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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3372

02/12/2024 Authored by Clardy, Kotyza-Witthuhn, Frazier, Feist and Youakim
03/14/2024 The bill was read for the first time and referred to the Committee on Education Policy
Adoption of Report: Amended and re-referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education finance; establishing a microcredential for teachers and
1.3 administrators of English learners; providing for student support personnel aid for
1.4 area learning centers; establishing a task force on fully funded alternative programs
1.5 and English learning programs; authorizing rulemaking; requiring a report;
1.6 appropriating money; amending Minnesota Statutes 2022, sections 122A.14, by
1.7 adding a subdivision; 122A.187, by adding a subdivision; 122A.19, by adding a
1.8 subdivision; Minnesota Statutes 2023 Supplement, sections 122A.187, subdivision
1.9 3; 124D.901, subdivisions 3, 4; Laws 2023, chapter 55, article 5, section 64,
1.10 subdivision 14.

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

1.12 Section 1. Minnesota Statutes 2022, section 122A.14, is amended by adding a subdivision
1.13 to read:

1.14 Subd. 3a. English learner microcredential. The board may adopt rules establishing a
1.15 voluntary administrative microcredential for English learner and emerging multilingual
1.16 learner program directors and coordinators.

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

1.18 Sec. 2. Minnesota Statutes 2023 Supplement, section 122A.187, subdivision 3, is amended
1.19 to read:

1.20 Subd. 3. Professional growth. (a) Applicants for license renewal for a Tier 3 or Tier 4
1.21 license under sections 122A.183 and 122A.184, respectively, who have been employed as
1.22 a teacher during the renewal period of the expiring license, as a condition of license renewal,
1.23 must present to their local continuing education and relicensure committee or other local
1.24 relicensure committee evidence of work that demonstrates professional reflection and growth

2.1 in best teaching practices, including among other things, cultural competence in accordance
2.2 with section 120B.30, subdivision 8, ~~and practices in meeting the varied needs of English~~
2.3 ~~learners, from young children to adults under section 124D.59, subdivisions 2 and 2a.~~ A
2.4 teacher may satisfy the requirements of this paragraph by submitting the teacher's most
2.5 recent summative evaluation or improvement plan under section 122A.40, subdivision 8,
2.6 or 122A.41, subdivision 5.

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

2.9 **EFFECTIVE DATE.** This section is effective for licenses renewed on or after the day
2.10 that the rules adopted under section 3 become effective.

2.11 Sec. 3. Minnesota Statutes 2022, section 122A.187, is amended by adding a subdivision
2.12 to read:

2.13 Subd. 8. **English learners.** The Professional Educator Licensing and Standards Board
2.14 must adopt rules that require all licensed teachers renewing a Tier 1, Tier 2, Tier 3, or Tier
2.15 4 teaching license under sections 122A.181 to 122A.184, respectively, to include in their
2.16 renewal requirements further preparation in best practices in meeting the varied needs of
2.17 English learners, from young children to adults under section 124D.59, subdivisions 2 and
2.18 2a. The rules must:

2.19 (1) require at least three hours of professional development training in content and
2.20 pedagogy associated with, at a minimum, the benefits of multilingualism and
2.21 multiculturalism;

2.22 (2) establish qualifications for a person conducting the training; and

2.23 (3) require that the training include culturally validating diversity, equity, and inclusion
2.24 training.

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

2.26 Sec. 4. Minnesota Statutes 2022, section 122A.19, is amended by adding a subdivision to
2.27 read:

2.28 Subd. 7. **Microcredentials.** (a) The board must adopt rules establishing best practices
2.29 for teaching English learners in specific content areas. The board must adopt rules
2.30 establishing a voluntary microcredential in communication arts and literature, math, science,
2.31 and social studies for teachers holding a license in bilingual or bicultural education or English

3.1 as a second language. To earn a microcredential, a teacher must demonstrate mastery of the
3.2 best practices established in rule for teaching English learners in a specific content area.

