

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 7

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DATE	D-PG	OFFICIAL STATUS
01/10/2019	46	Introduction and first reading Referred to E-12 Finance and Policy
04/10/2019	2545a 2660	Comm report: To pass as amended and re-refer to Taxes Rule 12.10: report of votes in committee

1.1 A bill for an act

1.2 relating to education finance; providing funding for prekindergarten through grade

1.3 12 education including general education, education excellence, special education,

1.4 teachers, school safety, facilities and technology, nutrition, libraries, early childhood

1.5 and family support, community education, self-sufficiency and lifelong learning,

1.6 and state agencies; appropriating money; amending Minnesota Statutes 2018,

1.7 sections 120A.20, subdivision 2; 120A.41; 120B.02, by adding a subdivision;

1.8 120B.024, subdivision 1; 120B.125; 120B.21; 120B.30, subdivisions 1, 3; 120B.35,

1.9 subdivision 3; 120B.36, subdivision 1; 121A.035, by adding a subdivision;

1.10 121A.335, subdivisions 3, 5; 122A.07, by adding a subdivision; 122A.09,

1.11 subdivision 2; 122A.092, subdivision 5; 122A.14, subdivision 9; 122A.18,

1.12 subdivision 8; 122A.182, subdivision 1; 122A.187, subdivision 5; 122A.20,

1.13 subdivision 1; 122A.21, subdivision 1; 122A.30; 122A.61, by adding a subdivision;

1.14 122A.63, subdivisions 1, 4, 5, 6, by adding a subdivision; 123B.02, by adding a

1.15 subdivision; 123B.06; 123B.41, subdivisions 2, 5; 123B.42, subdivision 3; 123B.44,

1.16 subdivisions 1, 5, 6; 123B.49, subdivision 4; 123B.52, subdivision 6; 123B.61;

1.17 124D.09, subdivisions 3, 4, 5b, 7, 8, 9, 10, 14, 22; 124D.091, subdivision 3;

1.18 124D.111; 124D.12; 124D.121; 124D.122; 124D.126, subdivision 1; 124D.127;

1.19 124D.151, subdivision 4, by adding a subdivision; 124D.162; 124D.165,

1.20 subdivisions 2, 3, 4, by adding subdivisions; 124D.19, subdivision 2; 124D.20,

1.21 subdivisions 8, 10; 124D.34, subdivisions 2, 3, 4, 5, 8, 12; 124D.531, subdivision

1.22 1; 124D.78, subdivision 2; 124D.862, subdivision 1; 124D.98, by adding

1.23 subdivisions; 124D.99, subdivision 3; 124E.03, subdivision 2; 124E.20, subdivision

1.24 1; 125A.08; 125A.091, subdivisions 3a, 7; 125A.71, subdivision 1; 125B.26,

1.25 subdivisions 4, 5; 126C.10, subdivisions 2, 2e, 24; 126C.17, subdivisions 1, 2, 5,

1.26 6, 7, 7a; 126C.19, subdivision 4; 126C.44; 127A.45, subdivisions 11, 16; 128C.03;

1.27 128C.20; 136A.1276, subdivision 2; 205A.07, subdivision 2; 299F.30, subdivisions

1.28 1, 2; 471.59, subdivision 1; 475.58, subdivision 4; 475.59, subdivision 1; 626.556,

1.29 subdivisions 2, 3b; Laws 2016, chapter 189, article 25, section 62, subdivisions

1.30 4, 15; Laws 2017, First Special Session chapter 5, article 1, section 19, subdivisions

1.31 2, 3, 4, 5, 6, 7, 9; article 2, section 57, subdivisions 2, 3, 4, 5, 6, 14, 21, 26; article

1.32 4, section 12, subdivisions 2, 3, 4, 5; article 5, section 14, subdivisions 2, 3; article

1.33 6, section 3, subdivisions 2, 3, 4; article 8, section 10, subdivisions 3, 4, 5a, 6, 12;

1.34 article 9, section 2, subdivision 2; article 10, section 6, subdivision 2; article 11,

1.35 sections 8, as amended; 9, subdivision 2; 12; Laws 2018, chapter 211, article 21,

1.36 section 4; proposing coding for new law in Minnesota Statutes, chapters 120B;

1.37 121A; 122A; 123B; 124D; 245; repealing Minnesota Statutes 2018, sections

1.38 120B.299; 122A.09, subdivision 1; 122A.175; 122A.63, subdivisions 7, 8; 123A.26,

2.1 subdivision 3; 125A.75, subdivision 9; 126C.16, subdivisions 1, 3; 126C.17,
 2.2 subdivision 9a; 127A.14; 128C.02, subdivision 6; Laws 2016, chapter 189, article
 2.3 25, section 62, subdivision 16; Laws 2017, First Special Session chapter 5, article
 2.4 2, section 57, subdivision 15; article 11, section 4; Minnesota Rules, parts
 2.5 3500.1000; 8710.2100, subparts 1, 2.

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

2.7 **ARTICLE 1**

2.8 **GENERAL EDUCATION**

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

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

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

2.23 (c) Except as provided in paragraph (d), the serving district is responsible for transporting
 2.24 a homeless pupil to and from the pupil's district of residence. The district may transport
 2.25 from a permanent home in another district but only through the end of the academic school
 2.26 year. When a pupil is enrolled in a charter school, the district or school that provides
 2.27 transportation for other pupils enrolled in the charter school is responsible for providing
 2.28 transportation. When a homeless student with or without an individualized education program
 2.29 attends a public school other than an independent or special school district or charter school,
 2.30 the district of residence is responsible for transportation.

2.31 (d) For a homeless pupil with an individualized education plan enrolled in a program
 2.32 authorized by an intermediate school district, special education cooperative, service
 2.33 cooperative, or education district, the serving district at the time of the pupil's enrollment
 2.34 in the program remains responsible for transporting that pupil for the remainder of the school

3.1 year, unless the initial serving district and the current serving district mutually agree that
 3.2 the current serving district is responsible for transporting the homeless pupil.

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

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

3.5 Subd. 2. **Textbook.** (a) "Textbook" means any book or book substitute, including
 3.6 electronic books as well as other printed materials delivered electronically, which a pupil
 3.7 uses as a text or text substitute in a particular class or program in the school regularly
 3.8 attended and a copy of which is expected to be available for the individual use of each pupil
 3.9 in this class or program. Textbook includes an online book with an annual subscription cost.
 3.10 Textbook includes a teacher's edition, teacher's guide, or other materials that accompany a
 3.11 textbook that a pupil uses when the teacher's edition, teacher's guide, or other teacher
 3.12 materials are packaged physically or electronically with textbooks for student use.

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

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

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

3.22 Sec. 3. Minnesota Statutes 2018, section 123B.41, subdivision 5, is amended to read:

3.23 Subd. 5. **Individualized instructional or cooperative learning materials.** (a)
 3.24 "Individualized instructional or cooperative learning materials" means educational materials
 3.25 which:

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

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

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

4.1 (b) Subject to the requirements in ~~clauses (a), (b), and (c)~~ paragraph (a), "individualized
 4.2 instructional or cooperative learning materials" include, but are not limited to, the following
 4.3 if they do not fall within the definition of "textbook" in subdivision 2: published materials;
 4.4 periodicals; documents; pamphlets; photographs; reproductions; pictorial or graphic works;
 4.5 prerecorded video programs; prerecorded tapes, cassettes and other sound recordings;
 4.6 manipulative materials; desk charts; games; study prints and pictures; desk maps; models;
 4.7 learning kits; blocks or cubes; flash cards; individualized multimedia systems; prepared
 4.8 instructional computer software programs; choral and band sheet music; electronic books
 4.9 and other printed materials delivered electronically; and CD-Rom.

4.10 (c) "Individualized instructional or cooperative learning materials" do not include
 4.11 instructional equipment, instructional hardware, or ordinary daily consumable classroom
 4.12 supplies.

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

4.14 Sec. 4. Minnesota Statutes 2018, section 123B.42, subdivision 3, is amended to read:

4.15 Subd. 3. **Cost; limitation.** (a) The cost per pupil of the textbooks, individualized
 4.16 instructional or cooperative learning materials, software or other educational technology,
 4.17 and standardized tests provided for in this section for each school year must not exceed the
 4.18 statewide average expenditure per pupil, adjusted pursuant to ~~clause~~ paragraph (b), by the
 4.19 Minnesota public elementary and secondary schools for textbooks, individualized
 4.20 instructional materials and standardized tests as computed and established by the department
 4.21 by February 1 of the preceding school year from the most recent public school year data
 4.22 then available.

4.23 (b) The cost computed in ~~clause~~ paragraph (a) shall be increased by an inflation
 4.24 adjustment equal to the percent of increase in the formula allowance, pursuant to section
 4.25 126C.10, subdivision 2, from the second preceding school year to the current school year.
 4.26 ~~Notwithstanding the amount of the formula allowance for fiscal years 2015 and 2016 in~~
 4.27 ~~section 126C.10, subdivision 2, the commissioner shall use the amount of the formula~~
 4.28 ~~allowance for the current year minus \$414 in determining the inflation adjustment for fiscal~~
 4.29 ~~years 2015 and 2016.~~

4.30 (c) The commissioner shall allot to the districts or intermediary service areas the total
 4.31 cost for each school year of providing or loaning the textbooks, individualized instructional
 4.32 or cooperative learning materials, software or other educational technology, and standardized
 4.33 tests for the pupils in each nonpublic school. The allotment shall not exceed the product of
 4.34 the statewide average expenditure per pupil, according to ~~clause~~ paragraph (a), adjusted

5.1 pursuant to ~~clause~~ paragraph (b), multiplied by the number of nonpublic school pupils who
 5.2 make requests pursuant to this section and who are enrolled as of September 15 of the current
 5.3 school year.

5.4 Sec. 5. Minnesota Statutes 2018, section 123B.44, subdivision 1, is amended to read:

5.5 Subdivision 1. **Provided services.** The commissioner of education shall promulgate
 5.6 rules under the provisions of chapter 14 requiring each district or other intermediary service
 5.7 area: (a) to provide each year upon formal request by a specific date by or on behalf of a
 5.8 nonpublic school pupil enrolled in a nonpublic school located in that district or area, the
 5.9 same specific health services as are provided for public school pupils by the district where
 5.10 the nonpublic school is located; and (b) to provide guidance and counseling services each
 5.11 year upon formal request by a specific date by or on behalf of a nonpublic school secondary
 5.12 pupil enrolled in a nonpublic school located in that district or area, ~~the same specific guidance~~
 5.13 ~~and counseling services as are provided for public school secondary pupils by the district~~
 5.14 ~~where the nonpublic school is located~~ or an elementary or secondary pupil enrolled in an
 5.15 American-Indian-controlled tribal contract or grant school. The district where the nonpublic
 5.16 school is located must provide the necessary transportation within the district boundaries
 5.17 between the nonpublic school and a public school or neutral site for nonpublic school pupils
 5.18 who are provided pupil support services under this section if the district elects to provide
 5.19 pupil support services at a site other than the nonpublic school. Each request for pupil
 5.20 support services must set forth the guidance and counseling or health services requested by
 5.21 or on behalf of all eligible nonpublic school pupils enrolled in a given nonpublic school.
 5.22 No district or intermediary service area must not expend an amount for these pupil support
 5.23 services which exceeds the amount allotted to it under this section.

5.24 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

5.25 Sec. 6. Minnesota Statutes 2018, section 123B.44, subdivision 5, is amended to read:

5.26 Subd. 5. **Guidance and counseling services; allotment.** Each school year the
 5.27 commissioner shall allot to the school districts or intermediary service areas for the provision
 5.28 of guidance and counseling services pursuant to this section the actual cost of the services
 5.29 provided for the pupils in each respective nonpublic school for that school year. The allotment
 5.30 for guidance and counseling services for the elementary pupils enrolled in an
 5.31 American-Indian-controlled tribal contract or grant school must not exceed the average
 5.32 expenditure per public school elementary pupil for these services by those Minnesota public
 5.33 schools that provide these services to their elementary pupils, multiplied by the number of

6.1 elementary pupils in that particular American-Indian-controlled tribal contract or grant
 6.2 school who request these services and who are enrolled as of September 15 of the current
 6.3 school year. The allotment for guidance and counseling services for the secondary pupils
 6.4 in each nonpublic school and American-Indian-controlled tribal contract or grant school
 6.5 must not exceed the average expenditure per public school secondary pupil for these services
 6.6 by those Minnesota public schools ~~which~~ that provide these services to their secondary
 6.7 pupils, multiplied by the number of secondary pupils in that particular nonpublic school
 6.8 and American-Indian-controlled tribal contract or grant school who request these services
 6.9 and who are enrolled as of September 15 of the current school year.

6.10 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

6.11 Sec. 7. Minnesota Statutes 2018, section 123B.44, subdivision 6, is amended to read:

6.12 Subd. 6. **Computation of maximum allotments.** For purposes of computing maximum
 6.13 allotments for each school year pursuant to this section, the average public school expenditure
 6.14 per pupil for health services and the average public school expenditure per elementary and
 6.15 secondary pupil for guidance and counseling services shall be computed and established
 6.16 by the department by February 1 of the preceding school year from the most recent public
 6.17 school year data then available.

6.18 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

6.19 Sec. 8. Minnesota Statutes 2018, section 123B.49, subdivision 4, is amended to read:

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

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

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

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

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

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

7.9 ~~(d) If the board takes charge of and controls extracurricular activities;~~ (c) Any or all
 7.10 costs of these activities may be provided from school revenues and all revenues and
 7.11 expenditures for these activities shall be recorded in the same manner as other revenues and
 7.12 expenditures of the district.

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

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

7.19 Sec. 9. Minnesota Statutes 2018, section 124D.09, subdivision 4, is amended to read:

7.20 Subd. 4. **Alternative pupil.** (a) "Alternative pupil" means an a 10th, 11th, or 12th grade
 7.21 student, subject to paragraph (b), who is not enrolled in a public school district, and includes.
 7.22 Alternative pupil includes students attending nonpublic schools and students who are home
 7.23 schooled. An alternative pupil is considered a pupil for purposes of this section only. An
 7.24 alternative pupil must register with the commissioner of education before participating in
 7.25 the postsecondary enrollment options program. The commissioner ~~shall~~ must prescribe the
 7.26 form and manner of the registration, in consultation with the Nonpublic Education Council
 7.27 under section 123B.445, and may request any necessary information from the alternative
 7.28 pupil.

7.29 (b) A 10th grade student qualifies as an alternative pupil if the student: (1) is enrolled
 7.30 in a career or technical education course offered by an eligible institution; and (2) received
 7.31 a passing score on the 8th grade Minnesota Comprehensive Assessment, or another reading
 7.32 assessment accepted by the enrolling postsecondary institution. A career or technical
 7.33 education course must meet the requirements under subdivision 5a. If an alternative pupil
 7.34 in 10th grade receives a grade of "C" or better in the career or technical education course

8.1 taken under this subdivision, the postsecondary institution must allow the student to take
8.2 additional postsecondary courses for credit at that institution, not to exceed the limits in
8.3 subdivision 8.

8.4 **EFFECTIVE DATE.** This section is effective for applications submitted on or after
8.5 July 1, 2019.

8.6 Sec. 10. Minnesota Statutes 2018, section 124D.09, subdivision 7, is amended to read:

8.7 Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier
8.8 of (1) three weeks prior to the date by which a student must register for district courses for
8.9 the following school year, or (2) March 1 of each year, a district must provide up-to-date
8.10 information on the district's website and in materials that are distributed to parents and
8.11 students about the program, including information about enrollment requirements and the
8.12 ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the
8.13 district in planning, a pupil ~~shall~~ must inform the district by May 30 of each year of the
8.14 pupil's intent to enroll in postsecondary courses during the following school year. A pupil
8.15 is bound by notifying or not notifying the district by May 30.

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

8.17 Sec. 11. Minnesota Statutes 2018, section 124D.09, subdivision 9, is amended to read:

8.18 Subd. 9. **Enrollment priority.** (a) A postsecondary institution ~~shall~~ must give priority
8.19 to its postsecondary students when enrolling ~~10th, 11th, and 12th grade pupils~~ in grades 10,
8.20 11, and 12 in its courses. A postsecondary institution may provide information about its
8.21 programs to a secondary school or to a pupil or parent and it may advertise or otherwise
8.22 recruit or solicit a secondary pupil to enroll in its programs on educational and programmatic
8.23 grounds only except, notwithstanding other law to the contrary, and for the 2014-2015
8.24 through 2019-2020 school years only, an eligible postsecondary institution may advertise
8.25 or otherwise recruit or solicit a secondary pupil residing in a school district with 700 students
8.26 or more in grades 10, 11, and 12, to enroll in its programs on educational, programmatic,
8.27 or financial grounds.

8.28 (b) An institution must not enroll secondary pupils, for postsecondary enrollment options
8.29 purposes, in remedial, developmental, or other courses that are not college level except
8.30 when a student eligible to participate and enrolled in the graduation incentives program
8.31 under section 124D.68 enrolls full time in a middle or early college program. A middle or
8.32 early college program must be specifically designed to allow the student to earn dual high
8.33 school and college credit with a well-defined pathway to allow the student to earn a

9.1 postsecondary degree or credential. In this case, the student ~~shall~~ must receive developmental
 9.2 college credit and not college credit for completing remedial or developmental courses.

9.3 (c) Once a pupil has been enrolled in any postsecondary course under this section, the
 9.4 pupil ~~shall~~ must not be displaced by another student.

9.5 (d) If a postsecondary institution enrolls a secondary school pupil in a course under this
 9.6 section, the postsecondary institution also must enroll in the same course an otherwise
 9.7 enrolled and qualified postsecondary student who qualifies as a veteran under section
 9.8 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's
 9.9 established enrollment timelines were not practicable for that student.

9.10 (e) A postsecondary institution must allow secondary pupils to enroll in online courses
 9.11 under this section consistent with the institution's policy regarding postsecondary pupil
 9.12 enrollment in online courses.

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

9.14 Sec. 12. Minnesota Statutes 2018, section 124D.09, subdivision 10, is amended to read:

9.15 Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to
 9.16 subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a
 9.17 postsecondary faculty member and offered at a secondary school, or another location,
 9.18 according to an agreement between a public school board and the governing body of an
 9.19 eligible public postsecondary system or an eligible private postsecondary institution, as
 9.20 defined in subdivision 3. All provisions of this section ~~shall~~ apply to a pupil, public school
 9.21 board, district, and the governing body of a postsecondary institution, except as otherwise
 9.22 provided.

9.23 (b) To encourage students, especially American Indian students and students of color,
 9.24 to consider teaching as a profession, participating schools, school districts, and postsecondary
 9.25 institutions are encouraged to develop and offer an "Introduction to Teaching" or
 9.26 "Introduction to Education" course under this subdivision. ~~An institution that receives a~~ For
 9.27 the purpose of applying for grants under this paragraph, "eligible institution" includes schools
 9.28 and districts that partner with an accredited college or university in addition to postsecondary
 9.29 institutions identified in subdivision 3, paragraph (a). Grant to develop a course recipients
 9.30 under this paragraph must annually report to the commissioner in a form and manner
 9.31 determined by the commissioner on the participation rates of students in courses under this
 9.32 paragraph, including the number of students who apply for admission to colleges or
 9.33 universities with teacher preparation programs and the number of students of color and

10.1 American Indian students who earned postsecondary credit. Grant recipients must also
 10.2 describe recruiting efforts intended to ensure that the percentage of participating students
 10.3 who are of color or American Indian meets or exceeds the overall percentage of students
 10.4 of color or American Indian students in the school.

10.5 Sec. 13. Minnesota Statutes 2018, section 124D.09, subdivision 22, is amended to read:

10.6 Subd. 22. **Transportation.** (a) A parent or guardian of a pupil enrolled in a course for
 10.7 secondary credit may apply to the pupil's district of residence for reimbursement for
 10.8 transporting the pupil between the secondary school in which the pupil is enrolled or the
 10.9 pupil's home and the postsecondary institution that the pupil attends. The state shall provide
 10.10 state aid to a district in an amount sufficient to reimburse the parent or guardian for the
 10.11 necessary transportation costs when the ~~family's or guardian's income is at or below the~~
 10.12 ~~poverty level, as determined by the federal government~~ pupil is eligible for a free or
 10.13 reduced-price meal. The reimbursement shall be the pupil's actual cost of transportation or
 10.14 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than
 10.15 250 miles per week. However, if the nearest postsecondary institution is more than 25 miles
 10.16 from the pupil's resident secondary school, the weekly reimbursement may not exceed the
 10.17 reimbursement rate per mile times the actual distance between the secondary school or the
 10.18 pupil's home and the nearest postsecondary institution times ten. The state must pay aid to
 10.19 the district according to this subdivision.

10.20 (b) A parent or guardian of an alternative pupil enrolled in a course for secondary credit
 10.21 may apply to the pupil's postsecondary institution for reimbursement for transporting the
 10.22 pupil between the secondary school in which the pupil is enrolled or the pupil's home and
 10.23 the postsecondary institution in an amount sufficient to reimburse the parent or guardian
 10.24 for the necessary transportation costs when the ~~family's or guardian's income is at or below~~
 10.25 ~~the poverty level, as determined by the federal government~~ pupil is eligible for a free or
 10.26 reduced-price meal. The amount of the reimbursement shall be determined as in paragraph
 10.27 (a). The state must pay aid to the postsecondary institution according to this subdivision.

10.28 (c) "Necessary transportation costs" under this subdivision includes the costs of
 10.29 transportation in a private vehicle, bus, taxi, or other shared vehicle.

10.30 **EFFECTIVE DATE.** This section is effective for fiscal year 2020 and later.

10.31 Sec. 14. Minnesota Statutes 2018, section 124E.20, subdivision 1, is amended to read:

10.32 Subdivision 1. **Revenue calculation.** (a) General education revenue must be paid to a
 10.33 charter school as though it were a district. The general education revenue for each adjusted

11.1 pupil unit is the state average general education revenue per pupil unit, plus the referendum
 11.2 equalization aid allowance and first tier local optional aid allowance in the pupil's district
 11.3 of residence, minus an amount equal to the product of the formula allowance according to
 11.4 section 126C.10, subdivision 2, times .0466, calculated without declining enrollment revenue,
 11.5 local optional revenue, basic skills revenue, extended time revenue, pension adjustment
 11.6 revenue, transition revenue, and transportation sparsity revenue, plus declining enrollment
 11.7 revenue, basic skills revenue, pension adjustment revenue, and transition revenue as though
 11.8 the school were a school district.

11.9 (b) For a charter school operating an extended day, extended week, or summer program,
 11.10 the general education revenue in paragraph (a) is increased by an amount equal to 25 percent
 11.11 of the statewide average extended time revenue per adjusted pupil unit.

11.12 (c) Notwithstanding paragraph (a), the general education revenue for an eligible special
 11.13 education charter school as defined in section 124E.21, subdivision 2, equals the sum of
 11.14 the amount determined under paragraph (a) and the school's unreimbursed cost as defined
 11.15 in section 124E.21, subdivision 2, for educating students not eligible for special education
 11.16 services.

11.17 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

11.18 Sec. 15. Minnesota Statutes 2018, section 126C.10, subdivision 2, is amended to read:

11.19 Subd. 2. **Basic revenue.** The basic revenue for each district equals the formula allowance
 11.20 times the adjusted pupil units for the school year. ~~The formula allowance for fiscal year~~
 11.21 ~~2017 is \$6,067. The formula allowance for fiscal year 2018 is \$6,188.~~ The formula allowance
 11.22 for fiscal year 2019 ~~and later~~ is \$6,312. The formula allowance for fiscal year 2020 is \$6,343
 11.23 The formula allowance for fiscal year 2021 and later is \$6,375.

11.24 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

11.25 Sec. 16. Minnesota Statutes 2018, section 126C.10, subdivision 2e, is amended to read:

11.26 Subd. 2e. **Local optional revenue.** (a) For fiscal year 2020, local optional revenue for
 11.27 a school district equals \$424 times the adjusted pupil units of the district for that school
 11.28 year. For fiscal year 2021 and later, local optional revenue for a school district equals the
 11.29 sum of the district's first tier local optional revenue and second tier local optional revenue.
 11.30 A district's first tier local optional revenue equals \$300 times the adjusted pupil units of the
 11.31 district for that school year. A district's second tier local optional revenue equals \$424 times
 11.32 the adjusted pupil units of the district for that school year.

12.1 (b) For fiscal year 2020, a district's local optional levy equals its local optional revenue
 12.2 times the lesser of one or the ratio of its referendum market value per resident pupil unit to
 12.3 \$510,000. For fiscal year 2021 and later, a district's local optional levy equals the sum of
 12.4 the first tier local optional levy and the second tier local optional levy. A district's first tier
 12.5 local optional levy equals the district's first tier local optional revenue times the lesser of
 12.6 one or the ratio of the district's referendum market value per resident pupil unit to \$880,000.
 12.7 A district's second tier local optional levy equals the district's second tier local optional
 12.8 revenue times the lesser of one or the ratio of the district's referendum market value per
 12.9 resident pupil unit to \$510,000. The local optional revenue levy must be spread on referendum
 12.10 market value. A district may levy less than the permitted amount.

12.11 (c) A district's local optional aid equals its local optional revenue ~~less~~ minus its local
 12.12 optional levy, ~~times the ratio of the actual amount levied to the permitted levy.~~ If a district's
 12.13 actual levy for first or second tier local optional revenue is less than its maximum levy limit
 12.14 for that tier, its aid must be proportionately reduced.

12.15 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

12.16 Sec. 17. Minnesota Statutes 2018, section 126C.10, subdivision 24, is amended to read:

12.17 Subd. 24. **Equity revenue.** (a) A school district qualifies for equity revenue if:

12.18 (1) the school district's adjusted pupil unit amount of basic revenue, transition revenue,
 12.19 first tier local optional revenue, and referendum revenue is less than the value of the school
 12.20 district at or immediately above the 95th percentile of school districts in its equity region
 12.21 for those revenue categories; and

12.22 (2) the school district's administrative offices are not located in a city of the first class
 12.23 on July 1, 1999.

