were a district.

(b) Notwithstanding paragraph (a), the Crosswinds school may not receive aid, a grant, or revenue if a levy is required to obtain the money, or if the aid, grant, or revenue replaces levy revenue that is not general education revenue, except as otherwise provided in this section.

(c) Federal aid received by the state must be paid to the school if it qualifies for the aid as though it were a school district.

(d) In the year-end report to the commissioner of education, the Crosswinds school shall report the total amount of funds received from grants and other outside sources.

Subd. 8. **Year-round programming.** The Crosswinds school may operate as a flexible learning year program under sections 124D.12 to 124D.127.

Subd. 9. **Data requirements.** The commissioner of education shall require the Crosswinds school to follow the budget and accounting procedures required for school districts and the Crosswinds school shall report all data to the Department of Education in the form and manner required by the commissioner.

**3500.3100 ISSUANCE OF GENERAL EDUCATIONAL DEVELOPMENT (GED) DIPLOMA.**

Subp. 4. **General Educational Development (GED) diploma.** The commissioner of education may issue a General Educational Development (GED) diploma to a Minnesota resident 19 years of age or over who has not earned a high school diploma and who has not previously been issued a GED if:

A. the person makes written application through any of the approved GED testing centers located in Minnesota; and

B. the person obtains a minimum standard score of 410 on each of the five GED tests and an average standard score of at least 450 on all five tests or the minimum standard scores required by the GED testing service, whichever is greater.

GED tests must be administered only by official agencies established by the American Council on Education and approved by the commissioner of education.

The commissioner of education may waive the minimum age requirement if supportive evidence is provided by an employer or a recognized education or rehabilitation provider.