3.3 (b) The board must adopt rules to establish a voluntary microcredential in bilingual or
3.4 bicultural education or English as a second language for teachers holding a license in
3.5 communication arts and literature, math, science, or social studies. To earn the
3.6 microcredential, a teacher must demonstrate mastery of the best practices established in
3.7 rule for teaching English learners in the content area in which the teacher is licensed.

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

3.9 Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 3, is amended
3.10 to read:

3.11 Subd. 3. **Student support personnel aid.** (a) The initial student support personnel aid
3.12 for a school district equals the greater of the student support personnel allowance times the
3.13 adjusted pupil units at the district for the current fiscal year or \$40,000. The initial student
3.14 support personnel aid for a charter school equals the greater of the student support personnel
3.15 allowance times the adjusted pupil units at the charter school for the current fiscal year or
3.16 \$20,000.

3.17 (b) The cooperative student support personnel aid for a school district that is a member
3.18 of an intermediate school district or other cooperative unit that serves students equals the
3.19 greater of the cooperative student support allowance times the adjusted pupil units at the
3.20 district for the current fiscal year or \$40,000. If a district is a member of more than one
3.21 cooperative unit that serves students, the revenue must be allocated among the cooperative
3.22 units.

3.23 (c) In addition to other aid under this section, each area learning center established under
3.24 section 123A.05 that serves students participating in a dual enrollment program under section
3.25 124D.09 is eligible for school support personnel revenue equal to \$20,000 for each fiscal
3.26 year.

3.27 ~~(e)~~ (d) The student support personnel allowance equals \$11.94 for fiscal year 2024,
3.28 \$17.08 for fiscal year 2025, and \$48.73 for fiscal year 2026 and later.

3.29 ~~(d)~~ (e) The cooperative student support allowance equals \$0.60 for fiscal year 2024,
3.30 \$0.85 for fiscal year 2025, and \$2.44 for fiscal year 2026 and later.

3.31 ~~(e)~~ (f) Notwithstanding paragraphs (a) ~~and~~, (b), and (c), the student support personnel
3.32 aid must not exceed the district's, charter school's, or cooperative unit's actual expenditures.

4.1 Sec. 6. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 4, is amended
 4.2 to read:

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

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

4.16 (c) Area learning center student support personnel aid must be transferred to the area
 4.17 learning center and used to hire new positions for student support services personnel or
 4.18 increase a current position that is less than 1.0 full-time equivalent to a greater number of
 4.19 service hours or make permanent a position hired using onetime resources awarded through
 4.20 the federal American Rescue Plan Act at the area learning center.

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

4.26 Sec. 7. Laws 2023, chapter 55, article 5, section 64, subdivision 14, is amended to read:

4.27 Subd. 14. **Student support personnel aid.** (a) For aid to support schools in addressing
 4.28 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

4.29	\$	29,138,000	2024
4.30		35,270,000		
4.31	\$	<u>.....</u>	2025

4.32 (b) The 2024 appropriation includes \$0 for fiscal year 2023 and \$29,138,000 for fiscal
 4.33 year 2024.

5.1 (c) The 2025 appropriation includes \$3,237,000 for fiscal year 2024 and ~~\$32,033,000~~
5.2 \$..... for fiscal year 2025.

5.3 Sec. 8. **TASK FORCE ON FULLY FUNDED ALTERNATIVE PROGRAMS AND**
5.4 **ENGLISH LEARNER PROGRAMS.**

5.5 Subdivision 1. **Task force established.** A task force is established to consider the
5.6 resources necessary to fully fund alternative programs and English language learner programs
5.7 in order to provide students with an adequate level of education, as required under the
5.8 Minnesota Constitution.