12.24 (b) ~~Equity revenue for a qualifying district that receives referendum revenue under~~
 12.25 ~~section 126C.17, subdivision 4,~~ equals the product of (1) the district's adjusted pupil units
 12.26 for that year; times (2) the sum of (i) \$14, plus (ii) \$80, times the school district's equity
 12.27 index computed under subdivision 27.

12.28 (c) ~~Equity revenue for a qualifying district that does not receive referendum revenue~~
 12.29 ~~under section 126C.17, subdivision 4, equals the product of the district's adjusted pupil units~~
 12.30 ~~for that year times \$14.~~

12.31 ~~(d)~~ (c) A school district's equity revenue is increased by the greater of zero or an amount
 12.32 equal to the district's adjusted pupil units times the difference between ten percent of the
 12.33 statewide average amount of referendum revenue and first tier local optional revenue per

13.1 adjusted pupil unit for that year and the sum of the district's referendum revenue and first
 13.2 tier local optional revenue per adjusted pupil unit. A school district's revenue under this
 13.3 paragraph must not exceed \$100,000 for that year.

13.4 ~~(e)~~ (d) A school district's equity revenue for a school district located in the metro equity
 13.5 region equals the amount computed in paragraphs (b); and (c); ~~and (d)~~ multiplied by 1.25.

13.6 ~~(f) For fiscal years 2017, 2018, and 2019 for a school district not included in paragraph~~
 13.7 ~~(e), a district's equity revenue equals the amount computed in paragraphs (b), (c), and (d)~~
 13.8 ~~multiplied by 1.16.~~ (e) For fiscal year 2020 and later for a school district not included in
 13.9 paragraph ~~(e)~~ (d), a district's equity revenue equals the amount computed in paragraphs (b);
 13.10 and (c); ~~and (d)~~ multiplied by 1.25.

13.11 ~~(g)~~ (f) A school district's additional equity revenue equals \$50 times its adjusted pupil
 13.12 units.

13.13 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

13.14 Sec. 18. Minnesota Statutes 2018, section 126C.17, subdivision 1, is amended to read:

13.15 Subdivision 1. **Referendum allowance.** (a) A district's initial referendum allowance for
 13.16 fiscal year 2021 and later equals the result of the following calculations:

13.17 ~~(1) multiply the referendum allowance the district would have received for fiscal year~~
 13.18 ~~2015 under Minnesota Statutes 2012, section 126C.17, subdivision 1, based on elections~~
 13.19 ~~held before July 1, 2013, by the resident marginal cost pupil units the district would have~~
 13.20 ~~counted for fiscal year 2015 under Minnesota Statutes 2012, section 126C.05;~~

13.21 ~~(2) add to the result of clause (1) the adjustment the district would have received under~~
 13.22 ~~Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based~~
 13.23 ~~on elections held before July 1, 2013;~~

13.24 ~~(3) divide the result of clause (2) by the district's adjusted pupil units for fiscal year~~
 13.25 ~~2015;~~

13.26 ~~(4) add to the result of clause (3) any additional referendum allowance per adjusted pupil~~
 13.27 ~~unit authorized by elections held between July 1, 2013, and December 31, 2013;~~

13.28 ~~(5) add to the result in clause (4) any additional referendum allowance resulting from~~
 13.29 ~~inflation adjustments approved by the voters prior to January 1, 2014;~~

13.30 ~~(6) subtract from the result of clause (5), the sum of a district's actual local optional levy~~
 13.31 ~~and local optional aid under section 126C.10, subdivision 2e, divided by the adjusted pupil~~
 13.32 ~~units of the district for that school year; and~~

14.1 (1) subtract \$424 from the district's allowance under Minnesota Statutes 2018, section
 14.2 126C.17, subdivision 1, paragraph (a), clause (5);

14.3 (2) if the result of clause (1) is less than zero, set the allowance to zero;

14.4 (3) add to the result in clause (2) any new referendum allowance authorized between
 14.5 July 1, 2013, and December 31, 2013, under Minnesota Statutes 2013, section 126C.17,
 14.6 subdivision 9a;

14.7 (4) add to the result in clause (3) any additional referendum allowance per adjusted pupil
 14.8 unit authorized between January 1, 2014, and June 30, 2019;

14.9 (5) subtract from the result in clause (4) any allowances expiring in fiscal year 2016,
 14.10 2017, 2018, 2019, or 2020;

14.11 (6) subtract \$300 from the result in clause (5); and

14.12 (7) if the result of clause (6) is less than zero, set the allowance to zero.

14.13 (b) A district's referendum allowance equals the sum of the district's initial referendum
 14.14 allowance, plus any new referendum allowance authorized ~~between July 1, 2013, and~~
 14.15 ~~December 31, 2013, under subdivision 9a, plus any additional referendum allowance per~~
 14.16 ~~adjusted pupil unit authorized after December 31, 2013~~ after July 1, 2019, minus any
 14.17 allowances expiring in fiscal year ~~2016~~ 2021 or later, plus any inflation adjustments for
 14.18 fiscal year 2021 and later approved by the voters prior to July 1, 2019, provided that the
 14.19 allowance may not be less than zero. ~~For a district with more than one referendum allowance~~
 14.20 ~~for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, the allowance calculated~~
 14.21 ~~under paragraph (a), clause (3), must be divided into components such that the same~~
 14.22 ~~percentage of the district's allowance expires at the same time as the old allowances would~~
 14.23 ~~have expired under Minnesota Statutes 2012, section 126C.17. For a district with more than~~
 14.24 one allowance for fiscal year 2015 that expires in the same year, the reduction under
 14.25 paragraph (a), ~~elause~~ clauses (1) and (6), ~~to offset local optional revenue~~ shall be made first
 14.26 from any allowances that do not have an inflation adjustment approved by the voters.

14.27 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

14.28 Sec. 19. Minnesota Statutes 2018, section 126C.17, subdivision 2, is amended to read:

14.29 Subd. 2. **Referendum allowance limit.** (a) Notwithstanding subdivision 1, for fiscal
 14.30 year ~~2015~~ 2021 and later, a district's referendum allowance must not exceed ~~the annual~~
 14.31 ~~inflationary increase as calculated under paragraph (b)~~ times the greatest greater of:

15.1 (1) ~~\$1,845~~ the product of the annual inflationary increase as calculated under paragraph
 15.2 (b), and \$2,079.50, minus \$300;

15.3 (2) the product of the annual inflationary increase as calculated under paragraph (b),
 15.4 and the sum of the referendum revenue the district would have received for fiscal year 2015
 15.5 under Minnesota Statutes 2012, section 126C.17, subdivision 4, based on elections held
 15.6 before July 1, 2013, and the adjustment the district would have received under Minnesota
 15.7 Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based on elections
 15.8 held before July 1, 2013, divided by the district's adjusted pupil units for fiscal year 2015,
 15.9 minus \$300;

15.10 (3) ~~the product of the referendum allowance limit the district would have received for~~
 15.11 ~~fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 2, and the~~
 15.12 ~~resident marginal cost pupil units the district would have received for fiscal year 2015 under~~
 15.13 ~~Minnesota Statutes 2012, section 126C.05, subdivision 6, plus the adjustment the district~~
 15.14 ~~would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7,~~
 15.15 ~~paragraphs (a), (b), and (c), based on elections held before July 1, 2013, divided by the~~
 15.16 ~~district's adjusted pupil units for fiscal year 2015; minus \$424 for a newly reorganized~~
 15.17 ~~district created on July 1, 2020, the referendum revenue authority for each reorganizing~~
 15.18 ~~district in the year preceding reorganization divided by its adjusted pupil units for the year~~
 15.19 ~~preceding reorganization, minus \$300; or~~

15.20 (4) for a newly reorganized district created after July 1, ~~2013~~ 2021, the referendum
 15.21 revenue authority for each reorganizing district in the year preceding reorganization divided
 15.22 by its adjusted pupil units for the year preceding reorganization.

15.23 (b) For purposes of this subdivision, for fiscal year ~~2016~~ 2022 and later, "inflationary
 15.24 increase" means one plus the percentage change in the Consumer Price Index for urban
 15.25 consumers, as prepared by the United States Bureau of Labor ~~Standards~~ Statistics, for the
 15.26 current fiscal year to fiscal year 2015. ~~For fiscal year 2016 and later, for purposes of~~
 15.27 ~~paragraph (a), clause (3), the inflationary increase equals one-fourth of the percentage~~
 15.28 ~~increase in the formula allowance for that year compared with the formula allowance for~~
 15.29 ~~fiscal year 2015~~ 2021.

15.30 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

16.1 Sec. 20. Minnesota Statutes 2018, section 126C.17, subdivision 5, is amended to read:

16.2 Subd. 5. **Referendum equalization revenue.** (a) A district's referendum equalization
16.3 revenue equals the sum of the first tier referendum equalization revenue and the second tier
16.4 referendum equalization revenue, ~~and the third tier referendum equalization revenue.~~

16.5 (b) A district's first tier referendum equalization revenue equals the district's first tier
16.6 referendum equalization allowance times the district's adjusted pupil units for that year.

16.7 (c) A district's first tier referendum equalization allowance equals the lesser of the
16.8 district's referendum allowance under subdivision 1 or ~~\$300~~ \$460.

16.9 (d) A district's second tier referendum equalization revenue equals the district's second
16.10 tier referendum equalization allowance times the district's adjusted pupil units for that year.

16.11 (e) A district's second tier referendum equalization allowance equals the lesser of the
16.12 district's referendum allowance under subdivision 1 or ~~\$760, minus the district's first tier~~
16.13 ~~referendum equalization allowance.~~

16.14 ~~(f) A district's third tier referendum equalization revenue equals the district's third tier~~
16.15 ~~referendum equalization allowance times the district's adjusted pupil units for that year.~~

16.16 ~~(g) A district's third tier referendum equalization allowance equals the lesser of the~~
16.17 ~~district's referendum allowance under subdivision 1 or 25 percent of the formula allowance,~~
16.18 ~~minus the sum of \$300 and the district's first tier referendum equalization allowance and~~
16.19 ~~second tier referendum equalization allowance.~~

16.20 ~~(h)~~ (f) Notwithstanding paragraph ~~(g)~~ (e), the ~~third~~ second tier referendum allowance
16.21 for a district qualifying for secondary sparsity revenue under section 126C.10, subdivision
16.22 7, or elementary sparsity revenue under section 126C.10, subdivision 8, equals the district's
16.23 referendum allowance under subdivision 1 minus the ~~sum of the~~ district's first tier referendum
16.24 equalization allowance ~~and second tier referendum equalization allowance.~~

16.25 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

16.26 Sec. 21. Minnesota Statutes 2018, section 126C.17, subdivision 6, is amended to read:

16.27 Subd. 6. **Referendum equalization levy.** (a) A district's referendum equalization levy
16.28 equals the sum of the first tier referendum equalization levy; and the second tier referendum
16.29 equalization levy, ~~and the third tier referendum equalization levy.~~

16.30 (b) A district's first tier referendum equalization levy equals the district's first tier
16.31 referendum equalization revenue times the lesser of one or the ratio of the district's
16.32 referendum market value per resident pupil unit to ~~\$880,000~~ \$510,000.

17.1 (c) A district's second tier referendum equalization levy equals the district's second tier
 17.2 referendum equalization revenue times the lesser of one or the ratio of the district's
 17.3 referendum market value per resident pupil unit to ~~\$510,000~~ \$290,000.

17.4 ~~(d) A district's third tier referendum equalization levy equals the district's third tier~~
 17.5 ~~referendum equalization revenue times the lesser of one or the ratio of the district's~~
 17.6 ~~referendum market value per resident pupil unit to \$290,000.~~

17.7 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

17.8 Sec. 22. Minnesota Statutes 2018, section 126C.17, subdivision 7, is amended to read:

17.9 Subd. 7. **Referendum equalization aid.** (a) A district's referendum equalization aid
 17.10 equals the difference between its referendum equalization revenue and levy.

17.11 (b) If a district's actual levy for first, second, or third tier referendum equalization revenue
 17.12 is less than its maximum levy limit for that tier, aid shall be proportionately reduced.

17.13 (c) Notwithstanding paragraph (a), the referendum equalization aid for a district, ~~where~~
 17.14 ~~the referendum equalization aid under paragraph (a) exceeds 90 percent of the referendum~~
 17.15 ~~revenue,~~ must not exceed: (1) 25 percent of the formula allowance minus \$300; times (2)
 17.16 the district's adjusted pupil units. A district's referendum levy is increased by the amount
 17.17 of any reduction in referendum aid under this paragraph.

17.18 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

17.19 Sec. 23. Minnesota Statutes 2018, section 126C.17, subdivision 7a, is amended to read:

17.20 Subd. 7a. **Referendum tax base replacement aid.** For each school district that had a
 17.21 referendum allowance for fiscal year 2002 exceeding \$415, for each separately authorized
 17.22 referendum levy, the commissioner of revenue, in consultation with the commissioner of
 17.23 education, shall certify the amount of the referendum levy in taxes payable year 2001
 17.24 attributable to the portion of the referendum allowance exceeding \$415 levied against
 17.25 property classified as class 2, noncommercial 4c(1), or 4c(4), under section 273.13, excluding
 17.26 the portion of the tax paid by the portion of class 2a property consisting of the house, garage,
 17.27 and surrounding one acre of land. The resulting amount must be used to reduce the district's
 17.28 referendum levy or first tier local optional levy amount otherwise determined, and must be
 17.29 paid to the district each year that the referendum or first tier local optional authority remains
 17.30 in effect, is renewed, or new referendum authority is approved. The aid payable under this
 17.31 subdivision must be subtracted from the district's referendum equalization aid under

18.1 subdivision 7. The referendum equalization aid and the first tier local optional aid after the
 18.2 subtraction must not be less than zero.

18.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

18.4 Sec. 24. Minnesota Statutes 2018, section 126C.19, subdivision 4, is amended to read:

18.5 Subd. 4. **Location of services.** (a) Public school programs that provide instruction in
 18.6 core curriculum may be provided to shared time pupils only at a public school building,
 18.7 except that digital learning as defined in section 124D.095, subdivision 2, paragraph (a),
 18.8 may be provided to shared time pupils at any suitable location. Public school programs,
 18.9 excluding programs that provide instruction in core curriculum, may be provided to shared
 18.10 time pupils at a public school building, a neutral site, the nonpublic school, or any other
 18.11 suitable location. Guidance and counseling and diagnostic and health services required
 18.12 under sections 125A.03 to 125A.24 and 125A.65 may be provided at a nonpublic school
 18.13 building. As used in this subdivision, "diagnostic services" means speech, hearing, vision,
 18.14 psychological, medical and dental diagnostic services and "health services" means physician,
 18.15 nursing or optometric services provided to pupils in the field of physical and mental health.

18.16 (b) For those children with a disability under sections 125A.03 to 125A.24 who attend
 18.17 nonpublic school at their parent's choice, a school district may provide special instruction
 18.18 and services at the nonpublic school building, a public school, or at a neutral site other than
 18.19 a nonpublic school as defined in section 123B.41, subdivision 13. The school district shall
 18.20 determine the location at which to provide services on a student-by-student basis, consistent
 18.21 with federal law.

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

18.23 Sec. 25. Minnesota Statutes 2018, section 127A.45, subdivision 11, is amended to read:

18.24 Subd. 11. **Payment percentage for reimbursement aids.** One hundred percent of the
 18.25 aid for the previous fiscal year must be paid in the current year for the following aids:
 18.26 telecommunications/Internet access equity ~~and aid~~ according to section 125B.26, special
 18.27 education special pupil aid according to section 125A.75, subdivision 3, ~~aid for litigation~~
 18.28 ~~costs according to section 125A.75, subdivision 9,~~ aid for court-placed special education
 18.29 expenses according to section 125A.79, subdivision 4, and aid for special education
 18.30 out-of-state tuition according to section 125A.79, subdivision 8, and shared time aid
 18.31 according to section 126C.01, subdivision 7.

19.1 Sec. 26. Minnesota Statutes 2018, section 127A.45, subdivision 16, is amended to read:

19.2 Subd. 16. **Payments to third parties.** Notwithstanding subdivision 3, the current year
 19.3 aid payment percentage of the ~~amounts~~ amount under ~~sections 123A.26, subdivision 3, and~~
 19.4 section 124D.041; shall be paid in equal installments on August 30, December 30, and
 19.5 March 30, with a final adjustment payment on October 30 of the next fiscal year of the
 19.6 remaining amount.

19.7 Sec. 27. **BRECKENRIDGE SCHOOL DISTRICT; POSTSECONDARY**
 19.8 **ENROLLMENT OPTIONS.**

19.9 Notwithstanding Minnesota Statutes, section 124D.09, subdivision 3, Independent School
 19.10 District No. 846, Breckenridge, may enter into an agreement under Minnesota Statutes,
 19.11 section 124D.09, subdivision 10, with a higher education institution located outside of the
 19.12 state of Minnesota but within four miles of the high school. The higher education institution
 19.13 is an eligible institution only for the purposes of providing a postsecondary enrollment
 19.14 options program under Minnesota Statutes, section 124D.09.

19.15 **EFFECTIVE DATE.** This section is effective for revenue in the 2019-2020 school
 19.16 year and later.

19.17 Sec. 28. **KARLSTAD ELEMENTARY SCHOOL; SPARSITY AID.**

19.18 Notwithstanding the distance requirements of Minnesota Statutes, section 126C.10,
 19.19 subdivision 6, paragraph (f), Karlstad Elementary School in Independent School District
 19.20 No. 2358, Tri-County, is eligible to generate elementary sparsity aid for fiscal year 2020
 19.21 and 2021 only.

19.22 Sec. 29. **PUPIL TRANSPORTATION WORKING GROUP.**

19.23 Subdivision 1. **Duties.** (a) A working group on pupil transportation shall review pupil
 19.24 transportation and transportation efficiencies in Minnesota, consult with stakeholders, and
 19.25 submit a written report to the legislature recommending policy and formula changes. The
 19.26 pupil transportation working group must examine and consider:

19.27 (1) how school districts, charter schools, intermediate school districts, special education
 19.28 cooperatives, education districts, and service cooperatives deliver pupil transportation
 19.29 services and the costs associated with each model;

19.30 (2) relevant state laws and rules;

19.31 (3) trends in pupil transportation services;

20.1 (4) strategies or programs that would be effective in funding necessary pupil
20.2 transportation services; and

20.3 (5) the effect of the elimination of categorical funding for pupil transportation services.

20.4 (b) In making its recommendations, the pupil transportation working group must consider
20.5 a ten-year strategic plan informed by the policy findings in paragraph (a) to help make pupil
20.6 transportation funding more fair.

20.7 Subd. 2. **Members.** (a) By June 1, 2019, the executive director of each of the following
20.8 organizations must appoint one representative of that organization to serve as a member of
20.9 the working group:

20.10 (1) the Minnesota School Boards Association;

20.11 (2) the Minnesota Association of Charter Schools;

20.12 (3) Education Minnesota;

20.13 (4) the Minnesota Rural Education Association;

20.14 (5) the Association of Metropolitan School Districts;

20.15 (6) the Minnesota Association for Pupil Transportation;

20.16 (7) the Minnesota School Bus Operators Association;

20.17 (8) the Minnesota Association of School Administrators;

20.18 (9) the Minnesota Association of School Business Officials;

20.19 (10) Schools for Equity in Education;

20.20 (11) Service Employees International Union Local 284;

20.21 (12) the Minnesota Association of Secondary School Principals;

20.22 (13) the Minnesota Administrators of Special Education; and

20.23 (14) the Minnesota Transportation Alliance.

20.24 (b) The commissioner of education must solicit applications for membership in the
20.25 working group. By June 25, 2019, the commissioner must designate from the applicants
20.26 the following to serve as members of the working group:

20.27 (1) a representative from an intermediate school district;

20.28 (2) a representative from a special education cooperative, education district, or service
20.29 cooperative;

21.1 (3) a representative from a school district in a city of the first class;

21.2 (4) a representative from a school district in a first tier suburb;

21.3 (5) a representative from a rural school district; and

21.4 (6) a representative from a statewide nonprofit advocacy organization serving students
21.5 with disabilities and their parents.

21.6 Subd. 3. **Meetings.** The commissioner of education, or the commissioner's designee,
21.7 must convene the first meeting of the working group no later than July 15, 2019. The working
21.8 group must select a chair or cochairs from among its members at the first meeting. The
21.9 working group must meet periodically. Meetings of the working group must be open to the
21.10 public.

21.11 Subd. 4. **Compensation.** Working group members shall not be reimbursed for expenses
21.12 or receive per diem payments for serving on the working group.

21.13 Subd. 5. **Administrative support.** The commissioner of education must provide technical
21.14 and administrative assistance and meeting space to the working group upon request.

21.15 Subd. 6. **Report.** (a) By January 15, 2020, the working group must submit a report
21.16 providing its findings and recommendations to the chairs and ranking minority members
21.17 of the legislative committees with jurisdiction over kindergarten through grade 12 education.

21.18 (b) The legislature convening in January 2020 is encouraged to convene a legislative
21.19 study group to review the recommendations and ten-year strategic plan to develop its own
21.20 recommendations for legislative changes, as necessary.

21.21 Subd. 7. **Expiration.** The working group expires on January 16, 2020, unless extended
21.22 by law.

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

21.24 Sec. 30. **APPROPRIATIONS.**

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

21.28 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,
21.29 section 126C.13, subdivision 4:

21.30 \$ 7,274,597,000 2020

21.31 \$ 7,344,510,000 2021

22.1 The 2020 appropriation includes \$700,383,000 for 2019 and \$6,574,214,000 for 2020.

22.2 The 2021 appropriation includes \$703,180,000 for 2020 and \$6,641,330,000 for 2021.

22.3 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending
 22.4 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation
 22.5 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

22.6 \$ 1,775,000 2020

22.7 \$ 1,815,000 2021

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

22.9 \$ 2,897,000 2020

22.10 \$ 2,971,000 2021

22.11 The 2020 appropriation includes \$274,000 for 2019 and \$2,623,000 for 2020.

22.12 The 2021 appropriation includes \$291,000 for 2020 and \$2,680,000 for 2021.

22.13 Subd. 5. **Consolidation transition aid.** For districts consolidating under Minnesota
 22.14 Statutes, section 123A.485:

22.15 \$ 0 2020

22.16 \$ 270,000 2021

22.17 The 2020 appropriation includes \$0 for 2019 and \$0 for 2020.

22.18 The 2021 appropriation includes \$0 for 2020 and \$270,000 for 2021.

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

22.21 \$ 18,150,000 2020

22.22 \$ 18,729,000 2021

22.23 The 2020 appropriation includes \$1,806,000 for 2019 and \$16,344,000 for 2020.

22.24 The 2021 appropriation includes \$1,816,000 for 2020 and \$16,913,000 for 2021.

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

22.27 \$ 19,220,000 2020

22.28 \$ 19,179,000 2021

22.29 The 2020 appropriation includes \$1,961,000 for 2019 and \$17,259,000 for 2020.

22.30 The 2021 appropriation includes \$1,917,000 for 2020 and \$17,262,000 for 2021.

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

23.3 \$ 65,000 2020

23.4 \$ 65,000 2021

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

23.7 \$ 3,751,000 2020

23.8 \$ 3,321,000 2021

23.9 The 2020 appropriation includes \$422,000 for 2019 and \$3,329,000 for 2020.

23.10 The 2021 appropriation includes \$369,000 for 2020 and \$2,952,000 for 2021.

23.11 Sec. 31. **REPEALER.**

23.12 Minnesota Statutes 2018, sections 123A.26, subdivision 3; 125A.75, subdivision 9;
 23.13 126C.16, subdivisions 1 and 3; 126C.17, subdivision 9a; and 127A.14, are repealed.

23.14

ARTICLE 2

23.15

EDUCATION EXCELLENCE

23.16 Section 1. Minnesota Statutes 2018, section 120A.41, is amended to read:

23.17 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

23.18 (a) A school board's annual school calendar must include at least 425 hours of instruction
 23.19 for a kindergarten student without a disability, 935 hours of instruction for a student in
 23.20 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not
 23.21 including summer school. The school calendar for all-day kindergarten must include at least
 23.22 850 hours of instruction for the school year. The school calendar for a prekindergarten
 23.23 student under section 124D.151, if offered by the district, must include at least 350 hours
 23.24 of instruction for the school year. A school board's annual calendar must include at least
 23.25 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule
 23.26 has been approved by the ~~commissioner~~ school board under section ~~124D.126~~ 124D.122.

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

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

24.1 Sec. 2. Minnesota Statutes 2018, section 120B.02, is amended by adding a subdivision to
24.2 read:

24.3 Subd. 1a. **Competency-based education.** (a) A school district or charter school may
24.4 adopt a locally developed competency-based education plan to allow students to meet
24.5 academic standards, earn credits, and advance to higher levels of learning by demonstrating
24.6 mastery of required state standards, regardless of the time or pace of learning. The local
24.7 plan may be implemented in individual school sites within a school district or districtwide.
24.8 Competency-based education is designed to improve educational outcomes for students by
24.9 advancing their mastery of concepts and skills.

24.10 (b) A school district or charter school that adopts a competency-based education plan
24.11 must include a description of the following in its long-term strategic plan under section
24.12 120B.11 or annual public report under section 124E.16 and post on the website:

24.13 (1) how the plan's components align with required state standards and the goals included
24.14 in its world's best workforce plan under section 120B.11;

24.15 (2) how competencies include explicit and measurable student learning objectives;

24.16 (3) how students master competencies along a personalized and flexible pathway. A
24.17 student may demonstrate their mastery of competencies through their successful performance
24.18 of the competencies, application of the competencies, or both;

24.19 (4) how local assessments are used to personalize learning experiences for a student;
24.20 and

24.21 (5) how students receive timely and personalized support based on their individual
24.22 learning needs.

24.23 (c) A school district or charter school with a competency-based education plan must
24.24 administer the required statewide assessments to all of its students in the appropriate grade
24.25 levels consistent with section 120B.30.

24.26 (d) Average daily membership for a student participating in a competency-based education
24.27 is subject to the limits under section 126C.05, subdivision 8.

24.28 Sec. 3. Minnesota Statutes 2018, section 120B.024, subdivision 1, is amended to read:

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

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

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

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

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

25.11 (5) three and one-half credits of social studies, encompassing at least United States
25.12 history, geography, civics, government and citizenship, world history, and economics
25.13 sufficient to satisfy all of the academic standards in social studies;

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

25.16 (7) a minimum of seven elective credits.

25.17 Sec. 4. Minnesota Statutes 2018, section 120B.125, is amended to read:

25.18 **120B.125 PLANNING FOR STUDENTS' SUCCESSFUL TRANSITION TO**
25.19 **POSTSECONDARY EDUCATION AND EMPLOYMENT; PERSONAL LEARNING**
25.20 **PLANS.**

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

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

25.31 (2) emphasize academic rigor and high expectations and inform the student, and the
25.32 student's parent or guardian if the student is a minor, of the student's achievement level

26.1 score on the Minnesota Comprehensive Assessments that are administered during high
26.2 school;

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

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

26.8 (5) help students access education and career options, including armed forces career
26.9 options;

26.10 (6) integrate strong academic content into career-focused courses and applied and
26.11 experiential learning opportunities and integrate relevant career-focused courses and applied
26.12 and experiential learning opportunities into strong academic content;

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

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

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

26.26 (b) A school district may develop grade-level curricula or provide instruction that
26.27 introduces students to various careers, but must not require any curriculum, instruction, or
26.28 employment-related activity that obligates an elementary or secondary student to involuntarily
26.29 select or pursue a career, career interest, employment goals, or related job training.

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

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

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

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

27.13 (g) A school district must provide military recruiters and representatives of organizations
 27.14 promoting careers in the skilled trades and manufacturing the same access to secondary
 27.15 school students as the district provides to institutions of higher education or to prospective
 27.16 employers of students.

27.17 (h) School districts are encouraged to sponsor an armed forces career opportunity day
 27.18 each school year prior to the third Thursday of November. A school district that sponsors
 27.19 an armed forces career opportunity day must extend invitations to recruiters from each
 27.20 branch of the United States armed forces and allow the recruiters to make presentations to
 27.21 all interested secondary school students.

27.22 **Sec. 5. [120B.126] CONSTRUCTION AND SKILLED TRADES COUNSELING.**

27.23 The commissioner of education must collaborate with the commissioner of labor and
 27.24 industry to incorporate construction and skilled trades into career counseling services for
 27.25 middle and high school aged students. Career advisement should identify high-growth,
 27.26 in-demand skilled trades and include information on various career paths and associated
 27.27 jobs, the salary profiles of those jobs, and the credentials and other training desired by
 27.28 employers for those jobs.

27.29 Sec. 6. Minnesota Statutes 2018, section 120B.30, subdivision 1, is amended to read:

27.30 Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with
 27.31 appropriate technical qualifications and experience and stakeholders, consistent with
 27.32 subdivision 1a, ~~shall~~ must include in the comprehensive assessment system, for each grade

28.1 level to be tested, state-constructed tests developed as computer-adaptive reading and
 28.2 mathematics assessments for students that are aligned with the state's required academic
 28.3 standards under section 120B.021, include multiple choice questions, and are administered
 28.4 annually to all students in grades 3 through 8. State-developed high school tests aligned
 28.5 with the state's required academic standards under section 120B.021 and administered to
 28.6 all high school students in a subject other than writing must include multiple choice questions.
 28.7 The commissioner ~~shall~~ must establish ~~one or more months during which schools shall~~
 28.8 ~~administer the tests to students~~ a testing period as late as possible each school year; during
 28.9 which schools must administer the Minnesota Comprehensive Assessments to students. The
 28.10 commissioner must publish the testing schedule at least two years before the beginning of
 28.11 the testing period.

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

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

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

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

28.28 (1) mathematics;

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

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

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

29.1 (3) language arts and reading; grades 3 through 8 and high school level beginning in the
29.2 2012-2013 school year.

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

29.7 (1) achievement and career and college readiness in mathematics, reading, and writing,
29.8 consistent with paragraph (k) and to the extent available, to monitor students' continuous
29.9 development of and growth in requisite knowledge and skills; analyze students' progress
29.10 and performance levels, identifying students' academic strengths and diagnosing areas where
29.11 students require curriculum or instructional adjustments, targeted interventions, or
29.12 remediation; and, based on analysis of students' progress and performance data, determine
29.13 students' learning and instructional needs and the instructional tools and best practices that
29.14 support academic rigor for the student; and

29.15 (2) consistent with this paragraph and section 120B.125, age-appropriate exploration
29.16 and planning activities and career assessments to encourage students to identify personally
29.17 relevant career interests and aptitudes and help students and their families develop a regularly
29.18 reexamined transition plan for postsecondary education or employment without need for
29.19 postsecondary remediation.

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

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

29.26 A student under paragraph (c), clause (1), must receive targeted, relevant, academically
29.27 rigorous, and resourced instruction, which may include a targeted instruction and intervention
29.28 plan focused on improving the student's knowledge and skills in core subjects so that the
29.29 student has a reasonable chance to succeed in a career or college without need for
29.30 postsecondary remediation. Consistent with sections 120B.13, 124D.09, 124D.091, 124D.49,
29.31 and related sections, an enrolling school or district must actively encourage a student in
29.32 grade 11 or 12 who is identified as academically ready for a career or college to participate
29.33 in courses and programs awarding college credit to high school students. Students are not

30.1 required to achieve a specified score or level of proficiency on an assessment under this
30.2 subdivision to graduate from high school.

30.3 (e) Though not a high school graduation requirement, students are encouraged to
30.4 participate in a nationally recognized college entrance exam. To the extent state funding
30.5 for college entrance exam fees is available, a district must pay the cost, one time, for an
30.6 interested student in grade 11 or 12 who is eligible for a free or reduced-price meal, to take
30.7 a nationally recognized college entrance exam before graduating. A student must be able
30.8 to take the exam under this paragraph at the student's high school during the school day and
30.9 at any one of the multiple exam administrations available to students in the district. A district
30.10 may administer the ACT or SAT or both the ACT and SAT to comply with this paragraph.
30.11 If the district administers only one of these two tests and a free or reduced-price meal eligible
30.12 student opts not to take that test and chooses instead to take the other of the two tests, the
30.13 student may take the other test at a different time or location and remains eligible for the
30.14 examination fee reimbursement. Notwithstanding sections 123B.34 to 123B.39, a school
30.15 district may require a student that is not eligible for a free or reduced-price meal to pay the
30.16 cost of taking a nationally recognized college entrance exam. The district must waive the
30.17 cost for a student unable to pay.

30.18 (f) The commissioner and the chancellor of the Minnesota State Colleges and Universities
30.19 must collaborate in aligning instruction and assessments for adult basic education students
30.20 and English learners to provide the students with diagnostic information about any targeted
30.21 interventions, accommodations, modifications, and supports they need so that assessments
30.22 and other performance measures are accessible to them and they may seek postsecondary
30.23 education or employment without need for postsecondary remediation. When administering
30.24 formative or summative assessments used to measure the academic progress, including the
30.25 oral academic development, of English learners and inform their instruction, schools must
30.26 ensure that the assessments are accessible to the students and students have the modifications
30.27 and supports they need to sufficiently understand the assessments.

30.28 (g) Districts and schools, on an annual basis, must use career exploration elements to
30.29 help students, beginning no later than grade 9, and their families explore and plan for
30.30 postsecondary education or careers based on the students' interests, aptitudes, and aspirations.
30.31 Districts and schools must use timely regional labor market information and partnerships,
30.32 among other resources, to help students and their families successfully develop, pursue,
30.33 review, and revise an individualized plan for postsecondary education or a career. This
30.34 process must help increase students' engagement in and connection to school, improve
30.35 students' knowledge and skills, and deepen students' understanding of career pathways as

31.1 a sequence of academic and career courses that lead to an industry-recognized credential,
31.2 an associate's degree, or a bachelor's degree and are available to all students, whatever their
31.3 interests and career goals.

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

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

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

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

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

31.30 (m) The 3rd through 8th grade computer-adaptive assessment results and high school
31.31 test results ~~shall~~ must be available to districts for diagnostic purposes affecting student
31.32 learning and district instruction and curriculum, and for establishing educational
31.33 accountability. ~~The commissioner must establish empirically derived benchmarks on adaptive~~
31.34 ~~assessments in grades 3 through 8.~~ The commissioner, in consultation with the chancellor

32.1 of the Minnesota State Colleges and Universities, must establish empirically derived
32.2 benchmarks on the high school tests that reveal a trajectory toward career and college
32.3 readiness consistent with section 136F.302, subdivision 1a. The commissioner must
32.4 disseminate to the public the ~~computer-adaptive assessments~~ and high school test results
32.5 upon receiving those results.

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

32.10 (o) The commissioner ~~shall~~ must include the following components in the statewide
32.11 public reporting system:

32.12 (1) uniform statewide computer-adaptive assessments of all students in grades 3 through
32.13 8 and testing at the high school levels that provides appropriate, technically sound
32.14 accommodations or alternate assessments;

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

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

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

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

32.29 (q) For purposes of statewide accountability, "cultural competence," "cultural
32.30 competency," or "culturally competent" means the ability of families and educators to
32.31 interact effectively with people of different cultures, native languages, and socioeconomic
32.32 backgrounds.

33.1 **EFFECTIVE DATE.** Paragraph (a) is effective for testing calendars in the 2021-2022
 33.2 school year and later.

33.3 Sec. 7. Minnesota Statutes 2018, section 120B.30, subdivision 3, is amended to read:

33.4 Subd. 3. **Reporting.** (a) The commissioner ~~shall~~ must report test results publicly and to
 33.5 stakeholders, including the performance achievement levels developed from students'
 33.6 unweighted test scores in each tested subject and a listing of demographic factors that
 33.7 strongly correlate with student performance, including student homelessness, as data are
 33.8 available, among other factors. The test results must not include personally identifiable
 33.9 information as defined in Code of Federal Regulations, title 34, section 99.3. The
 33.10 commissioner ~~shall~~ must also report data that compares performance results among school
 33.11 sites, school districts, Minnesota and other states, and Minnesota and other nations.

33.12 (b) The commissioner ~~shall~~ must disseminate to schools and school districts a more
 33.13 comprehensive report containing testing information that meets local needs for evaluating
 33.14 instruction and curriculum. The commissioner ~~shall~~ must disseminate to charter school
 33.15 authorizers a more comprehensive report containing testing information that contains
 33.16 anonymized data where cell count data are sufficient to protect student identity and that
 33.17 meets the authorizer's needs in fulfilling its obligations under chapter 124E.

33.18 (c) A school district must disseminate the individual student performance data and
 33.19 achievement report required under section 120B.30, subdivision 1a, paragraph (d), clause
 33.20 (1), to the parent and teacher of each student no more than 30 days after the district has
 33.21 administered the test to a student. The district must notify the parent and teacher that the
 33.22 data and report are preliminary and subject to validation.

33.23 (d) A school district must disseminate a testing report to the teacher and to the parent
 33.24 of each student before the beginning of the following school year. The testing report must:

33.25 (1) identify the student's achievement level in each content area; and

33.26 (2) track the student's performance history.

33.27 **EFFECTIVE DATE.** Paragraphs (a), (b), and (c) are effective for the 2019-2020 school
 33.28 year and later. Paragraph (d) is effective for the 2020-2021 school year and later.

33.29 Sec. 8. Minnesota Statutes 2018, section 120B.35, subdivision 3, is amended to read:

33.30 Subd. 3. **State growth target; other state measures.** (a)(1) The state's educational
 33.31 assessment system measuring individual students' educational growth is based on indicators
 33.32 of achievement growth that show an individual student's prior achievement. Indicators of

34.1 achievement and prior achievement must be based on highly reliable statewide or districtwide
34.2 assessments.

34.3 (2) For purposes of paragraphs (b), (c), and (d), the commissioner must analyze and
34.4 report separate categories of information using the student categories identified under the
34.5 federal Elementary and Secondary Education Act, as most recently reauthorized, and, in
34.6 addition to "other" for each race and ethnicity, and the Karen community, seven of the most
34.7 populous Asian and Pacific Islander groups, three of the most populous Native groups,
34.8 seven of the most populous Hispanic/Latino groups, and five of the most populous Black
34.9 and African Heritage groups as determined by the total Minnesota population based on the
34.10 most recent American Community Survey; English learners under section 124D.59; home
34.11 language; free or reduced-price lunch; and all students enrolled in a Minnesota public school
34.12 who are currently or were previously in foster care, except that such disaggregation and
34.13 cross tabulation is not required if the number of students in a category is insufficient to yield
34.14 statistically reliable information or the results would reveal personally identifiable information
34.15 about an individual student.

34.16 (b) The commissioner, in consultation with a stakeholder group that includes assessment
34.17 and evaluation directors, district staff, experts in culturally responsive teaching, and
34.18 researchers, must implement a growth model that uses a value-added growth indicator and
34.19 that compares the difference in students' achievement scores over time, and includes criteria
34.20 for identifying schools and school districts that demonstrate medium and high growth under
34.21 section 120B.299, subdivisions 8 and 9, and may recommend other value-added measures
34.22 under section 120B.299, subdivision 3 academic progress. The model may be used to advance
34.23 educators' professional development and replicate programs that succeed in meeting students'
34.24 diverse learning needs. Data on individual teachers generated under the model are personnel
34.25 data under section 13.43. The model must allow users to:

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

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

34.32 The commissioner must report measures of student growth and, under section 120B.11,
34.33 subdivision 2, clause (2), student learning and outcome data, consistent with this paragraph,
34.34 including the English language development, academic progress, and oral academic

35.1 development of English learners and their native language development if the native language
35.2 is used as a language of instruction, and include data on all pupils enrolled in a Minnesota
35.3 public school course or program who are currently or were previously counted as an English
35.4 learner under section 124D.59.

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

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

35.14 (2) a rigorous coursework measure indicating the number and percentage of high school
35.15 graduates in the most recent school year who successfully completed one or more
35.16 college-level advanced placement, international baccalaureate, postsecondary enrollment
35.17 options including concurrent enrollment, other rigorous courses of study under section
35.18 120B.021, subdivision 1a, or industry certification courses or programs.

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

35.23 (d) When reporting student performance under section 120B.36, subdivision 1, the
35.24 commissioner annually, beginning July 1, 2014, must report summary data on school safety
35.25 and students' engagement and connection at school, consistent with the student categories
35.26 identified under paragraph (a), clause (2). The summary data under this paragraph are
35.27 separate from and must not be used for any purpose related to measuring or evaluating the
35.28 performance of classroom teachers. The commissioner, in consultation with qualified experts
35.29 on student engagement and connection and classroom teachers, must identify highly reliable
35.30 variables that generate summary data under this paragraph. The summary data may be used
35.31 at school, district, and state levels only. Any data on individuals received, collected, or
35.32 created that are used to generate the summary data under this paragraph are nonpublic data
35.33 under section 13.02, subdivision 9.

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

36.6 (1) the four- and six-year graduation rates of students under this paragraph;

36.7 (2) the percent of students under this paragraph whose progress and performance levels
36.8 are meeting career and college readiness benchmarks under section 120B.30, subdivision
36.9 1; and

36.10 (3) the success that learning year program providers experience in:

36.11 (i) identifying at-risk and off-track student populations by grade;

36.12 (ii) providing successful prevention and intervention strategies for at-risk students;

36.13 (iii) providing successful recuperative and recovery or reenrollment strategies for off-track
36.14 students; and

36.15 (iv) improving the graduation outcomes of at-risk and off-track students.

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

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

36.25 (g) When reporting four- and six-year graduation rates, the commissioner or school
36.26 district must disaggregate the data by student categories according to paragraph (a), clause
36.27 (2).

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

37.1 Sec. 9. Minnesota Statutes 2018, section 120B.36, subdivision 1, is amended to read:

37.2 Subdivision 1. **School performance reports and public reporting.** (a) The commissioner
37.3 shall report:

37.4 (1) student academic performance data under section 120B.35, subdivisions 2 and 3;

37.5 ~~the percentages of students showing low, medium, and high growth under section~~
37.6 ~~120B.35, subdivision 3, paragraph (b)~~ (2) academic progress consistent with federal
37.7 expectations;

37.8 (3) school safety and student engagement and connection under section 120B.35,
37.9 subdivision 3, paragraph (d);

37.10 (4) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);

37.11 (5) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause
37.12 (2), whose progress and performance levels are meeting career and college readiness
37.13 benchmarks under sections 120B.30, subdivision 1, and 120B.35, subdivision 3, paragraph
37.14 (e);

37.15 (6) longitudinal data on the progress of eligible districts in reducing disparities in students'
37.16 academic achievement and realizing racial and economic integration under section 124D.861;

37.17 (7) the acquisition of English, and where practicable, native language academic literacy,
37.18 including oral academic language, and the academic progress of all English learners enrolled
37.19 in a Minnesota public school course or program who are currently or were previously counted
37.20 as English learners under section 124D.59;

37.21 (8) the percentage of students who graduated in the previous school year who correctly
37.22 answered at least 30 of 50 civics test questions in accordance with section 120B.02,
37.23 subdivision 3;

37.24 (9) two separate student-to-teacher ratios that clearly indicate the definition of teacher
37.25 consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;

37.26 (10) staff characteristics excluding salaries;

37.27 (11) student enrollment demographics;

37.28 (12) foster care status, including all students enrolled in a Minnesota public school course
37.29 or program who are currently or were previously in foster care, student homelessness, and
37.30 district mobility; and

37.31 (13) extracurricular activities.

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

38.4 (c) The commissioner shall develop, annually update, and post on the department website
 38.5 school performance reports consistent with paragraph (a) and section 120B.11.

38.6 (d) The commissioner must make available performance reports by the beginning of
 38.7 each school year.

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

38.11 (f) School performance data are nonpublic data under section 13.02, subdivision 9, until
 38.12 the commissioner publicly releases the data. The commissioner shall annually post school
 38.13 performance reports to the department's public website no later than September 1, except
 38.14 that in years when the reports reflect new performance standards, the commissioner shall
 38.15 post the school performance reports no later than October 1.

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

38.17 Sec. 10. **[121A.223] POSSESSION AND USE OF SUNSCREEN.**

38.18 A school district must allow a student to possess and apply a topical sunscreen product
 38.19 during the school day, while on school property, or at a school-sponsored event without a
 38.20 prescription, physician's note, or other documentation from a licensed health care
 38.21 professional. A school district may adopt a policy related to student possession and use of
 38.22 sunscreen consistent with this section. Nothing in this section requires school personnel to
 38.23 provide sunscreen or assist students in applying sunscreen.

38.24 Sec. 11. Minnesota Statutes 2018, section 123B.06, is amended to read:

38.25 **123B.06 EVALUATION OF PUPIL GROWTH AND PROGRESS; PERMANENT**
 38.26 **RECORDS.**

38.27 Each school district shall provide ~~a testing~~ an assessment program for the purpose of
 38.28 measuring pupil growth and for curriculum evaluation, as well as a system for grading and
 38.29 making reports to parents. Each district shall develop an appropriate program of pupil
 38.30 progress and promotion that may include competency-based education as described in
 38.31 section 120B.02, subdivision 1a, for its elementary, middle, and secondary schools. Each

39.1 district shall keep accurate and complete individual, permanent, cumulative personal records
39.2 for all pupils.

39.3 Sec. 12. Minnesota Statutes 2018, section 124D.09, subdivision 3, is amended to read:

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

39.6 (a) "Eligible institution" means a Minnesota public postsecondary institution, a private,
39.7 nonprofit two-year trade and technical school granting associate degrees, an opportunities
39.8 industrialization center accredited by ~~the North Central Association of Colleges and Schools~~
39.9 an accreditor recognized by the United States Department of Education, or a private,
39.10 residential, two-year or four-year, liberal arts, degree-granting college or university located
39.11 in Minnesota.

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

39.13 (c) "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under
39.14 subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by
39.15 a secondary teacher or a postsecondary faculty member, and are offered at a high school
39.16 for which the district is eligible to receive concurrent enrollment program aid under section
39.17 124D.091.

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

39.19 Sec. 13. Minnesota Statutes 2018, section 124D.09, subdivision 5b, is amended to read:

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

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

39.27 (2) the course is a world language course currently available to 11th and 12th grade
39.28 students, and consistent with section 120B.022 governing world language standards,
39.29 certificates, and seals; or

39.30 (3) the course is offered as part of a commissioner-approved P-TECH school under
39.31 section 124D.093.

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

40.2 Sec. 14. Minnesota Statutes 2018, section 124D.09, subdivision 8, is amended to read:

40.3 Subd. 8. **Limit on participation.** (a) A pupil who first enrolls in grade 9 may not enroll
 40.4 in postsecondary courses under this section for secondary credit for more than the equivalent
 40.5 of four academic years. A pupil who first enrolls in grade 10 may not enroll in postsecondary
 40.6 courses under this section for secondary credit for more than the equivalent of three academic
 40.7 years. A pupil who first enrolls in grade 11 may not enroll in postsecondary courses under
 40.8 this section for secondary credit for more than the equivalent of two academic years. A
 40.9 pupil who first enrolls in grade 12 may not enroll in postsecondary courses under this section
 40.10 for secondary credit for more than the equivalent of one academic year. If a pupil in grade
 40.11 9, 10, 11, or 12 first enrolls in a postsecondary course for secondary credit during the school
 40.12 year, the time of participation shall be reduced proportionately. If a pupil is in a learning
 40.13 year or other year-round program and begins each grade in the summer session, summer
 40.14 sessions shall not be counted against the time of participation. If a school district determines
 40.15 a pupil is not on track to graduate, the limit on participation does not apply to that pupil. A
 40.16 pupil who has graduated from high school cannot participate in a program under this section.

40.17 (b) A pupil who has completed course requirements for graduation but who has not
 40.18 received a diploma may participate in the program under this section.

40.19 (c) Subdivision 8, paragraph (a), does not apply to pupils enrolled in a P-TECH school
 40.20 under section 124D.093.

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

40.22 Sec. 15. Minnesota Statutes 2018, section 124D.09, subdivision 14, is amended to read:

40.23 Subd. 14. **Grants and financial aid prohibited.** A pupil enrolled in a postsecondary
 40.24 course for secondary credit is not eligible for any state student financial aid under chapter
 40.25 136A for that course.

40.26 **EFFECTIVE DATE.** This section is effective for fiscal year 2020 and later.

40.27 Sec. 16. Minnesota Statutes 2018, section 124D.091, subdivision 3, is amended to read:

40.28 Subd. 3. **Aid.** An eligible district shall receive \$150 per pupil enrolled in a concurrent
 40.29 enrollment course, including a P-TECH school under section 124D.093. The money must
 40.30 be used to defray the cost of delivering the course at the high school. The commissioner
 40.31 ~~shall~~ must establish application procedures and deadlines for receipt of aid payments.

41.1 **EFFECTIVE DATE.** This section is effective for fiscal year 2020 and later.

41.2 Sec. 17. **[124D.093] P-TECH SCHOOLS.**

41.3 Subdivision 1. **Establishment.** (a) P-TECH schools are established as a public-private
41.4 partnership that will prepare students for high-skill jobs of the future in identified growth
41.5 industries.

41.6 (b) The P-TECH school model must deliver five core benefits to students:

41.7 (1) a rigorous, relevant, and cost-free education in grades 9 to 14, inclusive, focused on
41.8 knowledge and skills that students need for science, technology, engineering, and
41.9 mathematics (STEM) careers;

41.10 (2) workplace learning that includes mentoring by industry professionals, worksite visits,
41.11 speakers, and internships;

41.12 (3) intensive, individualized academic support by both secondary and postsecondary
41.13 faculty within an academic year or school day that enables students to progress through the
41.14 program at their own pace;

41.15 (4) an opportunity to earn an associate's degree; and

41.16 (5) a commitment to students who complete the program to be first in line for a job with
41.17 participating business partners following completion of the program.

41.18 Subd. 2. **Objectives.** (a) P-TECH schools must accomplish the following:

41.19 (1) develop programs of study in high-wage, high-skill, and high-demand career areas;

41.20 (2) align school, college, and community systems in the programs of study developed
41.21 under this section;

41.22 (3) support strong academic performance by program participants;

41.23 (4) promote informed and appropriate career choices and preparation; and

41.24 (5) ensure that employers in key technical fields have access to a talented and skilled
41.25 workforce.

41.26 (b) Through the programs of study developed under this section, participating students
41.27 must be able to earn college course credit toward an associate's degree. Career pathways
41.28 will begin in grade 9 and must include workplace learning, high school, and postsecondary
41.29 coursework. These pathways will provide a seamless sequence of study, extending through
41.30 two years of postsecondary career and technical education, and culminating in an associate's
41.31 degree.

42.1 Subd. 3. **Application process.** The commissioner must determine the form and manner
42.2 of application for a school to be designated a P-TECH school. The application must contain
42.3 at least the following information:

42.4 (1) the written agreement between a public school, a higher education institution under
42.5 section 124D.09, subdivision 3, paragraph (a), and a business partner to jointly develop and
42.6 support a P-TECH school;

42.7 (2) a proposed school design consistent with subdivisions 1 and 2;

42.8 (3) a description of how the P-TECH school supports the needs of the economic
42.9 development region in which the P-TECH school is to be located;

42.10 (4) a description of the facilities to be used by the P-TECH school;

42.11 (5) a description of proposed budgets, curriculum, transportation plans, and other
42.12 operating procedures for the P-TECH school;

42.13 (6) the process by which students will be enrolled in the P-TECH school;

42.14 (7) the qualifications required for individuals employed in the P-TECH school; and

42.15 (8) any additional information that the commissioner requires.

42.16 Subd. 4. **Approval process.** (a) The commissioner of education must appoint an advisory
42.17 committee to review the applications and to recommend approval for those applications
42.18 that meet the requirements of this section. The commissioner of education has final authority
42.19 over application approvals.

42.20 (b) The commissioner may approve one P-TECH school per economic development
42.21 region.

42.22 (c) The commissioner must first begin approving applications for a P-TECH school
42.23 enrolling students in the 2020-2021 school year or later.

42.24 Subd. 5. **P-TECH support grants.** When an appropriation is available, each P-TECH
42.25 school is eligible for a grant to support start-up and ongoing program costs, which may
42.26 include, but are not limited to, recruitment, student support, program materials, and P-TECH
42.27 school liaisons. An approved P-TECH school is eligible to receive a grant to support start-up
42.28 costs the year before first enrolling P-TECH students.