5.9 Subd. 2. **Members.** The task force consists of the following members:

5.10 (1) two members of the house of representatives appointed by the speaker of the house,
5.11 of whom one must be a member of the majority caucus of the house, and one must be a
5.12 member of the minority caucus of the house;

5.13 (2) two members of the senate appointed by the majority leader of the senate, of whom
5.14 one must be a member of the majority caucus of the senate, and one must be a member of
5.15 the minority caucus of the senate;

5.16 (3) the commissioner of education or the commissioner's designee;

5.17 (4) one member of a school district board;

5.18 (5) one member of a charter school board;

5.19 (6) one member who is a superintendent;

5.20 (7) one member who is a teacher of English learners;

5.21 (8) one member who is a teacher in a state-approved alternative program;

5.22 (9) one member who is the director of an English learner program in a school district;

5.23 (10) one member who is the director of a state-approved alternative program;

5.24 (11) one member who is a parent of a student identified as an English learner; and

5.25 (12) one member who is a parent of a student enrolled in a state-approved alternative
5.26 program.

5.27 Subd. 3. **Duties.** (a) The task force must review available data regarding the cost of
5.28 providing state-approved alternative programs and English learner services, and determine
5.29 the cost of fully funding the following programs:

6.1 (1) an English learner program that implements best practices in class instructional
6.2 strategies, staffing, and curriculum during regular and extended day, week, and year
6.3 programs, including:

6.4 (i) an accountability framework that uses student performance on state assessments to
6.5 determine whether the program is improving academic outcomes for English learners;

6.6 (ii) professional development for teachers and other staff; and

6.7 (iii) evaluation of the efficacy of the fully funded English learner program;

6.8 (2) fully funded extended time services to support students who are eligible to participate
6.9 in the graduation incentives program under Minnesota Statutes, section 124D.68, that
6.10 includes:

6.11 (i) an accountability framework that uses credit recovery rates and graduation rates to
6.12 determine whether the program is improving academic outcomes for participating students;

6.13 (ii) professional development for teachers and other staff; and

6.14 (iii) evaluation of the efficacy of the fully funded alternative program; and

6.15 (3) a dual enrollment program that has college and career readiness counselors for
6.16 students eligible for the graduation incentives program, and includes:

6.17 (i) an accountability framework based on the acceleration of dual credit accumulation
6.18 before a student graduates from high school;

6.19 (ii) professional development for counselors; and

6.20 (iii) evaluation of the efficacy of the dual enrollment program.

6.21 (b) The task force must report its findings and recommendations for fully funding
6.22 alternative programs and English learner services to the legislative committees with
6.23 jurisdiction over kindergarten through grade 12 education by January 15, 2025.

6.24 Subd. 4. **Compensation.** Members of the task force must be compensated at the rate of
6.25 \$55 per day spent on task force activities, when authorized by the task force.

6.26 Subd. 5. **Administrative support.** The Department of Education must provide
6.27 administrative support to assist the task force in its work.

6.28 Subd. 6. **Expiration.** The task force expires on January 15, 2025, or upon submission
6.29 of the report required under subdivision 3, whichever is earlier.

7.1 Sec. 9. APPROPRIATION; TASK FORCE ON FULLY FUNDED ALTERNATIVE
7.2 PROGRAMS AND ENGLISH LEARNER PROGRAMS.

7.3 Subdivision 1. Department of Education. The sum indicated in this section is
7.4 appropriated from the general fund to the Department of Education in the fiscal year
7.5 designated.

7.6 Subd. 2. Task force. (a) For the task force on fully funded alternative programs and
7.7 English learner programs:

7.8 \$ 2025

7.9 (b) This is a onetime appropriation.

7.10 Sec. 10. APPROPRIATION; BOARD OF SCHOOL ADMINISTRATORS
7.11 RULEMAKING.

7.12 \$30,000 in fiscal year 2025 is appropriated from the general fund to the Board of School
7.13 Administrators to support the rulemaking process required under Minnesota Statutes, section
7.14 122A.14, subdivision 3a. This is a onetime appropriation and is available until June 30,
7.15 2025.

7.16 Sec. 11. APPROPRIATION; PROFESSIONAL EDUCATOR LICENSING AND
7.17 STANDARDS BOARD RULEMAKING.

7.18 \$100,000 in fiscal year 2025 is appropriated from the general fund to the Professional
7.19 Educator Licensing and Standards Board to support the rulemaking process required under
7.20 Minnesota Statutes, section 122A.19, subdivision 7. This is a onetime appropriation and is
7.21 available until June 30, 2025.