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

43.1 Sec. 18. Minnesota Statutes 2018, section 124D.12, is amended to read:

43.2 **124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.**

43.3 Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use
 43.4 of flexible learning year programs. It is anticipated that the open selection of the type of
 43.5 flexible learning year operation from a variety of alternatives will allow each district seeking
 43.6 to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives
 43.7 must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester
 43.8 plans, extended learning year plans, and flexible all-year plans. ~~A school district with an
 43.9 approved four-day week plan in the 2014-2015 school year may continue under a four-day
 43.10 week plan through the end of the 2019-2020 school year. Future approvals are contingent
 43.11 upon meeting the school district's performance goals established in the district's plan under
 43.12 section 120B.11. The commissioner must give a school district one school year's notice
 43.13 before revoking approval of its flexible learning year program.~~

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

43.15 Sec. 19. Minnesota Statutes 2018, section 124D.121, is amended to read:

43.16 **124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.**

43.17 "Flexible learning year program" means any district plan approved by the ~~commissioner~~
 43.18 school board that utilizes buildings and facilities during the entire year or that provides
 43.19 forms of optional scheduling of pupils and personnel during the learning year in elementary
 43.20 and secondary schools or residential facilities for children with a disability.

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

43.22 Sec. 20. Minnesota Statutes 2018, section 124D.122, is amended to read:

43.23 **124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.**

43.24 The board of any district or a consortium of districts, ~~with the approval of the~~
 43.25 ~~commissioner~~, may establish and operate a flexible learning year program in one or more
 43.26 of the day or residential facilities for children with a disability within the district. Consortiums
 43.27 may use a single ~~application and~~ evaluation process, though results, public hearings, and
 43.28 board approvals must be obtained for each district as required under appropriate sections.
 43.29 ~~The commissioner must approve or disapprove of a flexible learning year application within~~
 43.30 ~~45 business days of receiving the application. If the commissioner disapproves the~~
 43.31 ~~application, the commissioner must give the district or consortium detailed reasons for the~~
 43.32 ~~disapproval.~~

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

44.2 Sec. 21. Minnesota Statutes 2018, section 124D.126, subdivision 1, is amended to read:

44.3 Subdivision 1. **Powers and duties.** The commissioner must:

44.4 ~~(1) promulgate rules necessary to the operation of sections 124D.12 to 124D.127;~~

44.5 ~~(2) cooperate with and provide supervision of flexible learning year programs to~~

44.6 ~~determine compliance with the provisions of sections 124D.12 to 124D.127, the~~

44.7 ~~commissioner's standards and qualifications, and the proposed program as submitted and~~

44.8 ~~approved;~~

44.9 ~~(3)~~ provide any necessary adjustments of (a) attendance and membership computations

44.10 and (b) the dates and percentages of apportionment of state aids; and

44.11 ~~(4)~~ (2) consistent with the definition of "average daily membership" in section 126C.05,

44.12 subdivision 8, furnish the board of a district implementing a flexible learning year program

44.13 with a formula for computing average daily membership. This formula must be computed

44.14 so that tax levies to be made by the district, state aids to be received by the district, and any

44.15 and all other formulas based upon average daily membership are not affected solely as a

44.16 result of adopting this plan of instruction.

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

44.18 Sec. 22. Minnesota Statutes 2018, section 124D.127, is amended to read:

44.19 **124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.**

44.20 The board of any district, ~~with the approval of the commissioner of education,~~ may

44.21 terminate a flexible learning year program in one or more of the day or residential facilities

44.22 for children with a disability within the district. This section shall not be construed to permit

44.23 an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

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

44.25 Sec. 23. Minnesota Statutes 2018, section 124D.34, subdivision 2, is amended to read:

44.26 Subd. 2. **Creation of foundation.** There is created the Minnesota Foundation for Student

44.27 Organizations. The purpose of the foundation is to promote ~~vocational~~ career and technical

44.28 student organizations and applied leadership opportunities in Minnesota public and nonpublic

44.29 schools through public-private partnerships. The foundation is a nonprofit organization.

45.1 The board of directors of the foundation and activities of the foundation are under the
45.2 direction of the commissioner of education.

45.3 Sec. 24. Minnesota Statutes 2018, section 124D.34, subdivision 3, is amended to read:

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

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

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

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

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

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

45.25 Sec. 25. Minnesota Statutes 2018, section 124D.34, subdivision 4, is amended to read:

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

45.29 (1) recognition programs and awards for students demonstrating excellence in applied
45.30 leadership;

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

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

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

46.6 (5) organized challenges requiring cooperation and competition for secondary and
46.7 postsecondary students;

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

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

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

46.13 Sec. 26. Minnesota Statutes 2018, section 124D.34, subdivision 5, is amended to read:

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

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

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

46.19 (3) seek and receive public and private money, grants, and in-kind services and goods
46.20 from nonstate sources for the purposes of the foundation, without complying with section
46.21 16A.013, subdivision 1;

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

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

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

46.27 Sec. 27. Minnesota Statutes 2018, section 124D.34, subdivision 8, is amended to read:

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

47.1 Sec. 28. Minnesota Statutes 2018, section 124D.34, subdivision 12, is amended to read:

47.2 Subd. 12. **Student organizations.** Individual boards of ~~vocational~~ career and technical
47.3 education student organizations shall continue their operations in accordance with section
47.4 124D.355 and applicable federal law.

47.5 Sec. 29. Minnesota Statutes 2018, section 124D.78, subdivision 2, is amended to read:

47.6 Subd. 2. **Resolution of concurrence.** Prior to March 1, the school board or American
47.7 Indian school must submit to the department a copy of a resolution adopted by the American
47.8 Indian education parent advisory committee. The copy must be signed by the chair of the
47.9 committee and must state whether the committee concurs with the educational programs
47.10 for American Indian students offered by the school board or American Indian school. If the
47.11 committee does not concur with the educational programs, the reasons for nonconcurrence
47.12 and recommendations shall be submitted directly to the school board with the resolution.
47.13 By resolution, the board must respond in writing within 60 days, in cases of nonconcurrence,
47.14 to each recommendation made by the committee and state its reasons for not implementing
47.15 the recommendations.

47.16 Sec. 30. Minnesota Statutes 2018, section 124D.862, subdivision 1, is amended to read:

47.17 Subdivision 1. **Initial achievement and integration revenue.** (a) An eligible district's
47.18 initial achievement and integration revenue equals the lesser of 100.3 percent of the district's
47.19 expenditures under the budget approved by the commissioner under section 124D.861,
47.20 subdivision 3, paragraph (c), excluding expenditures used to generate incentive revenue
47.21 under subdivision 2, or the sum of (1) \$350 times the district's adjusted pupil units for that
47.22 year times the ratio of the district's enrollment of protected students for the previous school
47.23 year to total enrollment for the previous school year and (2) the greater of zero or 66 percent
47.24 of the difference between the district's integration revenue for fiscal year 2013 and the
47.25 district's integration revenue for fiscal year 2014 under clause (1).

47.26 (b) In each year, an amount equal to 0.3 percent of each district's initial achievement
47.27 and integration revenue for the second prior fiscal year is transferred to the department for
47.28 the oversight and accountability activities required under this section and section 124D.861.

47.29 Sec. 31. Minnesota Statutes 2018, section 124D.98, is amended by adding a subdivision
47.30 to read:

47.31 Subd. 4. **Medium and high growth.** (a) The definitions in this subdivision apply to this
47.32 section.

48.1 (b) "Medium growth" is an assessment score within one-half standard deviation above
 48.2 or below the average year-two assessment scores for students with similar year-one
 48.3 assessment scores.

48.4 (c) "High growth" is an assessment score one-half standard deviation or more above the
 48.5 average year-two assessment scores for students with similar year-one assessment scores.

48.6 Sec. 32. Laws 2016, chapter 189, article 25, section 62, subdivision 15, is amended to
 48.7 read:

48.8 Subd. 15. **Certificate incentive funding.** (a) For the certificate incentive program:

48.9 ~~1,000,000~~
 48.10 \$ 139,000 2017

48.11 (b) This is a onetime appropriation. This appropriation is available until June 30, 2019.
 48.12 \$861,000 of the initial fiscal year 2017 appropriation is canceled to the general fund on June
 48.13 29, 2019.

48.14 Sec. 33. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 14,
 48.15 is amended to read:

48.16 Subd. 14. **Singing-based pilot program to improve student reading.** (a) For a grant
 48.17 to pilot a research-supported, computer-based educational program that uses singing to
 48.18 improve the reading ability of students in grades 2 through 5:

48.19 \$ ~~500,000~~ 270,000 2018
 48.20 \$ 0 2019

48.21 (b) The commissioner of education shall award a grant to the Rock 'n' Read Project to
 48.22 implement a research-supported, computer-based educational program that uses singing to
 48.23 improve the reading ability of students in grades 2 through 5. The grantee shall be responsible
 48.24 for selecting participating school sites; providing any required hardware and software,
 48.25 including software licenses, for the duration of the grant period; providing technical support,
 48.26 training, and staff to install required project hardware and software; providing on-site
 48.27 professional development and instructional monitoring and support for school staff and
 48.28 students; administering preintervention and postintervention reading assessments; evaluating
 48.29 the impact of the intervention; and other project management services as required. To the
 48.30 extent practicable, the grantee must select participating schools in urban, suburban, and
 48.31 greater Minnesota, and give priority to schools in which a high proportion of students do
 48.32 not read proficiently at grade level and are eligible for free or reduced-price lunch.

49.1 (c) By February 15, 2019, the grantee must submit a report detailing expenditures and
49.2 outcomes of the grant to the commissioner of education and the chairs and ranking minority
49.3 members of the legislative committees with primary jurisdiction over kindergarten through
49.4 grade 12 education policy and finance.

49.5 (d) This is a onetime appropriation. \$230,000 of the initial fiscal year 2018 appropriation
49.6 is canceled to the general fund on June 30, 2019.

49.7 Sec. 34. **COLLABORATIVE SUMMER INTENSIVE PROGRAM.**

49.8 An intensive summer school program for students in grades 5 through 8 is established
49.9 in six school districts. The school districts of Ely, Independent School District No. 696; St.
49.10 Louis County, Independent School District No. 2142; Mesabi East, Independent School
49.11 District No. 2711; Mountain Iron-Buhl, Independent School District No. 712; Chisholm,
49.12 Independent School District No. 695; and Hibbing, Independent School District No. 701;
49.13 must collaborate to provide a summer school program that includes vocational, academic,
49.14 fine arts, and recreational programming in each of the school districts over a three-week
49.15 period spread throughout the summer, as long as appropriated grant funds are available.

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

49.17 Sec. 35. **CURSIVE HANDWRITING.**

49.18 As part of the English language arts standards review during the 2019-2020 school year,
49.19 the commissioner of education must develop an elementary English language arts model
49.20 curriculum that is designed to enable students to develop legible cursive handwriting skills
49.21 by the end of grade 5. The commissioner must include instructional materials in the model
49.22 curriculum.

49.23 Sec. 36. **MINNESOTA READS ACTION COUNCIL.**

49.24 Subdivision 1. **Establishment.** The commissioner of education may establish the
49.25 Minnesota Reads action council.

49.26 Subd. 2. **Membership.** The Minnesota Reads action council must consist of 26 public
49.27 members.

49.28 Subd. 3. **Public members.** (a) The commissioner must appoint, in the manner provided
49.29 in Minnesota Statutes, section 15.0597, 26 public members, including the following:

49.30 (1) two early childhood teachers;

49.31 (2) three reading specialists;

- 50.1 (3) two adult basic education literacy teachers;
- 50.2 (4) one licensed school media specialist;
- 50.3 (5) one school board member;
- 50.4 (6) one member representing public libraries;
- 50.5 (7) two literacy researchers;
- 50.6 (8) one member representing Minnesota teacher preparation programs;
- 50.7 (9) one member representing the Minnesota Parent Teacher Association;
- 50.8 (10) one member representing public health;
- 50.9 (11) one member representing Decoding Dyslexia;
- 50.10 (12) two school administrators;
- 50.11 (13) two parents or guardians of elementary-aged children;
- 50.12 (14) two students;
- 50.13 (15) one member representing the Minnesota Literacy Council;
- 50.14 (16) one member representing Minnesota Reading Corps; and
- 50.15 (17) two members representing Minnesota businesses.
- 50.16 (b) Council membership must include, where possible, representation that is racially,
- 50.17 culturally, linguistically, geographically, and economically diverse.
- 50.18 (c) The first appointments must be made by August 15, 2019.
- 50.19 Subd. 4. **Term.** Members of the council must serve until the council's expiration.
- 50.20 Subd. 5. **Administration.** The commissioner or the commissioner's designee must
- 50.21 provide meeting space and administrative services for the council. The Department of
- 50.22 Education dyslexia specialist must provide technical assistance to the action council on
- 50.23 request. The commissioner or the commissioner's designee must convene the first meeting
- 50.24 of the council no later than September 15, 2019.
- 50.25 Subd. 6. **Chairs.** At the council's first meeting, the members must elect a chair and a
- 50.26 vice-chair whose duties shall be established by the council. The council's chair must be a
- 50.27 member with substantial professional and academic expertise in literacy pedagogy or
- 50.28 research.
- 50.29 Subd. 7. **Meeting.** The council must meet periodically.

51.1 Subd. 8. **No compensation; expenses.** Public members of the council serve without
51.2 compensation but are eligible for reimbursement for expenses consistent with Minnesota
51.3 Statutes, section 15.059, subdivision 6.

51.4 Subd. 9. **Duties.** The council must consult with and advise the commissioner on matters
51.5 related to the development, implementation, and evaluation of programs designed to increase
51.6 the reading proficiency of children and adults, including early childhood programs, programs
51.7 for school-age children, and programs for adult learners. The council must advise the
51.8 commissioner on strategies to (1) meet or exceed a 90 percent rate of reading proficiency
51.9 on the Minnesota Comprehensive Assessments no later than 2025, and (2) meet the
51.10 legislature's goal of every student reading at or above grade level no later than the end of
51.11 grade 3 under Minnesota Statutes, section 120B.12.

51.12 Subd. 10. **Report.** (a) By February 15, 2020, the council must submit to the chairs and
51.13 ranking minority members of the committees of the senate and the house of representatives
51.14 with primary jurisdiction over prekindergarten through grade 12 education a report
51.15 containing:

51.16 (1) the council's rigorous assessment of the state's literacy programs for children and
51.17 adults;

51.18 (2) the council's rigorous assessment of the state's literacy outcomes for children and
51.19 adults;

51.20 (3) recommendations for legislative action, with draft legislation to implement the
51.21 recommendations; and

51.22 (4) a plan for a strategic statewide campaign to eliminate child and adult illiteracy.

51.23 (b) The Department of Education must publish the report on the department's website.

51.24 Subd. 11. **Agency coordination.** The council must consult with other state agencies and
51.25 organizations with an interest in child and adult literacy and advise the commissioner on
51.26 strategies to better coordinate state literacy programs and resources.

51.27 Subd. 12. **Open meetings.** The council is subject to the requirements of Minnesota
51.28 Statutes, chapter 13D.

51.29 Subd. 13. **Expiration.** The council expires on February 16, 2020.

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

52.1 **Sec. 37. REPORT ON THE SAFETY OF YOUTH IN SKILLED TRADES.**

52.2 The commissioner of labor and industry must study ways to allow for the safety of
 52.3 middle and high school aged students who receive hands-on training in skilled trades,
 52.4 including on location at construction sites. The report must identify safety precautions that
 52.5 should be undertaken, including proposed legislation, if any. The commissioner must report
 52.6 to the chairs and ranking minority members of legislative committees with jurisdiction over
 52.7 labor and industry and kindergarten through grade 12 by January 15, 2020.

52.8 **Sec. 38. APPROPRIATIONS.**

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

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

52.14 \$ 80,201,000 2020

52.15 \$ 83,003,000 2021

52.16 The 2020 appropriation includes \$7,059,000 for 2019 and \$73,142,000 for 2020.

52.17 The 2021 appropriation includes \$8,091,000 for 2020 and \$74,912,000 for 2021.

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

52.20 \$ 45,304,000 2020

52.21 \$ 45,442,000 2021

52.22 The 2020 appropriation includes \$4,582,000 for 2019 and \$40,722,000 for 2020.

52.23 The 2021 appropriation includes \$4,524,000 for 2020 and \$40,918,000 for 2021.

52.24 Subd. 4. **Interdistrict desegregation or integration transportation grants.** For
 52.25 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
 52.26 section 124D.87:

52.27 \$ 13,874,000 2020

52.28 \$ 14,589,000 2021

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

53.1 \$ 1,825,000 2020

53.2 \$ 1,779,000 2021

53.3 The 2020 appropriation includes \$299,000 for 2019 and \$1,526,000 for 2020.

53.4 The 2021 appropriation includes \$169,000 for 2020 and \$1,610,000 for 2021.

53.5 Subd. 6. **American Indian education aid.** For American Indian education aid under

53.6 Minnesota Statutes, section 124D.81, subdivision 2a:

53.7 \$ 9,515,000 2020

53.8 \$ 9,673,000 2021

53.9 The 2020 appropriation includes \$960,000 for 2019 and \$8,555,000 for 2020.

53.10 The 2021 appropriation includes \$950,000 for 2020 and \$8,723,000 for 2021.

53.11 Subd. 7. **Early childhood literacy programs.** (a) For early childhood literacy programs

53.12 under Minnesota Statutes, section 119A.50, subdivision 3:

53.13 \$ 7,950,000 2020

53.14 \$ 7,950,000 2021

53.15 (b) Up to \$7,950,000 each year is for leveraging federal and private funding to support

53.16 AmeriCorps members serving in the Minnesota reading corps program established by

53.17 ServeMinnesota, including costs associated with training and teaching early literacy skills

53.18 to children ages three through grade 3 and evaluating the impact of the program under

53.19 Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

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

53.21 (d) The base for fiscal year 2022 is \$8,100,000.

53.22 Subd. 8. **Concurrent enrollment program.** (a) For concurrent enrollment programs

53.23 under Minnesota Statutes, section 124D.091:

53.24 \$ 4,000,000 2020

53.25 \$ 4,000,000 2021

53.26 (b) If the appropriation is insufficient, the commissioner must proportionately reduce

53.27 the aid payment to each district.

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

53.29 Subd. 9. **ServeMinnesota program.** (a) For funding ServeMinnesota programs under

53.30 Minnesota Statutes, sections 124D.37 to 124D.45:

54.1 \$ 900,000 2020

54.2 \$ 900,000 2021

54.3 (b) A grantee organization may provide health and child care coverage to the dependents
54.4 of each participant enrolled in a full-time ServeMinnesota program to the extent such
54.5 coverage is not otherwise available.

54.6 Subd. 10. **Student organizations.** (a) For student organizations:

54.7 \$ 768,000 2020

54.8 \$ 768,000 2021

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

54.10 (c) \$100,000 each year is for student organizations serving trade and industry occupations
54.11 (Skills USA, secondary and postsecondary).

54.12 (d) \$95,000 each year is for student organizations serving business occupations (BPA,
54.13 secondary and postsecondary).

54.14 (e) \$193,000 each year is for student organizations serving agriculture occupations (FFA,
54.15 PAS).

54.16 (f) \$185,000 each year is for student organizations serving family and consumer science
54.17 occupations (FCCLA). Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and
54.18 31, the student organizations serving FCCLA shall continue to serve students younger than
54.19 grade 9.

54.20 (g) \$109,000 each year is for student organizations serving marketing occupations (DECA
54.21 and DECA collegiate).

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

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

54.24 Subd. 11. **Museums and education centers.** (a) For grants to museums and education
54.25 centers:

54.26 \$ 491,000 2020

54.27 \$ 491,000 2021

54.28 (b) \$319,000 each year is for the Minnesota Children's Museum. Of the amount in this
54.29 paragraph, \$50,000 each year is for the Minnesota Children's Museum, Rochester.

54.30 (c) \$50,000 each year is for the Duluth Children's Museum.

54.31 (d) \$41,000 each year is for the Minnesota Academy of Science.

55.1 (e) \$50,000 each year is for the Headwaters Science Center.

55.2 (f) \$31,000 in fiscal years 2020 and 2021 only is for the Judy Garland Museum for the
55.3 Children's Discovery Museum of Grand Rapids.

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

55.5 (h) The base for fiscal year 2022 is \$460,000.

55.6 Subd. 12. **Recovery program grants.** For recovery program grants under Minnesota
55.7 Statutes, section 124D.695:

55.8 \$ 750,000 2020

55.9 \$ 750,000 2021

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

55.11 Subd. 13. **Minnesota math corps program.** (a) For the Minnesota math corps program
55.12 under Minnesota Statutes, section 124D.42, subdivision 9:

55.13 \$ 500,000 2020

55.14 \$ 500,000 2021

55.15 (b) The base for fiscal year 2022 is \$650,000. Any balance in the first year does not
55.16 cancel but is available in the second year.

55.17 Subd. 14. **Minnesota Principals Academy.** (a) For grants to the University of Minnesota
55.18 College of Education and Human Development for the operation of the Minnesota Principals
55.19 Academy:

55.20 \$ 200,000 2020

55.21 \$ 200,000 2021

55.22 (b) Of these amounts, \$50,000 must be used to pay the costs of attendance for principals
55.23 and school leaders from schools identified for intervention under the state's accountability
55.24 system as implemented to comply with the federal Every Student Succeeds Act. To the
55.25 extent funds are available, the Department of Education is encouraged to use up to \$200,000
55.26 of federal Title II funds to support additional participation in the Principals Academy by
55.27 principals and school leaders from schools identified for intervention under the state's
55.28 accountability system as implemented to comply with the federal Every Student Succeeds
55.29 Act.

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

55.31 Subd. 15. **Charter school building lease aid.** For building lease aid under Minnesota
55.32 Statutes, section 124E.22:

56.1 \$ 85,279,000 2020

56.2 \$ 90,843,000 2021

56.3 The 2020 appropriation includes \$8,021,000 for 2019 and \$77,258,000 for 2020.

56.4 The 2021 appropriation includes \$8,584,000 for 2020 and \$82,259,000 for 2021.

56.5 Subd. 16. **Statewide testing and reporting system.** For the statewide testing and
56.6 reporting system under Minnesota Statutes, section 120B.30:

56.7 \$ 10,892,000 2020

56.8 \$ 10,892,000 2021

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

56.10 Subd. 17. **College entrance examination reimbursement.** To reimburse districts for
56.11 students who qualify under Minnesota Statutes, section 120B.30, subdivision 1, paragraph
56.12 (e), for payment of their college entrance examination fee:

56.13 \$ 1,511,000 2020

56.14 \$ 1,511,000 2021

56.15 The commissioner must reimburse school districts for the costs for free or reduced-price
56.16 meal eligible students who take the ACT or SAT test under Minnesota Statutes, section
56.17 120B.30, subdivision 1.

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

56.19 Subd. 18. **Examination fees; teacher training and support programs.** (a) For students'
56.20 advanced placement and international baccalaureate examination fees under Minnesota
56.21 Statutes, section 120B.13, subdivision 3, and the training and related costs for teachers and
56.22 other interested educators under Minnesota Statutes, section 120B.13, subdivision 1:

56.23 \$ 4,500,000 2020

56.24 \$ 4,500,000 2021

56.25 (b) The advanced placement program shall receive 75 percent of the appropriation each
56.26 year and the international baccalaureate program shall receive 25 percent of the appropriation
56.27 each year. The department, in consultation with representatives of the advanced placement
56.28 and international baccalaureate programs selected by the Advanced Placement Advisory
56.29 Council and International Baccalaureate Minnesota, respectively, shall determine the amounts
56.30 of the expenditures each year for examination fees and training and support programs for
56.31 each program.

57.1 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000
 57.2 each year is for teachers to attend subject matter summer training programs and follow-up
 57.3 support workshops approved by the advanced placement or international baccalaureate
 57.4 programs. The amount of the subsidy for each teacher attending an advanced placement or
 57.5 international baccalaureate summer training program or workshop shall be the same. The
 57.6 commissioner shall determine the payment process and the amount of the subsidy.

57.7 (d) The commissioner shall pay all examination fees for all students of low-income
 57.8 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of
 57.9 available appropriations, shall also pay examination fees for students sitting for an advanced
 57.10 placement examination, international baccalaureate examination, or both.

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

57.12 Subd. 19. **Grants to increase science, technology, engineering, and math course**
 57.13 **offerings.** (a) For grants to schools to encourage low-income and other underserved students
 57.14 to participate in advanced placement and international baccalaureate programs according
 57.15 to Minnesota Statutes, section 120B.132:

57.16 \$ 250,000 2020

57.17 \$ 250,000 2021

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

57.19 Subd. 20. **Rural career and technical education consortium.** (a) For rural career and
 57.20 technical education consortium grants:

57.21 \$ 3,000,000 2020

57.22 \$ 3,000,000 2021

57.23 (b) If the appropriation in the first year is insufficient, the 2021 appropriation is available.

57.24 (c) The base for fiscal year 2022 is \$0.

57.25 Subd. 21. **Online access to music education.** (a) For a grant to the MacPhail Center for
 57.26 Music to broaden access to music education in rural Minnesota:

57.27 \$ 100,000 2020

57.28 \$ 100,000 2021

57.29 (b) The MacPhail Center must use the grants received under paragraph (a) to broaden
 57.30 access to music education in rural Minnesota. The program must supplement and enhance
 57.31 an existing program and may provide individual instruction, sectional ensembles, other
 57.32 group activities, workshops, and early childhood music activities. The MacPhail Center
 57.33 must design its program in consultation with music educators who teach in rural Minnesota.

58.1 The grant may be used by the MacPhail Center for costs related to delivering online access
 58.2 to music education including employee costs, program evaluation, and technology expenses.

58.3 (c) Upon request from a school's music educator, the MacPhail Center may enter into
 58.4 an agreement with the school to provide a program according to paragraph (b). In an early
 58.5 childhood setting, the MacPhail Center may provide a program upon a request initiated by
 58.6 an early childhood educator.

58.7 (d) By January 15 of each year, the MacPhail Center must prepare and submit a report
 58.8 to the legislature describing the online programs offered, program outcomes, the students
 58.9 served, an estimate of the unmet need for music education, and for calendar years 2020 and
 58.10 later, a detailed list of expenditures for the previous year.

58.11 (e) The base in fiscal year 2024 is zero.

58.12 Subd. 22. **ServeMinnesota programs at tribal contract and grant schools.** (a) For
 58.13 grants to ServeMinnesota to enhance reading and math corps programming at American
 58.14 Indian-controlled tribal contract and grant schools eligible for aid under Minnesota Statutes,
 58.15 section 124D.83:

58.16 \$ 208,000 2020

58.17 \$ 208,000 2021

58.18 (b) Any balance in the first year does not cancel, but is available in the second year. The
 58.19 base in fiscal year 2022 is zero.

58.20 Subd. 23. **Educational stability for students living in foster care.** For a pilot project
 58.21 to promote educational stability for students living in foster care under Laws 2017, First
 58.22 Special Session chapter 5, article 2, section 54:

58.23 \$ 1,000,000 2020

58.24 \$ 0 2021

58.25 Up to five percent of the appropriation may be used for state and local administrative costs
 58.26 such as reporting, technical support, and establishing a title IV-E reimbursement claiming
 58.27 process. This is a onetime appropriation and is available until June 30, 2021.

58.28 Subd. 24. **P-TECH schools.** (a) For P-TECH support grants under Minnesota Statutes,
 58.29 section 124D.093, subdivision 5:

58.30 \$ 1,500,000 2020

58.31 \$ 1,500,000 2021

58.32 (b) Grants must not exceed \$500,000 per P-TECH school, per fiscal year.

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

59.2 Subd. 25. **Sanneh Foundation.** (a) For a grant to the Sanneh Foundation:

59.3 \$ 1,000,000 2020

59.4 \$ 1,000,000 2021

59.5 (b) The grant must be used for programs for low-performing and chronically absent
 59.6 students with a focus on low-income students and students of color. The goals of the grants
 59.7 include decreasing absenteeism, encouraging school engagement, improving grades, and
 59.8 improving graduation rates. The grants may be used to:

59.9 (1) provide all-day, in-school academic and behavioral interventions and social and
 59.10 emotional learning throughout the school year;

59.11 (2) provide year-round, out-of-school behavioral, social, and emotional learning
 59.12 interventions and enrichment activities;

59.13 (3) enhance career exploration opportunities, including exposure to businesses and
 59.14 business activities; and

59.15 (4) develop pathways in cooperation with business higher education partners for
 59.16 participants to pursue careers in education and youth development.

59.17 (c) The base for fiscal year 2022 is \$0.

59.18 Subd. 26. **Collaborative summer intensive program.** (a) For the collaborative summer
 59.19 intensive program:

59.20 \$ 802,000 2020

59.21 (b) The six collaborating school districts must provide matching funds equal to the grant
 59.22 amount. The matching funds may be in cash or in-kind contributions.

59.23 (c) This is a onetime appropriation and is available until June 30, 2021.

59.24 Subd. 27. **Vocational enrichment grant.** (a) For a vocational enrichment grant to
 59.25 Independent School District No. 252, Fairmont:

59.26 \$ 25,000 2020

59.27 (b) The grant must be used for a vocational enrichment program that operates outside
 59.28 of the regular school day, including over weekends or the summer, to provide instruction
 59.29 in vocational courses, including courses in welding and construction trades.

59.30 (c) This is a onetime appropriation and is available until June 30, 2021.

60.1 Subd. 28. **Race 2 Reduce.** (a) For grants to support Race 2 Reduce water conservation
 60.2 programming in Minnesota schools:

60.3 \$ 50,000 2020

60.4 \$ 50,000 2021

60.5 (b) In each fiscal year, \$10,000 is for H2O for Life to provide project management and
 60.6 support, Minnesota GreenCorps member hosting, curriculum development and classroom
 60.7 instruction assistance, school outreach, and community volunteer training.

60.8 (c) In each fiscal year, \$30,000 is for Independent School District No. 624, White Bear
 60.9 Lake, for Race 2 Reduce curriculum development, teacher in-service training, service
 60.10 learning activities, and community public awareness events.

60.11 (d) In each fiscal year, \$10,000 is for competitive grants to schools to implement the
 60.12 water conservation curriculum and co-develop the central platform. Minnesota school
 60.13 districts or charter schools may apply to the commissioner in the form and manner determined
 60.14 by the commissioner.

60.15 (e) The base in fiscal year 2022 is zero.

60.16 Sec. 39. **REPEALER.**

60.17 (a) Minnesota Statutes 2018, section 120B.299, is repealed.

60.18 (b) Minnesota Rules, part 3500.1000, is repealed.

60.19 (c) Laws 2016, chapter 189, article 25, section 62, subdivision 16, is repealed.

60.20 (d) Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 15, is
 60.21 repealed.

60.22 **EFFECTIVE DATE.** Paragraphs (b), (c), and (d) are effective the day following final
 60.23 enactment.

60.24 **ARTICLE 3**

60.25 **TEACHERS**

60.26 Section 1. **[122A.051] CODE OF ETHICS.**

60.27 Subdivision 1. **Scope.** Each teacher, upon entering the teaching profession, assumes a
 60.28 number of obligations, one of which is to adhere to a set of principles that defines professional
 60.29 conduct. These principles are reflected in the code of ethics, which sets forth to the education
 60.30 profession and the public it serves standards of professional conduct. This code applies to

61.1 all persons licensed according to rules established by the Professional Educator Licensing
61.2 and Standards Board.

61.3 Subd. 2. **Standards of professional conduct.** (a) A teacher must provide professional
61.4 education services in a nondiscriminatory manner, including not discriminating on the basis
61.5 of political, ideological, or religious beliefs.

61.6 (b) A teacher must make a reasonable effort to protect students from conditions harmful
61.7 to health and safety.

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

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

61.13 (e) A teacher must not use professional relationships with students, parents, and
61.14 colleagues to personal advantage.

61.15 (f) A teacher must delegate authority for teaching responsibilities only to licensed
61.16 personnel or as otherwise provided by law.

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

61.18 (h) A teacher must not knowingly falsify or misrepresent records or facts relating to that
61.19 teacher's own qualifications or to other teachers' qualifications.

61.20 (i) A teacher must not knowingly make false or malicious statements about students or
61.21 colleagues.

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

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

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

61.26 Sec. 2. Minnesota Statutes 2018, section 122A.07, is amended by adding a subdivision to
61.27 read:

61.28 Subd. 6. **Public employer compensation reduction prohibited.** The public employer
61.29 of a member shall not reduce the member's compensation or benefits because of the member's
61.30 absence from employment when engaging in the business of the board.

62.1 Sec. 3. Minnesota Statutes 2018, section 122A.09, subdivision 2, is amended to read:

62.2 Subd. 2. **Advise members of profession.** (a) The Professional Educator Licensing and
 62.3 Standards Board must act in an advisory capacity to members of the profession in matters
 62.4 of interpretation of the code of ethics in section 122A.051.

62.5 (b) The board must develop a process for a school district or charter school to receive
 62.6 a written complaint about a teacher under the code of ethics and forward the complaint to
 62.7 the board. A school board must inform parents and guardians of students in the school
 62.8 district or charter school of their ability to submit a complaint to the school board under
 62.9 this section.

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

62.11 Sec. 4. Minnesota Statutes 2018, section 122A.092, subdivision 5, is amended to read:

62.12 Subd. 5. **Reading strategies.** ~~(a) All colleges and universities~~ A teacher preparation
 62.13 program approved by the Professional Educator Licensing and Standards Board to prepare
 62.14 persons for classroom teacher licensure must include in their teacher preparation programs
 62.15 research-based best practices in reading, consistent with section 122A.06, subdivision 4,
 62.16 that enables the licensure candidate to teach reading in the candidate's content areas. Teacher
 62.17 candidates must be instructed in using students' native languages as a resource in creating
 62.18 effective differentiated instructional strategies for English learners developing literacy skills.
 62.19 These colleges and universities also must prepare early childhood and elementary teacher
 62.20 candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184,
 62.21 respectively, for the portion of the examination under section 122A.185, subdivision 1,
 62.22 paragraph (c), covering assessment of reading instruction.

62.23 (b) Board-approved teacher preparation programs for teachers of elementary education
 62.24 must require instruction in applying comprehensive, ~~scientifically based~~ evidence-based,
 62.25 and balanced structured reading instruction programs that:

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

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

62.31 (c) Board-approved teacher preparation programs for teachers of elementary education,
 62.32 early childhood education, special education, and reading intervention must include
 62.33 instruction on dyslexia, as defined in section 125A.01, subdivision 2. Teacher preparation

63.1 programs may consult with the Department of Education, including the dyslexia specialist
 63.2 under section 120B.122, to develop instruction under this paragraph. Instruction on dyslexia
 63.3 must be modeled on practice standards of the International Dyslexia Association, and must
 63.4 address:

- 63.5 (1) the nature and symptoms of dyslexia;
 63.6 (2) resources available for students who show characteristics of dyslexia;
 63.7 (3) evidence-based instructional strategies for students who show characteristics of
 63.8 dyslexia, including the structured literacy approach; and
 63.9 (4) outcomes of intervention and lack of intervention for students who show
 63.10 characteristics of dyslexia.

63.11 ~~(e)~~ (d) Nothing in this section limits the authority of a school district to select a school's
 63.12 reading program or curriculum.

63.13 **EFFECTIVE DATE.** This section is effective June 1, 2020.

63.14 Sec. 5. Minnesota Statutes 2018, section 122A.182, subdivision 1, is amended to read:

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

63.18 (1) the candidate meets the educational or professional requirements in paragraph (b)
 63.19 or (c);

63.20 (2) the candidate:

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

63.22 (ii) is enrolled in a Minnesota-approved teacher preparation program or a state-approved
 63.23 teacher preparation program if no licensure program exists in Minnesota; or

63.24 (iii) has a master's degree in the specified content area; and

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

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

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

64.4 (1) an associate's degree;

64.5 (2) a professional certification; or

64.6 (3) five years of relevant work experience.

64.7 Sec. 6. Minnesota Statutes 2018, section 122A.187, subdivision 5, is amended to read:

64.8 Subd. 5. **Reading preparation.** (a) The Professional Educator Licensing and Standards
64.9 Board must adopt rules that require all early childhood through grade 8 licensed teachers
64.10 who are renewing a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184,
64.11 respectively, to include in the renewal requirements further reading preparation, consistent
64.12 with section 122A.06, subdivision 4.

64.13 (b) The reading preparation under this subdivision must include training to enable a
64.14 teacher to:

64.15 (1) understand dyslexia as defined in section 125A.01, subdivision 2, and recognize
64.16 dyslexia characteristics in students; and

64.17 (2) identify and access Department of Education personnel and professional resources
64.18 using dyslexia best practices in each license renewal period that are evidence-based.

64.19 (c) The Department of Education must provide guidance on evidence-based approaches
64.20 and best practices for trainings.

64.21 (d) The rules adopted under this subdivision do not take effect until they are approved
64.22 by law. Teachers who do not provide direct instruction including, at least, counselors, school
64.23 psychologists, school nurses, school social workers, audiovisual directors and coordinators,
64.24 and recreation personnel are exempt from this ~~section~~ subdivision.

64.25 Sec. 7. Minnesota Statutes 2018, section 122A.20, subdivision 1, is amended to read:

64.26 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional
64.27 Educator Licensing and Standards Board or Board of School Administrators, whichever
64.28 has jurisdiction over a teacher's licensure, may, on the written complaint of the school board
64.29 employing a teacher, a teacher organization, or any other interested person, refuse to issue,
64.30 refuse to renew, suspend, or revoke a teacher's license to teach for any of the following
64.31 causes:

- 65.1 (1) immoral character or conduct;
- 65.2 (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
- 65.3 (3) gross inefficiency or willful neglect of duty;
- 65.4 (4) failure to meet licensure requirements; ~~or~~
- 65.5 (5) fraud or misrepresentation in obtaining a license; or
- 65.6 (6) intentional and inappropriate patting, touching, pinching, or other physical contact
- 65.7 with a student that is sexually motivated.

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

65.9 (b) The Professional Educator Licensing and Standards Board or Board of School
 65.10 Administrators, whichever has jurisdiction over a teacher's licensure, ~~shall~~ must refuse to
 65.11 issue, refuse to renew, or automatically revoke a teacher's license to teach without the right
 65.12 to a hearing upon receiving a certified copy of a conviction showing that the teacher has
 65.13 been convicted of child abuse, as defined in section 609.185, sex trafficking in the first
 65.14 degree under section 609.322, subdivision 1, sex trafficking in the second degree under
 65.15 section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage
 65.16 in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342,
 65.17 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation
 65.18 of children to engage in sexual conduct or communication of sexually explicit materials to
 65.19 children under section 609.352, interference with privacy under section 609.746 or stalking
 65.20 under section 609.749 and the victim was a minor, using minors in a sexual performance
 65.21 under section 617.246, possessing pornographic works involving a minor under section
 65.22 617.247, or any other offense not listed in this paragraph that requires the person to register
 65.23 as a predatory offender under section 243.166, or a crime under a similar law of another
 65.24 state or the United States. The board shall send notice of this licensing action to the district
 65.25 in which the teacher is currently employed.

65.26 (c) A person whose license to teach has been revoked, not issued, or not renewed under
 65.27 paragraph (b), may petition the board to reconsider the licensing action if the person's
 65.28 conviction for child abuse or sexual abuse is reversed by a final decision of the court of
 65.29 appeals or the supreme court or if the person has received a pardon for the offense. The
 65.30 petitioner shall attach a certified copy of the appellate court's final decision or the pardon
 65.31 to the petition. Upon receiving the petition and its attachment, the board shall schedule and
 65.32 hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the
 65.33 petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal

66.1 of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified
 66.2 from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing
 66.3 action. If the board finds that the petitioner is not disqualified from teaching under paragraph
 66.4 (a), clause (1), it shall reverse its previous licensing action.

66.5 (d) The Professional Educator Licensing and Standards Board or Board of School
 66.6 Administrators, whichever has jurisdiction over a teacher's licensure, must refuse to issue,
 66.7 refuse to renew, or automatically revoke a teacher's license if the teacher has engaged in
 66.8 sexual penetration as defined in section 609.321, subdivision 11, with a student enrolled in
 66.9 a school where the teacher works or volunteers.

66.10 (e) For purposes of this subdivision, the Professional Educator Licensing and Standards
 66.11 Board is delegated the authority to suspend or revoke coaching licenses.

66.12 (f) Section 122A.188 does not apply to a decision by the board to refuse to issue, refuse
 66.13 to renew, or revoke a license under this subdivision. A person whose license has been
 66.14 revoked, not issued, or not renewed under this subdivision may appeal the decision by filing
 66.15 a written request with the Professional Educator Licensing and Standards Board or the Board
 66.16 of School Administrators, as appropriate, within 30 days of notice of the licensing action.
 66.17 The board must then initiate a contested case under the Administrative Procedure Act,
 66.18 sections 14.001 to 14.69.

66.19 (g) The Professional Educator Licensing and Standards Board or Board of School
 66.20 Administrators, whichever has jurisdiction over a teacher's licensure, may suspend a teacher's
 66.21 license pending an investigation into a report of conduct that would be grounds for revocation
 66.22 under paragraph (b) or (d). The teacher's license is suspended until the licensing board
 66.23 completes its disciplinary investigation and determines whether disciplinary action is
 66.24 necessary.

66.25 Sec. 8. Minnesota Statutes 2018, section 122A.30, is amended to read:

66.26 **122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION**
 66.27 **INSTRUCTORS.**

66.28 ~~(a)~~ Notwithstanding section 122A.15, subdivision 1, and upon approval of the local
 66.29 employer school board, a person who teaches in a ~~part-time~~ vocational or career and technical
 66.30 education program and demonstrates occupational competency based on work experience
 66.31 in business or industry is exempt from a license requirement. Nothing in this section shall
 66.32 exclude licensed career and technical educators from the definition of "teacher" in section
 66.33 122A.40, 122A.41, or 179A.03.

67.1 ~~(b) This section expires June 30, 2020. After this section expires, persons who teach in~~
67.2 ~~a part-time vocational or career and technical education program may apply for a teaching~~
67.3 ~~license provided in sections 122A.18 to 122A.184.~~

67.4 Sec. 9. Minnesota Statutes 2018, section 122A.61, is amended by adding a subdivision to
67.5 read:

67.6 Subd. 4. **Reading preparation.** A school district may use the revenue reserved under
67.7 subdivision 1 for grants to teachers to take courses from accredited providers. The providers
67.8 must be a Wilson Language Training accredited partner, accredited by the International
67.9 Multisensory Structured Language Education Council, or an Academy of Orton-Gillingham
67.10 Practitioners and Educators accredited training program.

67.11 Sec. 10. **122A.615] READING PROFESSIONAL DEVELOPMENT BY**
67.12 **ACCREDITED PROVIDERS.**

67.13 A school district may grant an elementary teacher's request for reimbursement for
67.14 successfully completing training provided by a Wilson Language Training accredited partner,
67.15 an International Multisensory Structured Language Education Council accredited provider,
67.16 or an Academy of Orton-Gillingham Practitioners and Educators accredited training program.
67.17 The school district may use literacy incentive aid under section 124D.98, or the reserved
67.18 revenue for staff development under section 122A.61, or other district resources to reimburse
67.19 the teacher.

67.20 Sec. 11. Minnesota Statutes 2018, section 122A.63, subdivision 1, is amended to read:

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

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

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

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

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

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

68.3 (c) Grantees may enter into contracts with tribal, technical, and community colleges and
68.4 four-year postsecondary institutions to identify and provide grants to students at those
68.5 institutions interested in the field of education. Each grantee is eligible to and may contract
68.6 with partner institutions to provide professional development and supplemental services to
68.7 a tribal, technical, or community college or four-year postsecondary institution, including
68.8 identification of prospective students, provision of instructional supplies and materials, and
68.9 provision of grant money to students. A contract with a tribal, technical, or community
68.10 college or four-year postsecondary institution includes coordination of student identification,
68.11 professional development, and mentorship services.

68.12 Sec. 12. Minnesota Statutes 2018, section 122A.63, subdivision 4, is amended to read:

68.13 Subd. 4. **Grant amount.** The commissioner may award a joint grant in the amount it
68.14 determines to be appropriate. The grant shall include money for the postsecondary institution,
68.15 school district, and student scholarships, and student loans grants.

68.16 Sec. 13. Minnesota Statutes 2018, section 122A.63, subdivision 5, is amended to read:

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

68.24 Sec. 14. Minnesota Statutes 2018, section 122A.63, subdivision 6, is amended to read:

68.25 Subd. 6. **Eligibility for ~~scholarships and loans~~ student grants.** The following Indian
68.26 people are eligible for ~~scholarships~~ student grants:

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

68.29 ~~(+)~~ (2) a student, including a teacher aide employed by a district receiving a joint grant
68.30 or their contracted partner school, who intends to become a teacher or who is interested in
68.31 the field of education and who is enrolled in a postsecondary institution or their contracted
68.32 partner institutions receiving a joint grant;

69.1 ~~(2)~~ (3) a licensed employee of a district receiving a joint grant or a contracted partner
 69.2 school, who is enrolled in a master of education program; and

69.3 ~~(3)~~ (4) a student who, after applying for federal and state financial aid and an Indian
 69.4 scholarship according to section 136A.126, has financial needs that remain unmet. Financial
 69.5 need shall be determined according to the congressional methodology for needs determination
 69.6 or as otherwise set in federal law.

69.7 ~~A person who has actual living expenses in addition to those addressed by the~~
 69.8 ~~congressional methodology for needs determination, or as otherwise set in federal law, may~~
 69.9 ~~receive a loan according to criteria established by the commissioner. A contract shall be~~
 69.10 ~~executed between the state and the student for the amount and terms of the loan. Priority~~
 69.11 ~~shall be given to a student who is tribally enrolled and then to first- and second-generation~~
 69.12 ~~descendants.~~

69.13 Sec. 15. Minnesota Statutes 2018, section 122A.63, is amended by adding a subdivision
 69.14 to read:

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

69.19 (1) any educational certification necessary for employment;

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

69.21 (3) elementary and secondary education;

69.22 (4) school administration; or

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

69.25 The grantee institutions and the contracted partner institutions must give priority to grants
 69.26 for students progressing towards an associate of arts or a bachelor's degree. Students
 69.27 progressing towards a master's or doctoral degree may be awarded a grant if they were
 69.28 enrolled in the degree granting program before May 1, 2019.

69.29 (b) For purposes of recruitment, the grantees or their partner contracted institutions must
 69.30 agree to work with their respective organizations to hire an American Indian work-study
 69.31 student or other American Indian staff to conduct initial information queries and to contact

70.1 persons working in schools to provide programming regarding education professions to a
 70.2 high school student who may be interested in education as a profession.

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

70.6 **Sec. 16. [122A.76] LITERACY PROFESSIONAL DEVELOPMENT FOR**
 70.7 **TEACHERS.**

70.8 Subdivision 1. **Program.** A teacher licensed by the Professional Educator Licensing
 70.9 and Standards Board, whose duties include providing instruction to students, may participate
 70.10 in a literacy professional development program offered by an eligible training provider
 70.11 under subdivision 2. An online or in-person training program offered by an eligible training
 70.12 provider qualifies for reimbursement. The commissioner may pay a portion of the tuition,
 70.13 room, board, and travel costs a teacher incurs in participating in literacy professional
 70.14 development. The teacher reimbursements must not exceed the amount appropriated for
 70.15 this purpose. In order to be eligible for expense reimbursement, a teacher must submit a
 70.16 request in the form and manner required by the commissioner.

70.17 Subd. 2. **Eligible training providers.** An eligible training provider must be:

70.18 (1) a Wilson Language Training accredited partner;

70.19 (2) accredited by the International Multisensory Structured Language Education Council;

70.20 or

70.21 (3) an accredited site of the Academy of Orton-Gillingham Practitioners and Educators.

70.22 Subd. 3. **Training information report.** By February 1 of each year, the commissioner
 70.23 must report the following information to the legislative committees having jurisdiction over
 70.24 kindergarten through grade 12 education:

70.25 (1) the number of participating teachers;

70.26 (2) each school represented by the teachers in the trainings;

70.27 (3) the amounts expended in the most recent calendar year for tuition, room, board, and
 70.28 travel costs; and

70.29 (4) recommendations to improve training for teachers.

71.1 Sec. 17. Minnesota Statutes 2018, section 123B.02, is amended by adding a subdivision
71.2 to read:

71.3 Subd. 14b. **Hiring bonuses.** The board may give a hiring bonus to a teacher licensed in
71.4 or working in a shortage area as defined in section 122A.06, subdivision 6. For the purposes
71.5 of hiring bonuses under this subdivision only, a teacher trained by a Wilson Language
71.6 Training accredited partner, an International Multisensory Structured Language Education
71.7 Council accredited provider, or an Academy of Orton-Gillingham Practitioners and Educators
71.8 accredited training program is a teacher licensed in or working in a shortage area. The school
71.9 board must establish criteria for the repayment of a hiring bonus if the employee does not
71.10 complete two years of teaching in the district after receiving the bonus. The board must
71.11 decide if the bonus is a onetime bonus or an ongoing bonus included in the teacher's salary
71.12 as long as they teach in the district.

71.13 Sec. 18. Minnesota Statutes 2018, section 124D.98, is amended by adding a subdivision
71.14 to read:

71.15 Subd. 5. **Allowed use.** A school may use literacy incentive aid under this section for
71.16 staff development by accredited providers or any other school-related purpose. The providers
71.17 must be a Wilson Language Training accredited partner, accredited by the International
71.18 Multisensory Structured Language Education Council, or an Academy of Orton-Gillingham
71.19 Practitioners and Educators accredited training program.

71.20 Sec. 19. Minnesota Statutes 2018, section 136A.1276, subdivision 2, is amended to read:

71.21 **Subd. 2. Establishment; eligibility.** (a) The commissioner, in consultation with the
71.22 Professional Educator Licensing and Standards Board, must establish and administer a
71.23 program annually awarding grants to eligible alternative teacher preparation programs
71.24 consistent with this section.

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

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

71.28 (2) is a school district, charter school, or nonprofit corporation organized under chapter
71.29 317A or under section 501(c)(3) of the Internal Revenue Code of 1986 for an
71.30 education-related purpose that has been operating continuously for at least three years in
71.31 Minnesota or any other state.

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

72.3 (d) The commissioner may award a grant to an alternative teacher preparation program
72.4 that has previously received a grant under this section.

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

72.6 Sec. 20. Laws 2016, chapter 189, article 25, section 62, subdivision 4, is amended to read:

72.7 Subd. 4. **Northwest Regional Partnership concurrent enrollment program.** (a) For
72.8 a grant to the Lakes Country Service Cooperative to operate a continuing education program:

72.9 ~~3,000,000~~
72.10 \$ 1,500,000 2017

72.11 (b) This is a onetime appropriation. This appropriation is available until June 30, 2019.
72.12 \$1,500,000 of the initial fiscal year 2017 appropriation is canceled to the general fund on
72.13 June 29, 2019.

72.14 Sec. 21. **REPORT; TEACHER PREPARATION DEVELOPMENT.**

72.15 No later than January 15, 2021, the Professional Educator Licensing and Standards
72.16 Board must provide a preliminary report to the members of the senate and house of
72.17 representatives committees with jurisdiction over kindergarten through grade 12 education
72.18 and higher education on teacher preparation development under Minnesota Statutes, section
72.19 122A.092, subdivision 5, paragraph (c).

72.20 Sec. 22. **APPROPRIATIONS.**

72.21 Subdivision 1. Department of Education. The sums indicated in this section are
72.22 appropriated from the general fund to the Department of Education in the fiscal year
72.23 designated.

72.24 Subd. 2. Literacy professional development for teachers. For literacy professional
72.25 development for teachers under Minnesota Statutes, section 122A.76:

72.26 \$ 250,000 2020

72.27 \$ 250,000 2021

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

73.1 Subd. 3. Curriculum best practices sharing. (a) For a grant to Intermediate School
 73.2 District No. 287 for the Minnesota Partnership for Collaborative Curriculum to provide
 73.3 sample curricula aligned to the state academic standards for teachers throughout the state:

73.4 \$ 250,000 2020

73.5 \$ 250,000 2021

73.6 (b) The Minnesota Partnership for Collaborative curriculum must post sample curricula
 73.7 to its website as an open resource. The website must include a feedback mechanism for
 73.8 teachers to provide comments and ratings on the sample curricula.

73.9 (c) The Department of Education's website must contain a link to the Minnesota
 73.10 Partnership for Collaborative Curriculum website with the sample curricula. The website
 73.11 must indicate that the selected curricula are examples aligned to appropriate standards and
 73.12 benchmarks, but the examples are not considered endorsements by the department. The first
 73.13 shared curricula must be posted by January 1, 2020.

73.14 (d) The base for fiscal year 2024 is \$0.

73.15 Subd. 4. Expanded concurrent enrollment grants. (a) For grants to institutions offering
 73.16 "Introduction to Teaching" or "Introduction to Education" college in the schools courses
 73.17 under Minnesota Statutes, section 124D.09, subdivision 10, paragraph (b):

73.18 \$ 375,000 2020

73.19 \$ 375,000 2021

73.20 (b) The department may retain up to five percent of the appropriation amount to monitor
 73.21 and administer the grant program.

73.22 Subd. 5. Paraprofessional pathway to teacher licensure. (a) For grants to school
 73.23 districts for Grow Your Own new teacher programs:

73.24 \$ 1,500,000 2020

73.25 \$ 1,500,000 2021

73.26 (b) Grants are for school districts and charter schools for a nonconventional teacher
 73.27 residency pilot program approved by the Professional Educator Licensing and Standards
 73.28 Board. The program must provide tuition scholarships or stipends to enable school district
 73.29 employees or community members affiliated with a school district who seek an education
 73.30 license to participate in a nonconventional teacher preparation program. School districts
 73.31 that receive funds under this subdivision must ensure a majority of candidates are of color
 73.32 or American Indian to participate in the Grow Your Own new teacher programs. School
 73.33 districts or charter schools providing financial support may require a commitment as

74.1 determined by the district to teach in the district or school for a reasonable amount of time
 74.2 that does not exceed five years.

74.3 (c) School districts and charter schools may apply for grants to develop innovative,
 74.4 expanded Grow Your Own programs that encourage secondary school students to pursue
 74.5 teaching, including developing and offering dual-credit postsecondary course options in
 74.6 schools for "Introduction to Teaching" or "Introduction to Education" courses consistent
 74.7 with Minnesota Statutes, section 124D.09, subdivision 10.

74.8 (d) Programs must annually report to the commissioner by the date determined by the
 74.9 commissioner on their activities under this section, including the number of participants,
 74.10 the percentage of participants who are of color or American Indian, and an assessment of
 74.11 program effectiveness including participant feedback, areas for improvement, the percentage
 74.12 of participants continuing to pursue teacher licensure, and the number of participants hired
 74.13 in the school or district as teachers after completing preparation programs.

74.14 (e) The department may retain up to three percent of the appropriation amount to monitor
 74.15 and administer the grant program.

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

74.17 Subd. 6. **Alternative teacher compensation aid.** For alternative teacher compensation
 74.18 aid under Minnesota Statutes, section 122A.415, subdivision 4:

74.19 \$ 89,196,000 2020

74.20 \$ 88,841,000 2021

74.21 The 2020 appropriation includes \$8,974,000 for 2019 and \$80,222,000 for 2020.

74.22 The 2021 appropriation includes \$8,913,000 for 2020 and \$79,928,000 for 2021.

74.23 Subd. 7. **Collaborative urban and greater Minnesota educators of color program**
 74.24 grants. (a) For collaborative urban and greater Minnesota educators of color program grants:

74.25 \$ 1,000,000 2020

74.26 \$ 1,000,000 2021

74.27 (b) By January 15 of each year, each institution shall prepare for the legislature a detailed
 74.28 report regarding the funds used to recruit, retain, and induct teacher candidates who are of
 74.29 color or who are American Indian. The report must include the total number of teacher
 74.30 candidates of color disaggregated by race or ethnic group, who are recruited to the institution,
 74.31 are newly admitted to the licensure program, are enrolled in the licensure program, have
 74.32 completed student teaching, have graduated, and are licensed and newly employed as
 74.33 Minnesota teachers in their licensure field. The total number of teacher candidates who are

75.1 of color or American Indian at each stage from recruitment to licensed teaching must be
 75.2 reported as a percentage of total candidates seeking the same licensure at the institution.
 75.3 The report must include the graduation rate for each cohort of teacher candidates, the
 75.4 placement rate for each graduating cohort of teacher candidates, and the retention rate for
 75.5 each graduating cohort of teacher candidates, among other program outcomes.

75.6 (c) The commissioner must award all collaborative urban educator grants through a
 75.7 competitive grant process. The competitive process must award grants based on program
 75.8 benchmarks, including licensure rates, participation rates, on-time graduation rates, and a
 75.9 score of "B" or higher in the most recent National Council on Teacher Quality program
 75.10 grade for early reading instruction. Grants must only be awarded to teacher preparation
 75.11 programs approved by the Professional Educator Licensing and Standards Board, including
 75.12 alternative teacher preparation programs.

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

75.14 Subd. 8. **Agricultural educator grants.** (a) For agricultural educator grants under Laws
 75.15 2017, First Special Session chapter 5, article 2, section 51:

75.16 \$ 275,000 2020

75.17 \$ 275,000 2021

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

75.19 Subd. 9. **American Indian teacher preparation grants.** For joint grants to assist people
 75.20 who are American Indian to become teachers under Minnesota Statutes, section 122A.63:

75.21 \$ 460,000 2020

75.22 \$ 460,000 2021

75.23 Subd. 10. **Statewide concurrent enrollment teacher training program.** (a) For the
 75.24 statewide concurrent enrollment teacher training program under Laws 2016, chapter 189,
 75.25 article 25, section 58, as amended:

75.26 \$ 375,000 2020

75.27 \$ 375,000 2021

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

75.29 Subd. 11. **Alternative teacher preparation grant program.** (a) For transfer to the
 75.30 commissioner of the Office of Higher Education for alternative teacher preparation program
 75.31 grants under Minnesota Statutes, section 136A.1276:

77.1 team must seek written documentation of the student's medically diagnosed chronic or acute
77.2 health condition signed by a licensed physician or a licensed health care provider acting
77.3 within the scope of the provider's practice. The student's needs and the special education
77.4 instruction and services to be provided must be agreed upon through the development of
77.5 an individualized education program. The program must address the student's need to develop
77.6 skills to live and work as independently as possible within the community. The individualized
77.7 education program team must consider positive behavioral interventions, strategies, and
77.8 supports that address behavior needs for children. During grade 9, the program must address
77.9 the student's needs for transition from secondary services to postsecondary education and
77.10 training, employment, community participation, recreation, and leisure and home living. In
77.11 developing the program, districts must inform parents of the full range of transitional goals
77.12 and related services that should be considered. The program must include a statement of
77.13 the needed transition services, including a statement of the interagency responsibilities or
77.14 linkages or both before secondary services are concluded. If the individualized education
77.15 program meets the plan components in section 120B.125, the individualized education
77.16 program satisfies the requirement and no additional transition plan is needed; The
77.17 individualized education program may report the student's performance on general state or
77.18 districtwide assessments related to the student's educational needs;

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

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

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

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

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

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

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

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

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

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

78.24 (d) A school district may conduct a functional behavior assessment as defined in
78.25 Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting
78.26 a comprehensive evaluation of the student. A parent may request a school district to conduct
78.27 a comprehensive evaluation.

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

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

78.31 (1) inform the parent that except for the initial placement of a child in special education,
78.32 the school district will proceed with its proposal for the child's placement or for providing

79.1 special education services unless the child's parent notifies the district of an objection within
79.2 14 days of when the district sends the prior written notice to the parent; and

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

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

79.7 (ii) identify the specific part of the proposal or refusal the parent objects to and request
79.8 a meeting of the individualized education program team.

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

79.10 Subd. 7. **Conciliation conference.** A parent must have an opportunity to request a
79.11 meeting with appropriate members of the individualized education program team or meet
79.12 with appropriate district staff in at least one conciliation conference if the parent objects to
79.13 any proposal of which the parent receives notice under subdivision 3a. A district must hold
79.14 a conciliation conference within ten calendar days from the date the district receives a
79.15 parent's objection to a proposal or refusal in the prior written notice request for a conciliation
79.16 conference. Except as provided in this section, all discussions held during a conciliation
79.17 conference are confidential and are not admissible in a due process hearing. Within five
79.18 school days after the final conciliation conference, the district must prepare and provide to
79.19 the parent a conciliation conference memorandum that describes the district's final proposed
79.20 offer of service. This memorandum is admissible in evidence in any subsequent proceeding.

79.21 Sec. 4. **APPROPRIATIONS.**

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

79.25 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
79.26 section 125A.75:

79.27 \$ 1,592,153,000 2020

79.28 \$ 1,706,195,000 2021

79.29 The 2020 appropriation includes \$184,363,000 for 2019 and \$1,407,790,000 for 2020.

79.30 The 2021 appropriation includes \$198,176,000 for 2020 and \$1,508,019,000 for 2021.

80.1 Subd. 3. Aid for children with disabilities. (a) For aid under Minnesota Statutes, section
 80.2 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
 80.3 the district boundaries for whom no district of residence can be determined:

80.4 \$ 1,382,000 2020

80.5 \$ 1,564,000 2021

80.6 (b) If the appropriation for either year is insufficient, the appropriation for the other year
 80.7 is available.

80.8 Subd. 4. Travel for home-based services. For aid for teacher travel for home-based
 80.9 services under Minnesota Statutes, section 125A.75, subdivision 1:

80.10 \$ 422,000 2020

80.11 \$ 442,000 2021

80.12 The 2020 appropriation includes \$40,000 for 2019 and \$382,000 for 2020.

80.13 The 2021 appropriation includes \$42,000 for 2020 and \$400,000 for 2021.

80.14 Subd. 5. Court-placed special education revenue. For reimbursing serving school
 80.15 districts for unreimbursed eligible expenditures attributable to children placed in the serving
 80.16 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

80.17 \$ 31,000 2020

80.18 \$ 32,000 2021

80.19 Subd. 6. Special education out-of-state tuition. For special education out-of-state
 80.20 tuition under Minnesota Statutes, section 125A.79, subdivision 8:

80.21 \$ 250,000 2020

80.22 \$ 250,000 2021

80.23 ARTICLE 5

80.24 SCHOOL SAFETY

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

80.26 **120B.21 MENTAL HEALTH EDUCATION.**

80.27 School districts and charter schools are encouraged to provide mental health instruction
 80.28 for students in grades ~~6~~ 4 through 12 aligned with local health standards and integrated into
 80.29 existing programs, curriculum, or the general school environment of a district or charter
 80.30 school. The commissioner, in consultation with ~~the commissioner of human services and a~~
 80.31 ~~mental health organizations~~ organization, ~~is encouraged to~~ must, by July 1, 2020, and July

81.1 1 of each even-numbered year thereafter, provide districts and charter schools with resources
 81.2 gathered by Minnesota mental health advocates, including:

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

81.7 (2) a directory of resources for planning and implementing age-appropriate mental health
 81.8 curriculum and instruction in grades ~~6~~ 4 through 12 that includes resources on suicide and
 81.9 self-harm prevention.

81.10 Sec. 2. Minnesota Statutes 2018, section 121A.035, is amended by adding a subdivision
 81.11 to read:

81.12 Subd. 3. **School floor plans.** A school district and charter school must provide the law
 81.13 enforcement agency or other emergency management officials servicing the school district
 81.14 or charter school with a school floor plan or map that shows doors, windows, stairways,
 81.15 room numbers, and other information useful to first responders in crisis situations.

81.16 Sec. 3. **[121A.35] SAFETY ASSESSMENT POLICY.**

81.17 A school board and a charter school must adopt a safety assessment policy that establishes
 81.18 a process for the assessment of and intervention with students whose behavior may pose a
 81.19 threat to the safety of school staff or students. The policy must be consistent with the
 81.20 Minnesota school safety center's recommendations. The policy must include procedures for
 81.21 parent notification and student referrals as appropriate. Nothing in this section precludes
 81.22 school personnel from acting immediately to address an imminent threat.

81.23 Sec. 4. Minnesota Statutes 2018, section 123B.61, is amended to read:

81.24 **123B.61 PURCHASE OF CERTAIN EQUIPMENT.**

81.25 (a) The board of a district may issue general obligation certificates of indebtedness or
 81.26 capital notes subject to the district debt limits to:

81.27 ~~(a)~~ (1) purchase vehicles, computers, telephone systems, cable equipment, photocopy
 81.28 and office equipment, technological equipment for instruction, public announcement systems,
 81.29 emergency communications devices, other equipment related to violence prevention and
 81.30 facility security, and other capital equipment having an expected useful life at least as long
 81.31 as the terms of the certificates or notes;

82.1 ~~(b)~~ (2) purchase computer hardware and software, without regard to its expected useful
82.2 life, whether bundled with machinery or equipment or unbundled, together with application
82.3 development services and training related to the use of the computer; and

82.4 ~~(e)~~ (3) prepay special assessments.

82.5 (b) The certificates or notes must be payable in not more than ten years and must be
82.6 issued on the terms and in the manner determined by the board, except that certificates or
82.7 notes issued to prepay special assessments must be payable in not more than 20 years. The
82.8 certificates or notes may be issued by resolution and without the requirement for an election.
82.9 The certificates or notes are general obligation bonds for purposes of section 126C.55.

82.10 (c) A tax levy must be made for the payment of the principal and interest on the
82.11 certificates or notes, in accordance with section 475.61, as in the case of bonds. The sum
82.12 of the tax levies under this section and section 123B.62 for each year must not exceed the
82.13 lesser of the sum of the amount of the district's total operating capital revenue and safe
82.14 schools revenue or the sum of the district's levy in the general and community service funds
82.15 excluding the adjustments under this section for the year preceding the year the initial debt
82.16 service levies are certified.

82.17 (d) The district's general fund levy for each year must be reduced by the sum of:

82.18 (1) the amount of the tax levies for debt service certified for each year for payment of
82.19 the principal and interest on the certificates or notes issued under this section as required
82.20 by section 475.61₂;

82.21 (2) the amount of the tax levies for debt service certified for each year for payment of
82.22 the principal and interest on bonds issued under section 123B.62₂; and

82.23 (3) any excess amount in the debt redemption fund used to retire bonds, certificates, or
82.24 notes issued under this section or section 123B.62 after April 1, 1997, other than amounts
82.25 used to pay capitalized interest.

82.26 (e) If the district's general fund levy is less than the amount of the reduction, the balance
82.27 shall be deducted first from the district's community service fund levy, and next from the
82.28 district's general fund or community service fund levies for the following year.

82.29 (f) A district using an excess amount in the debt redemption fund to retire the certificates
82.30 or notes shall report the amount used for this purpose to the commissioner by July 15 of the
82.31 following fiscal year. A district having an outstanding capital loan under section 126C.69
82.32 or an outstanding debt service loan under section 126C.68 must not use an excess amount
82.33 in the debt redemption fund to retire the certificates or notes.

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

83.2 Sec. 5. Minnesota Statutes 2018, section 124E.03, subdivision 2, is amended to read:

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

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

83.7 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
83.8 123B.34 to 123B.39.

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

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

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

83.14 (g) A charter school must comply with continuing truant notification under section
83.15 260A.03.

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

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

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

83.26 (k) A charter school must adopt a safety assessment policy consistent with section
83.27 121A.35.

84.1 Sec. 6. Minnesota Statutes 2018, section 126C.44, is amended to read:

84.2 **126C.44 SAFE SCHOOLS LEVY REVENUE.**

84.3 **Subdivision 1. Safe schools revenue.** ~~(a) Each district may make a levy on all taxable~~
84.4 ~~property located within the district for the purposes specified in this section. The maximum~~
84.5 ~~amount which may be levied for all costs under this section shall be equal to \$36 multiplied~~
84.6 ~~by the district's adjusted pupil units for the school year. For fiscal year 2020 and later, safe~~
84.7 ~~schools revenue for a school district equals the sum of its safe schools levy and its safe~~
84.8 ~~schools aid.~~

84.9 **Subd. 2. Safe schools levy.** (a) For fiscal year 2020 and later, a district's safe schools
84.10 levy equals the sum of its initial safe schools levy and its intermediate safe schools levy.

84.11 (b) For fiscal year 2020 and later, the initial safe schools levy for a district equals \$36
84.12 times the district's adjusted pupil units for the school year.

84.13 (c) For fiscal year 2020 and later, the intermediate safe schools levy for a school district
84.14 that is a member of an intermediate school district equals \$15 times the district's adjusted
84.15 pupil units for the school year.

84.16 **Subd. 3. Safe schools aid.** For fiscal year 2020 and 2021, a district's safe schools aid
84.17 equals the greater of (1) \$32,000 minus the permitted levy under subdivision 2, paragraph
84.18 (b), or (2) \$38 times the district's adjusted pupil units for the school year. For fiscal year
84.19 2022 and later, a district's safe schools aid equals zero.

84.20 **Subd. 3a. Intermediate district revenue transfer.** Revenue raised under subdivision
84.21 2, paragraph (c), must be transferred to the intermediate school district of which the district
84.22 is a member and used only for costs associated with safe schools activities authorized under
84.23 subdivision 5, paragraph (a), clauses (1) to (10).

84.24 **Subd. 4. Safe schools revenue for a charter school.** (a) For fiscal year 2020 and 2021,
84.25 safe schools revenue for a charter school equals \$38 times the adjusted pupil units for the
84.26 school year. For fiscal year 2022 and later, safe schools revenue for a charter school equals
84.27 zero.

84.28 (b) The revenue must be reserved and used only for costs associated with safe schools
84.29 activities authorized under subdivision 5, paragraph (a), clauses (1) to (10), or for building
84.30 lease expenses not funded by charter school building lease aid that are attributable to facility
84.31 security enhancements made by the landlord after March 1, 2019.

85.1 Subd. 5. Uses of safe schools revenue. (a) ~~The proceeds of the levy~~ revenue must be
85.2 reserved and used for directly funding the following purposes or for reimbursing the cities
85.3 and counties who contract with the district for the following purposes:

85.4 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace
85.5 officers and sheriffs for liaison in services in the district's schools;

85.6 (2) to pay the costs for a drug abuse prevention program as defined in section 609.101,
85.7 subdivision 3, paragraph (e), in the elementary schools;

85.8 (3) to pay the costs for a gang resistance education training curriculum in the district's
85.9 schools;

85.10 (4) to pay the costs for security in the district's schools and on school property;

85.11 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
85.12 voluntary opt-in suicide prevention tools, and violence prevention measures taken by the
85.13 school district;

85.14 (6) to pay costs for licensed school counselors, licensed school nurses, licensed school
85.15 social workers, licensed school psychologists, and licensed alcohol and chemical dependency
85.16 counselors to help provide early responses to problems;

85.17 (7) to pay for facility security enhancements including laminated glass, public
85.18 announcement systems, emergency communications devices, and equipment and facility
85.19 modifications related to violence prevention and facility security;

85.20 (8) to pay for costs associated with improving the school climate; ~~or~~

85.21 (9) to pay costs for collocating and collaborating with mental health professionals who
85.22 are not district employees or contractors or for school-linked mental health services delivered
85.23 by telemedicine;

85.24 (10) to pay the costs of enhancing cybersecurity in the district's information systems; or

85.25 (11) by board resolution, to transfer money into the debt redemption fund to pay the
85.26 amounts needed to meet, when due, principal and interest payments on obligations issued
85.27 under sections 123B.61 and 123B.62 for purposes included in clause (7).

85.28 (b) For expenditures under paragraph (a), clause (1), the district must initially attempt
85.29 to contract for services to be provided by peace officers or sheriffs with the police department
85.30 of each city or the sheriff's department of the county within the district containing the school
85.31 receiving the services. If a local police department or a county sheriff's department does
85.32 not wish to provide the necessary services, the district may contract for these services with

86.1 any other police or sheriff's department located entirely or partially within the school district's
86.2 boundaries.

86.3 ~~(c) A school district that is a member of an intermediate school district may include in~~
86.4 ~~its authority under this section the costs associated with safe schools activities authorized~~
86.5 ~~under paragraph (a) for intermediate school district programs. This authority must not exceed~~
86.6 ~~\$15 times the adjusted pupil units of the member districts. This authority is in addition to~~
86.7 ~~any other authority authorized under this section. Revenue raised under this paragraph must~~
86.8 ~~be transferred to the intermediate school district.~~

86.9 Subd. 6. **Report.** By January 15 of each year, the commissioner of education must deliver
86.10 to the chairs and ranking minority members of the legislative committees with jurisdiction
86.11 over kindergarten through grade 12 education a report detailing district-level expenditures
86.12 of safe schools revenue for the prior fiscal year for each of the authorized purposes under
86.13 subdivision 5.

86.14 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2020 and later.

86.15 Sec. 7. **[245.4901] SCHOOL-LINKED MENTAL HEALTH GRANTS.**

86.16 Subdivision 1. **Establishment.** The commissioner of human services shall establish a
86.17 school-linked mental health grant program to provide early identification and intervention
86.18 for students with mental health needs and to build the capacity of schools to support students
86.19 with mental health needs in the classroom.

86.20 Subd. 2. **Eligible applicants.** An eligible applicant for school-linked mental health grants
86.21 is an entity that is:

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

86.23 (2) a community mental health center under section 256B.0625, subdivision 5;

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

86.26 (4) a provider of children's therapeutic services and supports as defined in section
86.27 256B.0943; or

86.28 (5) enrolled in medical assistance as a mental health or substance use disorder provider
86.29 agency and employs at least two full-time equivalent mental health professionals as defined
86.30 in section 245.4871, subdivision 27, clauses (1) to (6), or two alcohol and drug counselors
86.31 licensed or exempt from licensure under chapter 148F who are qualified to provide clinical
86.32 services to children and families.

87.1 Subd. 3. **Allowable grant activities and related expenses.** (a) Allowable grant activities
87.2 and related expenses may include but are not limited to:

87.3 (1) identifying and diagnosing mental health conditions of students;

87.4 (2) delivering mental health treatment and services to students and their families,
87.5 including via telemedicine consistent with section 256B.0625, subdivision 3b;

87.6 (3) supporting families in meeting their child's needs, including navigating health care,
87.7 social service, and juvenile justice systems;

87.8 (4) providing transportation for students receiving school-linked mental health services
87.9 when school is not in session;

87.10 (5) building the capacity of schools to meet the needs of students with mental health
87.11 concerns, including school staff development activities for licensed and nonlicensed staff;
87.12 and

87.13 (6) purchasing equipment, connection charges, on-site coordination, set-up fees, and
87.14 site fees in order to deliver school-linked mental health services via telemedicine.

87.15 (b) Grantees shall obtain all available third-party reimbursement sources as a condition
87.16 of receiving a grant. For purposes of this grant program, a third-party reimbursement source
87.17 excludes a public school as defined in section 120A.20, subdivision 1. Grantees shall serve
87.18 students regardless of health coverage status or ability to pay.

87.19 Subd. 4. **Data collection and outcome measurement.** Grantees shall provide data to
87.20 the commissioner for the purpose of evaluating the effectiveness of the school-linked mental
87.21 health grant program.

87.22 Subd. 5. **Specialized grants.** (a) Specialized grants must be made available to eligible
87.23 applicants under subdivision 2, serving a public school program that provides instruction
87.24 to students in a setting of federal instructional level 4 or higher. Specialized grants must
87.25 first be awarded to providers working in conjunction with school programs that received a
87.26 grant under Laws 2016, chapter 189, article 25, section 62, subdivision 2, and Laws 2017,
87.27 First Special Session chapter 5, article 2, section 56. Additional specialized grants may be
87.28 made available to eligible applicants under subdivision 2, who cooperate with programs
87.29 operated by:

87.30 (1) a school district or charter school; or

87.31 (2) a special education cooperative or other cooperative unit under section 123A.24,
87.32 subdivision 2.

88.1 (b) In addition to allowable grant expenses under subdivision 3, grant funds awarded
 88.2 under this subdivision may be used to develop innovative therapeutic teaching models.

88.3 Sec. 8. Minnesota Statutes 2018, section 299F.30, subdivision 1, is amended to read:

88.4 Subdivision 1. **Duties of fire marshal.** Consistent with sections 121A.035, 121A.037,
 88.5 and this section, it ~~shall be~~ is the duty of the state fire marshal, deputies and assistants, to
 88.6 require public and private schools and educational institutions to have at least five fire drills
 88.7 each school year, including at least four drills as provided under subdivision 2, paragraph
 88.8 (a), and to keep all doors and exits unlocked from the inside of the building during school
 88.9 hours.

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

88.11 Sec. 9. Minnesota Statutes 2018, section 299F.30, subdivision 2, is amended to read:

88.12 Subd. 2. **Fire drill.** (a) Each superintendent, principal, or other person in charge of a
 88.13 public or private school, educational institution, children's home or orphanage housing 20
 88.14 or more students or other persons, ~~shall~~ must instruct and train such students or other persons
 88.15 to quickly and expeditiously quit the premises in case of fire or other emergency by means
 88.16 of drills or rapid dismissals while such school, institution, home, or orphanage is in operation.

88.17 (b) In addition to the drills required under paragraph (a), a public or private school or
 88.18 educational institution may implement an alternative fire drill that does not require students
 88.19 or other persons to quit the premises. A school or educational institution choosing to develop
 88.20 and implement nonevacuating fire drill protocols must work in partnership with the local
 88.21 fire chief or the fire chief's designee and chief law enforcement officers or their designee.

88.22 (c) Records of ~~such~~ fire drills shall must be posted so that such records are available for
 88.23 review by the state fire marshal at all times and ~~shall~~ must include the type of drill conducted,
 88.24 nonevacuation or evacuation, and drill date and the time required to evacuate the building,
 88.25 if the drill required an evacuation.

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

88.27 Sec. 10. Minnesota Statutes 2018, section 626.556, subdivision 2, is amended to read:

88.28 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
 88.29 given them unless the specific content indicates otherwise:

88.30 (a) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence
 88.31 or event which:

- 89.1 (1) is not likely to occur and could not have been prevented by exercise of due care; and
- 89.2 (2) if occurring while a child is receiving services from a facility, happens when the
- 89.3 facility and the employee or person providing services in the facility are in compliance with
- 89.4 the laws and rules relevant to the occurrence or event.
- 89.5 (b) "Commissioner" means the commissioner of human services.
- 89.6 (c) "Facility" means:
- 89.7 (1) a licensed or unlicensed day care facility, certified license-exempt child care center,
- 89.8 residential facility, agency, hospital, sanitarium, or other facility or institution required to
- 89.9 be licensed under sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16, or chapter
- 89.10 144H, 245D, or 245H;
- 89.11 (2) a school as defined in section 120A.05, subdivisions 9, 11, and 13; and chapter 124E;
- 89.12 or
- 89.13 (3) a nonlicensed personal care provider organization as defined in section 256B.0625,
- 89.14 subdivision 19a.
- 89.15 (d) "Family assessment" means a comprehensive assessment of child safety, risk of
- 89.16 subsequent child maltreatment, and family strengths and needs that is applied to a child
- 89.17 maltreatment report that does not allege sexual abuse or substantial child endangerment.
- 89.18 Family assessment does not include a determination as to whether child maltreatment
- 89.19 occurred but does determine the need for services to address the safety of family members
- 89.20 and the risk of subsequent maltreatment.
- 89.21 (e) "Investigation" means fact gathering related to the current safety of a child and the
- 89.22 risk of subsequent maltreatment that determines whether child maltreatment occurred and
- 89.23 whether child protective services are needed. An investigation must be used when reports
- 89.24 involve sexual abuse or substantial child endangerment, and for reports of maltreatment in
- 89.25 facilities required to be licensed or certified under chapter 245A, 245D, or 245H; under
- 89.26 sections 144.50 to 144.58 and 241.021; in a school as defined in section 120A.05,
- 89.27 subdivisions 9, 11, and 13, and chapter 124E; or in a nonlicensed personal care provider
- 89.28 association as defined in section 256B.0625, subdivision 19a.
- 89.29 (f) "Mental injury" means an injury to the psychological capacity or emotional stability
- 89.30 of a child as evidenced by an observable or substantial impairment in the child's ability to
- 89.31 function within a normal range of performance and behavior with due regard to the child's
- 89.32 culture.

90.1 (g) "Neglect" means the commission or omission of any of the acts specified under
90.2 clauses (1) to (9), other than by accidental means:

90.3 (1) failure by a person responsible for a child's care to supply a child with necessary
90.4 food, clothing, shelter, health, medical, or other care required for the child's physical or
90.5 mental health when reasonably able to do so;

90.6 (2) failure to protect a child from conditions or actions that seriously endanger the child's
90.7 physical or mental health when reasonably able to do so, including a growth delay, which
90.8 may be referred to as a failure to thrive, that has been diagnosed by a physician and is due
90.9 to parental neglect;

90.10 (3) failure to provide for necessary supervision or child care arrangements appropriate
90.11 for a child after considering factors as the child's age, mental ability, physical condition,
90.12 length of absence, or environment, when the child is unable to care for the child's own basic
90.13 needs or safety, or the basic needs or safety of another child in their care;

90.14 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
90.15 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
90.16 child with sympathomimetic medications, consistent with section 125A.091, subdivision
90.17 5;

90.18 (5) nothing in this section shall be construed to mean that a child is neglected solely
90.19 because the child's parent, guardian, or other person responsible for the child's care in good
90.20 faith selects and depends upon spiritual means or prayer for treatment or care of disease or
90.21 remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker,
90.22 or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of
90.23 medical care may cause serious danger to the child's health. This section does not impose
90.24 upon persons, not otherwise legally responsible for providing a child with necessary food,
90.25 clothing, shelter, education, or medical care, a duty to provide that care;

90.26 (6) prenatal exposure to a controlled substance, as defined in section 253B.02, subdivision
90.27 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in
90.28 the child at birth, results of a toxicology test performed on the mother at delivery or the
90.29 child at birth, medical effects or developmental delays during the child's first year of life
90.30 that medically indicate prenatal exposure to a controlled substance, or the presence of a
90.31 fetal alcohol spectrum disorder;

90.32 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

91.1 (8) chronic and severe use of alcohol or a controlled substance by a parent or person
91.2 responsible for the care of the child that adversely affects the child's basic needs and safety;
91.3 or

91.4 (9) emotional harm from a pattern of behavior which contributes to impaired emotional
91.5 functioning of the child which may be demonstrated by a substantial and observable effect
91.6 in the child's behavior, emotional response, or cognition that is not within the normal range
91.7 for the child's age and stage of development, with due regard to the child's culture.

91.8 (h) "Nonmaltreatment mistake" means:

91.9 (1) at the time of the incident, the individual was performing duties identified in the
91.10 center's child care program plan required under Minnesota Rules, part 9503.0045;

91.11 (2) the individual has not been determined responsible for a similar incident that resulted
91.12 in a finding of maltreatment for at least seven years;

91.13 (3) the individual has not been determined to have committed a similar nonmaltreatment
91.14 mistake under this paragraph for at least four years;

91.15 (4) any injury to a child resulting from the incident, if treated, is treated only with
91.16 remedies that are available over the counter, whether ordered by a medical professional or
91.17 not; and

91.18 (5) except for the period when the incident occurred, the facility and the individual
91.19 providing services were both in compliance with all licensing requirements relevant to the
91.20 incident.

91.21 This definition only applies to child care centers licensed under Minnesota Rules, chapter
91.22 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated
91.23 maltreatment by the individual, the commissioner of human services shall determine that a
91.24 nonmaltreatment mistake was made by the individual.

91.25 (i) "Operator" means an operator or agency as defined in section 245A.02.

91.26 (j) "Person responsible for the child's care" means (1) an individual functioning within
91.27 the family unit and having responsibilities for the care of the child such as a parent, guardian,
91.28 or other person having similar care responsibilities, or (2) an individual functioning outside
91.29 the family unit and having responsibilities for the care of the child such as a teacher, school
91.30 administrator, other school employees or agents, or other lawful custodian of a child having
91.31 either full-time or short-term care responsibilities including, but not limited to, day care,
91.32 babysitting whether paid or unpaid, counseling, teaching, and coaching.

92.1 (k) "Physical abuse" means any physical injury, mental injury, or threatened injury,
92.2 inflicted by a person responsible for the child's care on a child other than by accidental
92.3 means, or any physical or mental injury that cannot reasonably be explained by the child's
92.4 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
92.5 that have not been authorized under section 125A.0942 or 245.825.

92.6 Abuse does not include reasonable and moderate physical discipline of a child
92.7 administered by a parent or legal guardian which does not result in an injury. Abuse does
92.8 not include the use of reasonable force by a teacher, principal, or school employee as allowed
92.9 by section 121A.582. Actions which are not reasonable and moderate include, but are not
92.10 limited to, any of the following:

92.11 (1) throwing, kicking, burning, biting, or cutting a child;

92.12 (2) striking a child with a closed fist;

92.13 (3) shaking a child under age three;

92.14 (4) striking or other actions which result in any nonaccidental injury to a child under 18
92.15 months of age;

92.16 (5) unreasonable interference with a child's breathing;

92.17 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

92.18 (7) striking a child under age one on the face or head;

92.19 (8) striking a child who is at least age one but under age four on the face or head, which
92.20 results in an injury;

92.21 (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
92.22 substances which were not prescribed for the child by a practitioner, in order to control or
92.23 punish the child; or other substances that substantially affect the child's behavior, motor
92.24 coordination, or judgment or that results in sickness or internal injury, or subjects the child
92.25 to medical procedures that would be unnecessary if the child were not exposed to the
92.26 substances;

92.27 (10) unreasonable physical confinement or restraint not permitted under section 609.379,
92.28 including but not limited to tying, caging, or chaining; or

92.29 (11) in a school facility or school zone, an act by a person responsible for the child's
92.30 care that is a violation under section 121A.58.

93.1 (l) "Practice of social services," for the purposes of subdivision 3, includes but is not
93.2 limited to employee assistance counseling and the provision of guardian ad litem and
93.3 parenting time expeditor services.

93.4 (m) "Report" means any communication received by the local welfare agency, police
93.5 department, county sheriff, or agency responsible for child protection pursuant to this section
93.6 that describes neglect or physical or sexual abuse of a child and contains sufficient content
93.7 to identify the child and any person believed to be responsible for the neglect or abuse, if
93.8 known.

93.9 (n) "Sexual abuse" means the subjection of a child by a person responsible for the child's
93.10 care, by a person who has a significant relationship to the child, as defined in section 609.341,
93.11 or by a person in a position of authority, as defined in section 609.341, subdivision 10, to
93.12 any act which constitutes a violation of section 609.342 (criminal sexual conduct in the first
93.13 degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual
93.14 conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), ~~or~~
93.15 609.3451 (criminal sexual conduct in the fifth degree), or 609.352 (solicitation of children
93.16 to engage in sexual conduct; communication of sexually explicit materials to children).

93.17 Sexual abuse also includes any act which involves a minor which constitutes a violation of
93.18 prostitution offenses under sections 609.321 to 609.324 or 617.246. Effective May 29, 2017,
93.19 sexual abuse includes all reports of known or suspected child sex trafficking involving a
93.20 child who is identified as a victim of sex trafficking. Sexual abuse includes child sex
93.21 trafficking as defined in section 609.321, subdivisions 7a and 7b. Sexual abuse includes
93.22 threatened sexual abuse which includes the status of a parent or household member who
93.23 has committed a violation which requires registration as an offender under section 243.166,
93.24 subdivision 1b, paragraph (a) or (b), or required registration under section 243.166,
93.25 subdivision 1b, paragraph (a) or (b).

93.26 (o) "Substantial child endangerment" means a person responsible for a child's care, by
93.27 act or omission, commits or attempts to commit an act against a child under their care that
93.28 constitutes any of the following:

93.29 (1) egregious harm as defined in section 260C.007, subdivision 14;

93.30 (2) abandonment under section 260C.301, subdivision 2;

93.31 (3) neglect as defined in paragraph (g), clause (2), that substantially endangers the child's
93.32 physical or mental health, including a growth delay, which may be referred to as failure to
93.33 thrive, that has been diagnosed by a physician and is due to parental neglect;

93.34 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

- 94.1 (5) manslaughter in the first or second degree under section 609.20 or 609.205;
- 94.2 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;
- 94.3 (7) solicitation, inducement, and promotion of prostitution under section 609.322;
- 94.4 (8) criminal sexual conduct under sections 609.342 to 609.3451;
- 94.5 (9) solicitation of children to engage in sexual conduct under section 609.352;
- 94.6 (10) malicious punishment or neglect or endangerment of a child under section 609.377
- 94.7 or 609.378;
- 94.8 (11) use of a minor in sexual performance under section 617.246; or
- 94.9 (12) parental behavior, status, or condition which mandates that the county attorney file
- 94.10 a termination of parental rights petition under section 260C.503, subdivision 2.
- 94.11 (p) "Threatened injury" means a statement, overt act, condition, or status that represents
- 94.12 a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes,
- 94.13 but is not limited to, exposing a child to a person responsible for the child's care, as defined
- 94.14 in paragraph (j), clause (1), who has:
- 94.15 (1) subjected a child to, or failed to protect a child from, an overt act or condition that
- 94.16 constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a similar law
- 94.17 of another jurisdiction;
- 94.18 (2) been found to be palpably unfit under section 260C.301, subdivision 1, paragraph
- 94.19 (b), clause (4), or a similar law of another jurisdiction;
- 94.20 (3) committed an act that has resulted in an involuntary termination of parental rights
- 94.21 under section 260C.301, or a similar law of another jurisdiction; or
- 94.22 (4) committed an act that has resulted in the involuntary transfer of permanent legal and
- 94.23 physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201,
- 94.24 subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law
- 94.25 of another jurisdiction.
- 94.26 A child is the subject of a report of threatened injury when the responsible social services
- 94.27 agency receives birth match data under paragraph (q) from the Department of Human
- 94.28 Services.
- 94.29 (q) Upon receiving data under section 144.225, subdivision 2b, contained in a birth
- 94.30 record or recognition of parentage identifying a child who is subject to threatened injury
- 94.31 under paragraph (p), the Department of Human Services shall send the data to the responsible

95.1 social services agency. The data is known as "birth match" data. Unless the responsible
 95.2 social services agency has already begun an investigation or assessment of the report due
 95.3 to the birth of the child or execution of the recognition of parentage and the parent's previous
 95.4 history with child protection, the agency shall accept the birth match data as a report under
 95.5 this section. The agency may use either a family assessment or investigation to determine
 95.6 whether the child is safe. All of the provisions of this section apply. If the child is determined
 95.7 to be safe, the agency shall consult with the county attorney to determine the appropriateness
 95.8 of filing a petition alleging the child is in need of protection or services under section
 95.9 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is
 95.10 determined not to be safe, the agency and the county attorney shall take appropriate action
 95.11 as required under section 260C.503, subdivision 2.

95.12 (r) Persons who conduct assessments or investigations under this section shall take into
 95.13 account accepted child-rearing practices of the culture in which a child participates and
 95.14 accepted teacher discipline practices, which are not injurious to the child's health, welfare,
 95.15 and safety.

95.16 Sec. 11. Minnesota Statutes 2018, section 626.556, subdivision 3b, is amended to read:

95.17 Subd. 3b. **Agency responsible for assessing or investigating reports of**
 95.18 **maltreatment.** The Department of Education is the agency responsible for assessing or
 95.19 investigating allegations of child maltreatment in schools as defined in section 120A.05,
 95.20 subdivisions 9, 11, and 13; and chapter 124E. The Department of Education's responsibility
 95.21 to assess and investigate includes allegations of maltreatment involving students 18 to 21
 95.22 years of age, including students receiving special education services, up to and until
 95.23 graduation and the issuance of a secondary or high school diploma.

95.24 Sec. 12. **APPROPRIATIONS.**

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

95.28 Subd. 2. **Suicide prevention training for teachers.** (a) For a grant to a
 95.29 nationally-recognized provider of evidence-based online training on suicide prevention and
 95.30 engagement of students experiencing mental distress:

96.1 \$ 480,000 2020

96.2 (b) Training funded by the grant must be accessible to teachers in every school district,
96.3 charter school, intermediate school district, service cooperative, and tribal school in
96.4 Minnesota.

96.5 (c) The grant recipient must report to the commissioner of education the number of
96.6 teachers completing the online training, average length of time to complete training, and
96.7 length of average stay using the online training. The commissioner must survey online
96.8 training users to determine their perception of the online training. By January 8, 2021, the
96.9 commissioner must report the grant recipient's information and the survey results to the
96.10 chairs and ranking minority members of the legislative committees having jurisdiction over
96.11 kindergarten through grade 12 education.

96.12 (d) This is a onetime appropriation and is available until June 30, 2021.

96.13 Subd. 3. **Safe schools aid.** (a) For safe schools aid under Minnesota Statutes, section
96.14 126C.44:

96.15 \$ 37,097,000 2020

96.16 \$ 37,426,000 2021

96.17 (b) One hundred percent of the aid under Minnesota Statutes, section 126C.44, must be
96.18 paid in the current year.

96.19 Subd. 4. **School-linked mental health grants.** (a) For transfer to the commissioner of
96.20 human services for school-linked mental health grants under Minnesota Statutes, section
96.21 245.4901, subdivisions 1 to 4:

96.22 \$ 2,500,000 2020

96.23 \$ 2,500,000 2021

96.24 (b) Any balance in the first year is available in the second year. The base for fiscal year
96.25 2022 is \$2,500,000. The base for fiscal year 2024 is \$0.

96.26 **ARTICLE 6**

96.27 **FACILITIES, FUND TRANSFERS, AND ACCOUNTING**

96.28 Section 1. Minnesota Statutes 2018, section 121A.335, subdivision 3, is amended to read:

96.29 Subd. 3. **Frequency of testing.** (a) The plan under subdivision 2 must include a testing
96.30 schedule for every building serving prekindergarten through grade 12 students. The schedule
96.31 must require that each building be tested at least once every five years. A school district or

97.1 charter school must begin testing school buildings by July 1, 2018, and complete testing of
97.2 all buildings that serve students within five years.

97.3 (b) A school district or charter school that finds lead at a specific location providing
97.4 cooking or drinking water within a facility must formulate, make publicly available, and
97.5 implement a plan that is consistent with established guidelines and recommendations to
97.6 ensure that student exposure to lead is minimized. This includes, when a school district or
97.7 charter school finds the presence of lead at a level where action should be taken as set by
97.8 the guidance in any water source that can provide cooking or drinking water, immediately
97.9 shutting off the water source or making it unavailable until the hazard has been minimized.

97.10 Sec. 2. Minnesota Statutes 2018, section 121A.335, subdivision 5, is amended to read:

97.11 Subd. 5. **Reporting.** A school district or charter school that has tested its buildings for
97.12 the presence of lead shall make the results of the testing available to the public for review
97.13 and must notify parents of the availability of the information. School districts and charter
97.14 schools must follow the actions outlined in guidance from the commissioners of health and
97.15 education. If a test conducted under subdivision 3, paragraph (a), reveals the presence of
97.16 lead above a level where action should be taken as set by the guidance, the school district
97.17 or charter must, within 30 days of receiving the test result, either remediate the presence of
97.18 lead to below the level set in guidance, verified by retest, or directly notify parents of the
97.19 test result. The school district or charter school must make the water source unavailable
97.20 until the hazard has been minimized.

97.21 Sec. 3. **[121A.337] NOTIFICATION OF ENVIRONMENTAL HAZARDS.**

97.22 If the Department of Health or Pollution Control Agency notifies a school district, charter
97.23 school, or nonpublic school of environmental hazards that may affect the health of students
97.24 or school staff, the school must notify school staff, students, and parents of the hazards as
97.25 soon as practicable. The notice must include direction on how to obtain additional information
97.26 about the hazard, including any actions that may reduce potential harm to those affected by
97.27 the hazard.

97.28 Sec. 4. Minnesota Statutes 2018, section 123B.52, subdivision 6, is amended to read:

97.29 Subd. 6. **Disposing of surplus school computers.** (a) Notwithstanding section 471.345,
97.30 governing school district contracts made upon sealed bid or otherwise complying with the
97.31 requirements for competitive bidding, other provisions of this section governing school

98.1 district contracts, or other law to the contrary, a school district under this subdivision may
 98.2 dispose of school computers, including a tablet device.

98.3 (b) A school district may dispose of a surplus school computer and related equipment
 98.4 if the district disposes of the surplus property by conveying the property and title to:

98.5 (1) another school district;

98.6 (2) the state Department of Corrections;

98.7 (3) the Board of Trustees of the Minnesota State Colleges and Universities; or

98.8 (4) the family of a student residing in the district whose total family income meets the
 98.9 federal definition of poverty.

98.10 (c) If surplus school computers are not disposed of under paragraph (b), upon adoption
 98.11 of a written resolution of the school board, when updating or replacing school computers,
 98.12 including tablet devices, used primarily by students, a school district may sell or give used
 98.13 computers or tablets to qualifying students at the price specified in the written resolution.

98.14 A student is eligible to apply to the school board for a computer or tablet under this
 98.15 subdivision if the student is currently enrolled in the school and intends to enroll in the
 98.16 school in the year following the receipt of the computer or tablet. If more students apply
 98.17 for computers or tablets than are available, the school must first qualify students whose
 98.18 families are eligible for free or reduced-price meals, and then dispose of the remaining
 98.19 computers or tablets by lottery.

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

98.21 Sec. 5. **[123B.651] ENERGY USE REDUCTION AND REPORTING FOR PUBLIC**
 98.22 **SCHOOLS.**

98.23 Beginning October 1, 2019, each public school or school district reporting on behalf of
 98.24 a public school must enter and maintain monthly utility consumption data into the Minnesota
 98.25 B3 benchmarking program for all buildings under its custodial control. Reporting by a third
 98.26 party, including automatic reporting by an electric or gas utility, may be used to meet this
 98.27 requirement. A school or school district must not be penalized for failure to comply with
 98.28 this section.

98.29 Sec. 6. Minnesota Statutes 2018, section 125B.26, subdivision 4, is amended to read:

98.30 Subd. 4. **District aid.** ~~For fiscal year 2006 and later,~~ A district, charter school, or
 98.31 intermediate school district's Internet access equity aid equals the district, charter school,

99.1 or intermediate school district's approved cost for the previous fiscal year according to
 99.2 subdivision 1 ~~exceeding \$16 times the district's adjusted pupil units for the previous fiscal~~
 99.3 ~~year or no reduction if the district is part of an organized telecommunications access cluster.~~
 99.4 Equity aid must be distributed to the telecommunications access cluster for districts, charter
 99.5 schools, or intermediate school districts that are members of the cluster or to individual
 99.6 districts, charter schools, or intermediate school districts not part of a telecommunications
 99.7 access cluster.

99.8 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

99.9 Sec. 7. Minnesota Statutes 2018, section 125B.26, subdivision 5, is amended to read:

99.10 Subd. 5. **Telecommunications/Internet access services for nonpublic schools.** (a)

99.11 Districts shall provide each year upon formal request by or on behalf of a nonpublic school,
 99.12 not including home schools, located in that district or area, ongoing or recurring
 99.13 telecommunications access services to the nonpublic school either through existing district
 99.14 providers or through separate providers.

99.15 (b) The amount of district aid for telecommunications access services for each nonpublic
 99.16 school under this subdivision equals the lesser of:

99.17 (1) ~~90 percent of the nonpublic school's approved cost for the previous fiscal year~~
 99.18 ~~according to subdivision 1 exceeding \$10 for fiscal year 2006 and later times the number~~
 99.19 ~~of weighted pupils enrolled at the nonpublic school as of October 1 of the previous school~~
 99.20 ~~year;~~ or

99.21 (2) the product of the district's aid per pupil unit according to subdivision 4 times the
 99.22 number of weighted pupils enrolled at the nonpublic school as of October 1 of the previous
 99.23 school year.

99.24 (c) For purposes of this subdivision, nonpublic school pupils shall be weighted by grade
 99.25 level using the weighting factors defined in section 126C.05, subdivision 1.

99.26 (d) Each year, a district providing services under paragraph (a) may claim up to five
 99.27 percent of the aid determined in paragraph (b) for costs of administering this subdivision.
 99.28 No district may expend an amount for these telecommunications access services which
 99.29 exceeds the amount allocated under this subdivision. The nonpublic school is responsible
 99.30 for the Internet access costs not covered by this section.

99.31 (e) At the request of a nonpublic school, districts may allocate the amount determined
 99.32 in paragraph (b) directly to the nonpublic school to pay for or offset the nonpublic school's
 99.33 costs for telecommunications access services; however, the amount allocated directly to the

100.1 nonpublic school may not exceed the actual amount of the school's ongoing or recurring
100.2 telecommunications access costs.

100.3 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

100.4 Sec. 8. Minnesota Statutes 2018, section 205A.07, subdivision 2, is amended to read:

100.5 Subd. 2. **Sample ballot, posting.** (a) For every school district primary, general, or special
100.6 election, the school district clerk ~~shall~~ must at least four days before the primary, general,
100.7 or special election, post a sample ballot in the administrative offices of the school district
100.8 for public inspection, and ~~shall~~ must post a sample ballot in each polling place on election
100.9 day.

100.10 (b) For a school district general or special election held to authorize the issuance of
100.11 bonds to finance a capital project requiring review and comment under section 123B.71,
100.12 the summary of the commissioner's review and comment and supplemental information
100.13 required under section 123B.71, subdivision 12, paragraph (a), must be posted in the same
100.14 manner as the sample ballot under paragraph (a).

100.15 **EFFECTIVE DATE.** This section is effective for elections held on or after August 1,
100.16 2019.

100.17 Sec. 9. Minnesota Statutes 2018, section 471.59, subdivision 1, is amended to read:

100.18 Subdivision 1. **Agreement.** (a) Two or more governmental units, by agreement entered
100.19 into through action of their governing bodies, may jointly or cooperatively exercise any
100.20 power common to the contracting parties or any similar powers, including those which are
100.21 the same except for the territorial limits within which they may be exercised. The agreement
100.22 may provide for the exercise of such powers by one or more of the participating governmental
100.23 units on behalf of the other participating units.

100.24 (b) The term "governmental unit" as used in this section includes every city, county,
100.25 town, school district, service cooperative under section 123A.21, charter school under
100.26 chapter 124E, independent nonprofit firefighting corporation, other political subdivision of
100.27 this or another state, another state, federally recognized Indian tribe, the University of
100.28 Minnesota, the Minnesota Historical Society, nonprofit hospitals licensed under sections
100.29 144.50 to 144.56, rehabilitation facilities and extended employment providers that are
100.30 certified by the commissioner of employment and economic development, day and supported
100.31 employment services licensed under chapter 245D, and any agency of the state of Minnesota
100.32 or the United States, and includes any instrumentality of a governmental unit. For the purpose

101.1 of this section, an instrumentality of a governmental unit means an instrumentality having
101.2 independent policy-making and appropriating authority.

101.3 Sec. 10. Minnesota Statutes 2018, section 475.58, subdivision 4, is amended to read:

101.4 Subd. 4. **Proper use of bond proceeds.** The proceeds of obligations issued after approval
101.5 of the electors under this section ~~may~~ must only be spent: (1) for the purposes stated in the
101.6 ballot language; or (2) to pay, redeem, or defease obligations and interest, penalties,
101.7 premiums, and costs of issuance of the obligations. The proceeds ~~may~~ must not be spent
101.8 for a different purpose or for an expansion of the original purpose without the approval by
101.9 a majority of the electors voting on the question of changing or expanding the purpose of
101.10 the obligations.

101.11 Sec. 11. Minnesota Statutes 2018, section 475.59, subdivision 1, is amended to read:

101.12 Subdivision 1. **Generally; notice.** (a) When the governing body of a municipality resolves
101.13 to issue bonds for any purpose requiring the approval of the electors, it shall provide for
101.14 submission of the proposition of their issuance at a general or special election or town or
101.15 school district meeting. Notice of such election or meeting shall be given in the manner
101.16 required by law and shall state the maximum amount and the purpose of the proposed issue.

101.17 (b) In any school district, the school board or board of education may, according to its
101.18 judgment and discretion, submit as a single ballot question or as two or more separate
101.19 questions in the notice of election and ballots the proposition of their issuance for any one
101.20 or more of the following, stated conjunctively or in the alternative: acquisition or enlargement
101.21 of sites, acquisition, betterment, erection, furnishing, equipping of one or more new
101.22 schoolhouses, remodeling, repairing, improving, adding to, betterment, furnishing, equipping
101.23 of one or more existing schoolhouses. The ballot question or questions submitted by a school
101.24 board must state the name of the plan or plans being proposed by the district as submitted
101.25 to the commissioner of education for review and comment under section 123B.71.

101.26 (c) In any city, town, or county, the governing body may, according to its judgment and
101.27 discretion, submit as a single ballot question or as two or more separate questions in the
101.28 notice of election and ballots the proposition of their issuance, stated conjunctively or in
101.29 the alternative, for the acquisition, construction, or improvement of any facilities at one or
101.30 more locations.

101.31 **EFFECTIVE DATE.** This section is effective for elections held on or after August 1,
101.32 2019.

102.1 Sec. 12. **FUND TRANSFERS.**

102.2 Subdivision 1. **Truman.** (a) Notwithstanding Minnesota Statutes, section 123B.79,
 102.3 123B.80, or 124D.135, on June 30, 2019, Independent School District No. 458, Truman,
 102.4 may permanently transfer up to \$65,000 from the early childhood and family education
 102.5 reserve account in the community service fund to the undesignated general fund.

102.6 (b) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 124D.16, on June
 102.7 30, 2019, Independent School District No. 458, Truman, may permanently transfer up to
 102.8 \$45,000 from the school readiness reserve account in the community service fund to the
 102.9 undesignated general fund.

102.10 Subd. 2. **Minnetonka.** Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
 102.11 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 276,
 102.12 Minnetonka, may permanently transfer up to \$3,300,000 from its community education
 102.13 reserve fund balance to its reserved for operating capital account in the general fund. The
 102.14 transferred funds must be used only to design, construct, furnish, and equip an early childhood
 102.15 or community education classroom addition.

102.16 Subd. 3. **Hopkins.** (a) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
 102.17 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 270, Hopkins,
 102.18 may permanently transfer up to \$500,000 from its community education reserve fund balance
 102.19 to its reserved for operating capital account in the general fund.

102.20 (b) The transfer funds must be used only to design, construct, furnish, and equip an early
 102.21 childhood classroom addition.

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

102.23 Sec. 13. **APPROPRIATIONS.**

102.24 Subdivision 1. **Department of Education.** The sum indicated in this section is
 102.25 appropriated from the general fund to the Department of Education for the fiscal year
 102.26 designated.

102.27 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
 102.28 Minnesota Statutes, section 123B.53, subdivision 6:

102.29 \$ 20,684,000 2020

102.30 \$ 20,363,000 2021

102.31 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

102.32 The 2021 appropriation includes \$2,043,000 for 2020 and \$18,320,000 for 2021.

103.1 Subd. 3. Long-term facilities maintenance equalized aid. For long-term facilities
 103.2 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

103.3 \$ 105,144,000 2020

103.4 \$ 107,850,000 2021

103.5 The 2020 appropriation includes \$10,464,000 for 2019 and \$94,680,000 for 2020.

103.6 The 2021 appropriation includes \$10,520,000 for 2020 and \$97,330,000 for 2021.

103.7 Subd. 4. Equity in telecommunications access. (a) For equity in telecommunications
 103.8 access:

103.9 \$ 4,250,000 2020

103.10 \$ 4,250,000 2021

103.11 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
 103.12 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
 103.13 revenue for fiscal years 2020 and 2021 shall be prorated.

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

103.15 Subd. 5. Early repayment aid incentive. (a) For incentive grants for a district that
 103.16 repays the full outstanding original principal on its capital loan by November 30, 2016,
 103.17 under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by Laws
 103.18 2016, chapter 189, article 30, section 22:

103.19 \$ 2,350,000 2020

103.20 \$ 2,350,000 2021

103.21 (b) Of this amount, \$150,000 is for a grant to Independent School District No. 36,
 103.22 Kelliher; \$180,000 is for a grant to Independent School District No. 95, Cromwell; \$495,000
 103.23 is for a grant to Independent School District No. 299, Caledonia; \$220,000 is for a grant to
 103.24 Independent School District No. 306, Laporte; \$150,000 is for a grant to Independent School
 103.25 District No. 362, Littlefork; \$650,000 is for a grant to Independent School District No. 682,
 103.26 Roseau; and \$505,000 is for a grant to Independent School District No. 2580, East Central.

103.27 (c) The grant may be used for any school-related purpose.

103.28 (d) The base for fiscal year 2022 is \$0.

103.29 Subd. 6. Maximum effort loan aid. (a) For aid payments to schools with outstanding
 103.30 capital loans under Minnesota Statutes, section 477A.09.

103.31 \$ 3,291,000 2020

103.32 \$ 3,291,000 2021

104.1 (b) The base for fiscal year 2022 is \$3,291,000 and the base for fiscal year 2023 is \$0.

104.2 **ARTICLE 7**

104.3 **NUTRITION AND LIBRARIES**

104.4 Section 1. Minnesota Statutes 2018, section 124D.111, is amended to read:

104.5 **124D.111 SCHOOL MEALS POLICIES; LUNCH AID; FOOD SERVICE**
104.6 **ACCOUNTING.**

104.7 Subdivision 1. **School ~~lunch aid computation~~ meals policies.** (a) Each Minnesota
104.8 participant in the national school lunch program must adopt and post to its website, or the
104.9 website of the organization where the meal is served, a school meals policy.

104.10 (b) The policy must be in writing and clearly communicate student meal charges when
104.11 payment cannot be collected at the point of service. The policy must be reasonable and
104.12 well-defined and maintain the dignity of students by prohibiting lunch shaming.

104.13 Subd. 1a. **School lunch aid amounts.** Each school year, the state must pay participants
104.14 in the national school lunch program the amount of 12.5 cents for each full paid and free
104.15 student lunch and 52.5 cents for each reduced-price lunch served to students.

104.16 Subd. 2. **Application.** A school district, charter school, nonpublic school, or other
104.17 participant in the national school lunch program shall apply to the department for this
104.18 payment on forms provided by the department.

104.19 Subd. 2a. **Federal Child and Adult Care Food Program; criteria and notice.** The
104.20 commissioner must post on the department's website eligibility criteria and application
104.21 information for nonprofit organizations interested in applying to the commissioner for
104.22 approval as a multisite sponsoring organization under the federal Child and Adult Care
104.23 Food Program. The posted criteria and information must inform interested nonprofit
104.24 organizations about:

104.25 (1) the criteria the commissioner uses to approve or disapprove an application, including
104.26 how an applicant demonstrates financial viability for the Minnesota program, among other
104.27 criteria;

104.28 (2) the commissioner's process and time line for notifying an applicant when its
104.29 application is approved or disapproved and, if the application is disapproved, the explanation
104.30 the commissioner provides to the applicant; and

104.31 (3) any appeal or other recourse available to a disapproved applicant.

105.1 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision must
105.2 be recorded as provided in this subdivision.

105.3 (b) In each district, the expenses for a school food service program for pupils must be
105.4 attributed to a school food service fund. Under a food service program, the school food
105.5 service may prepare or serve milk, meals, or snacks in connection with school or community
105.6 service activities.

105.7 (c) Revenues and expenditures for food service activities must be recorded in the food
105.8 service fund. The costs of processing applications, accounting for meals, preparing and
105.9 serving food, providing kitchen custodial services, and other expenses involving the preparing
105.10 of meals or the kitchen section of the lunchroom may be charged to the food service fund
105.11 or to the general fund of the district. The costs of lunchroom supervision, lunchroom custodial
105.12 services, lunchroom utilities, and other administrative costs of the food service program
105.13 must be charged to the general fund.

105.14 That portion of superintendent and fiscal manager costs that can be documented as
105.15 attributable to the food service program may be charged to the food service fund provided
105.16 that the school district does not employ or contract with a food service director or other
105.17 individual who manages the food service program, or food service management company.
105.18 If the cost of the superintendent or fiscal manager is charged to the food service fund, the
105.19 charge must be at a wage rate not to exceed the statewide average for food service directors
105.20 as determined by the department.

105.21 (d) Capital expenditures for the purchase of food service equipment must be made from
105.22 the general fund and not the food service fund, unless the restricted balance in the food
105.23 service fund at the end of the last fiscal year is greater than the cost of the equipment to be
105.24 purchased.

105.25 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased
105.26 from the food service fund.

105.27 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
105.28 is not eliminated by revenues from food service operations in the next fiscal year, then the
105.29 deficit must be eliminated by a permanent fund transfer from the general fund at the end of
105.30 that second fiscal year. However, if a district contracts with a food service management
105.31 company during the period in which the deficit has accrued, the deficit must be eliminated
105.32 by a payment from the food service management company.

105.33 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service fund
105.34 for up to three years without making the permanent transfer if the district submits to the

106.1 commissioner by January 1 of the second fiscal year a plan for eliminating that deficit at
106.2 the end of the third fiscal year.

106.3 (h) If a surplus in the food service fund exists at the end of a fiscal year for three
106.4 successive years, a district may recode for that fiscal year the costs of lunchroom supervision,
106.5 lunchroom custodial services, lunchroom utilities, and other administrative costs of the food
106.6 service program charged to the general fund according to paragraph (c) and charge those
106.7 costs to the food service fund in a total amount not to exceed the amount of surplus in the
106.8 food service fund.

106.9 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must
106.10 make lunch available without charge to all participating students who qualify for free or
106.11 reduced-price meals. The participant must also ensure that any reminders for payment of
106.12 outstanding student meal balances do not demean or stigmatize any child participating in
106.13 the school lunch program.

106.14 Sec. 2. **APPROPRIATIONS.**

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

106.18 **Subd. 2. School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
106.19 and Code of Federal Regulations, title 7, section 210.17:

106.20	\$	<u>16,215,000</u>	<u>.....</u>	<u>2020</u>
106.21	\$	<u>16,484,000</u>	<u>.....</u>	<u>2021</u>

106.22 **Subd. 3. School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
106.23 section 124D.1158:

106.24	\$	<u>11,073,000</u>	<u>.....</u>	<u>2020</u>
106.25	\$	<u>11,534,000</u>	<u>.....</u>	<u>2021</u>

106.26 **Subd. 4. Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
106.27 section 124D.118:

106.28	\$	<u>691,000</u>	<u>.....</u>	<u>2020</u>
106.29	\$	<u>691,000</u>	<u>.....</u>	<u>2021</u>

106.30 **Subd. 5. Summer school food service replacement aid.** For summer school food service
106.31 replacement aid under Minnesota Statutes, section 124D.119:

107.1 \$ 150,000 2020

107.2 \$ 150,000 2021

107.3 Subd. 6. **Basic system support.** For basic system support aid under Minnesota Statutes,
107.4 section 134.355:

107.5 \$ 13,570,000 2020

107.6 \$ 13,570,000 2021

107.7 The 2020 appropriation includes \$1,357,000 for 2019 and \$12,213,000 for 2020.

107.8 The 2021 appropriation includes \$1,357,000 for 2020 and \$12,213,000 for 2021.

107.9 Subd. 7. **Multicounty, multitype library systems.** For aid under Minnesota Statutes,
107.10 sections 134.353 and 134.354, to multicounty, multitype library systems:

107.11 \$ 1,300,000 2020

107.12 \$ 1,300,000 2021

107.13 The 2020 appropriation includes \$130,000 for 2019 and \$1,170,000 for 2020.

107.14 The 2021 appropriation includes \$130,000 for 2020 and \$1,170,000 for 2021.

107.15 Subd. 8. **Electronic library for Minnesota.** (a) For statewide licenses to online databases
107.16 selected in cooperation with the Minnesota Office of Higher Education for school media
107.17 centers, public libraries, state government agency libraries, and public or private college or
107.18 university libraries:

107.19 \$ 900,000 2020

107.20 \$ 900,000 2021

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

107.22 Subd. 9. **Regional library telecommunications aid.** For regional library
107.23 telecommunications aid under Minnesota Statutes, section 134.355:

107.24 \$ 2,300,000 2020

107.25 \$ 2,300,000 2021

107.26 The 2020 appropriation includes \$230,000 for 2019 and \$2,070,000 for 2020.

107.27 The 2021 appropriation includes \$230,000 for 2020 and \$2,070,000 for 2021.

108.1

ARTICLE 8

108.2

EARLY CHILDHOOD

108.3 Section 1. Minnesota Statutes 2018, section 124D.151, subdivision 4, is amended to read:

108.4 Subd. 4. **Eligibility.** A child who is four years of age as of September 1 in the calendar
108.5 year in which the school year commences is eligible to participate in a voluntary
108.6 prekindergarten program free of charge. An eligible four-year-old child served in a
108.7 mixed-delivery system by a child care center, family child care program licensed under
108.8 section 245A.03, or community-based organization may be charged a fee as long as the
108.9 mixed-delivery partner was not awarded a seat for that child. Each eligible child must
108.10 complete a health and developmental screening within 90 days of program enrollment under
108.11 sections 121A.16 to 121A.19, and provide documentation of required immunizations under
108.12 section 121A.15.

108.13 Sec. 2. Minnesota Statutes 2018, section 124D.151, is amended by adding a subdivision
108.14 to read:

108.15 Subd. 7. **Financial accounting.** An eligible school district or charter school must record
108.16 expenditures attributable to voluntary prekindergarten pupils according to guidelines prepared
108.17 by the commissioner under section 127A.17.

108.18 Sec. 3. Minnesota Statutes 2018, section 124D.162, is amended to read:

124D.162 KINDERGARTEN READINESS ASSESSMENT.

108.20 Subdivision 1. **Implementation.** (a) The commissioner of education ~~may~~ must implement
108.21 a kindergarten readiness assessment representative of incoming kindergartners to:

108.22 (1) identify preparedness of a child for success in school;

108.23 (2) inform instructional decision-making;

108.24 (3) improve understanding of connections between kindergarten readiness and later
108.25 academic achievement; and

108.26 (4) produce data that can assist in evaluation of the effectiveness of early childhood
108.27 programs.

108.28 (b) The commissioner must provide districts with a process for measuring on a
108.29 comparable basis the kindergarten readiness of incoming kindergartners. A district is
108.30 encouraged to use the commissioner-provided measurement process under this section.

109.1 Subd. 2. **Assessment development.** The measurement tools used for assessment must
109.2 be research based, developmentally appropriate, valid and reliable, aligned to the state early
109.3 childhood indicators of progress and kindergarten academic standards, and based on the
109.4 Department of Education Kindergarten Readiness Assessment at kindergarten entrance
109.5 study.

109.6 Subd. 3. **Reporting.** Beginning in the 2020-2021 school year, a district that uses the
109.7 commissioner-provided process must annually report kindergarten readiness results under
109.8 this section to the department in the form and manner determined by the commissioner
109.9 concurrent with the district's world's best workforce report under section 120B.11. The
109.10 commissioner must publicly report kindergarten readiness results as part of the performance
109.11 reports required under section 120B.36 and consistent with section 120B.35, subdivision
109.12 3, paragraph (a), clause (2).

109.13 Subd. 4. **Longitudinal data system.** Beginning for data reported on incoming
109.14 kindergartners in the 2020-2021 school year, the commissioner must integrate kindergarten
109.15 readiness data under this section into statewide longitudinal educational data systems.

109.16 Sec. 4. Minnesota Statutes 2018, section 124D.165, subdivision 2, is amended to read:

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

109.19 (1) have an eligible child; ~~and~~

109.20 (2) have income equal to or less than 185 percent of federal poverty level income in the
109.21 current calendar year, or be able to document their child's current participation in the free
109.22 and reduced-price lunch program or Child and Adult Care Food Program, National School
109.23 Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food Distribution
109.24 Program on Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections
109.25 2011-2036; Head Start under the federal Improving Head Start for School Readiness Act
109.26 of 2007; Minnesota family investment program under chapter 256J; child care assistance
109.27 programs under chapter 119B; the supplemental nutrition assistance program; or placement
109.28 in foster care under section 260C.212. Parents or guardians are not required to provide
109.29 income verification under this clause if the child is an eligible child under paragraph (b),
109.30 clause (4) or (5); and

109.31 (3) must not currently be disqualified from the child care assistance program under
109.32 chapter 119B, as provided under section 256.98, subdivision 8, paragraph (b).

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

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

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

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

110.8 (4) ~~homeless, in foster care, or in need of child protective services.~~ a child in need of
110.9 protective services or in foster care as defined under section 260C.007; or

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

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

110.15 (d) Early learning scholarships may not be counted as earned income for the purposes
110.16 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
110.17 family investment program under chapter 256J, child care assistance programs under chapter
110.18 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
110.19 2007.

110.20 (e) A child from an adjoining state whose family resides at a Minnesota address as
110.21 assigned by the United States Postal Service, who has received developmental screening
110.22 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
110.23 and whose family meets the criteria of paragraph (a) is eligible for an early learning
110.24 scholarship under this section.

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

110.26 Sec. 5. Minnesota Statutes 2018, section 124D.165, subdivision 3, is amended to read:

110.27 Subd. 3. **Administration.** (a) The commissioner shall establish application timelines
110.28 and determine the schedule for awarding scholarships that meets operational needs of eligible
110.29 families and programs. The commissioner must give highest priority to applications from
110.30 children who are eligible under subdivision 2, paragraph (b), clause (3), (4), or (5).

110.31 ~~(1) have a parent under age 21 who is pursuing a high school diploma or a course of~~
110.32 ~~study for a high school equivalency test;~~

111.1 ~~(2) are in foster care or otherwise in need of protection or services; or~~

111.2 ~~(3) have experienced homelessness in the last 24 months, as defined under the federal~~
111.3 ~~McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.~~

111.4 The commissioner may prioritize applications on additional factors including family
111.5 income, geographic location, and whether the child's family is on a waiting list for a publicly
111.6 funded program providing early education or child care services.

111.7 (b) The commissioner shall establish a target for the average scholarship amount per
111.8 child based on the results of the rate survey conducted under section 119B.02.

111.9 (c) A four-star rated program that has children eligible for a scholarship enrolled in or
111.10 on a waiting list for a program beginning in July, August, or September may notify the
111.11 commissioner, in the form and manner prescribed by the commissioner, each year of the
111.12 program's desire to enhance program services or to serve more children than current funding
111.13 provides. The commissioner may designate a predetermined number of scholarship slots
111.14 for that program and notify the program of that number. For fiscal year 2018 and later, the
111.15 statewide amount of funding directly designated by the commissioner must not exceed the
111.16 funding directly designated for fiscal year 2017. For fiscal year 2020 and later, the number
111.17 of scholarship slots designated for a program under this paragraph must not exceed the
111.18 number of scholarship slots designated for that program in fiscal year 2019. Beginning July
111.19 1, 2016, a school district or Head Start program qualifying under this paragraph may use
111.20 its established registration process to enroll scholarship recipients and may verify a
111.21 scholarship recipient's family income in the same manner as for other program participants.

111.22 (d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not
111.23 been accepted and subsequently enrolled in a rated program within ten months of the
111.24 awarding of the scholarship, the scholarship cancels and the recipient must reapply in order
111.25 to be eligible for another scholarship. A child may not be awarded more than one scholarship
111.26 in a 12-month period.

111.27 (e) A child who is at least three years of age who receives a scholarship ~~who~~ and has
111.28 not completed development screening under sections 121A.16 to 121A.19 must complete
111.29 that screening within 90 days of first attending an eligible program. A child who receives
111.30 a scholarship before the age of three must complete the developmental screening no later
111.31 than 90 days after the child's third birthday.

111.32 (f) For fiscal year 2017 and later, a school district or Head Start program enrolling
111.33 scholarship recipients under paragraph (c) may apply to the commissioner, in the form and
111.34 manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of

112.1 the application, the commissioner must pay each program directly for each approved
112.2 scholarship recipient enrolled under paragraph (c) according to the metered payment system
112.3 or another schedule established by the commissioner.

112.4 Sec. 6. Minnesota Statutes 2018, section 124D.165, is amended by adding a subdivision
112.5 to read:

112.6 Subd. 3a. **Transitional scholarship seats.** (a) For fiscal years 2020 and 2021 only,
112.7 consistent with the commissioner's authority to prioritize applications based on geographic
112.8 location under subdivision 3, paragraph (a), the commissioner must give priority to an
112.9 otherwise eligible child who is resident to a school district with a transition seat count greater
112.10 than zero. The commissioner must not directly designate a scholarship under this subdivision
112.11 to any particular program.

112.12 (b) For purposes of this subdivision, a school district's "transition seat count" equals (1)
112.13 the total number of seats approved for the school district and any charter school located in
112.14 that district for fiscal year 2019 under section 124D.151 and the school readiness plus
112.15 program under Laws 2017, First Special Session chapter 5, article 8, section 9, minus (2)
112.16 the number of seats approved for the school district and any charter school located in that
112.17 district for fiscal year 2017 under section 124D.151.

112.18 (c) Notwithstanding paragraph (a), the commissioner must not give priority under this
112.19 subdivision to more applicants resident to any school district than that school district's
112.20 transition seat count.

112.21 **EFFECTIVE DATE.** This section is effective for scholarships awarded after June 30,
112.22 2019.

112.23 Sec. 7. Minnesota Statutes 2018, section 124D.165, subdivision 4, is amended to read:

112.24 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an
112.25 for early learning scholarship funds, a program must:

112.26 (1) participate in the quality rating and improvement system under section 124D.142;
112.27 and

112.28 (2) beginning July 1, ~~2020~~ 2021, have a three- or four-star rating in the quality rating
112.29 and improvement system, except that a program must remain eligible to accept an early
112.30 learning scholarship for a child who was attending that program prior to July 1, 2021.

112.31 (b) Any program accepting scholarships must use the revenue to supplement and not
112.32 supplant federal funding.

113.1 ~~(c) Notwithstanding paragraph (a), all Minnesota early learning foundation scholarship~~
113.2 ~~program pilot sites are eligible to accept an early learning scholarship under this section. A~~
113.3 program is not eligible for early learning scholarship funds if:

113.4 (1) it is disqualified from receiving payment for child care services from the child care
113.5 assistance program under chapter 119B, as provided under section 256.98, subdivision 8,
113.6 paragraph (c); or

113.7 (2) the commissioner of human services or county agency refuses to issue a child care
113.8 authorization, revokes an existing child care authorization, stops payment issued to a program,
113.9 or refuses to pay a bill under section 119B.13, subdivision 6, paragraph (d), clause (2).

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

113.11 Sec. 8. Minnesota Statutes 2018, section 124D.165, is amended by adding a subdivision
113.12 to read:

113.13 Subd. 4a. **Data sharing.** The commissioner of human services may disseminate to the
113.14 commissioner of education data on child care assistance program disqualification for purposes
113.15 of determining family eligibility under subdivision 2, paragraph (a), clause (3), and program
113.16 eligibility under subdivision 4, paragraph (c). The commissioner of education may
113.17 disseminate the data to an early learning scholarship area administrator.

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

113.19 Sec. 9. Minnesota Statutes 2018, section 124D.165, is amended by adding a subdivision
113.20 to read:

113.21 Subd. 6. **Early learning scholarship account.** (a) An account is established in the
113.22 special revenue fund known as the "early learning scholarship account."

113.23 (b) Funds appropriated for early learning scholarships under this section shall be
113.24 transferred to the early learning scholarship account in the special revenue fund.

113.25 (c) Money in this account is annually appropriated to the commissioner for early learning
113.26 scholarships under this section. Money in the account is available until spent. Any returned
113.27 funds are available to be regranted.

113.28 (d) Up to \$950,000 annually is appropriated to the commissioner for costs associated
113.29 with administering and monitoring early learning scholarships.

114.1 Sec. 10. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 4,
114.2 is amended to read:

114.3 Subd. 4. **Early learning scholarships.** (a) For the early learning scholarship program
114.4 under Minnesota Statutes, section 124D.165:

114.5 \$ 70,209,000 2018

114.6 ~~70,209,000~~

114.7 \$ 60,709,000 2019

114.8 (b) Up to \$950,000 each year is for administration of this program.

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

114.10 (d) ~~The base for fiscal year 2020 is \$70,709,000~~ \$9,500,000 of the initial fiscal year
114.11 2019 appropriation is canceled to the general fund on June 30, 2019.

114.12 Sec. 11. **APPROPRIATIONS.**

114.13 Subdivision 1. Department of Education. The sums indicated in this section are
114.14 appropriated from the general fund to the Department of Education for the fiscal years
114.15 designated.

114.16 Subd. 2. School readiness. (a) For revenue for school readiness programs under
114.17 Minnesota Statutes, sections 124D.15 and 124D.16:

114.18 \$ 33,683,000 2020

114.19 \$ 33,683,000 2021

114.20 (b) The 2020 appropriation includes \$3,368,000 for 2019 and \$30,315,000 for 2020.

114.21 (c) The 2021 appropriation includes \$3,368,000 for 2020 and \$30,315,000 for 2021.

114.22 Subd. 3. Early learning scholarships. (a) For the early learning scholarship program
114.23 under Minnesota Statutes, section 124D.165:

114.24 \$ 92,959,000 2020

114.25 \$ 92,959,000 2021

114.26 (b) Money appropriated for the early learning scholarship program under Minnesota
114.27 Statutes, section 124D.165, is transferred to the early learning scholarship account in the
114.28 special revenue fund.

114.29 (c) The base for fiscal year 2022 is \$70,709,000.

114.30 Subd. 4. Head Start program. For Head Start programs under Minnesota Statutes,
114.31 section 119A.52:

115.1 \$ 25,100,000 2020

115.2 \$ 25,100,000 2021

115.3 Subd. 5. **Early childhood family education aid.** (a) For early childhood family education
 115.4 aid under Minnesota Statutes, section 124D.135:

115.5 \$ 31,454,000 2020

115.6 \$ 31,988,000 2021

115.7 (b) The 2020 appropriation includes \$3,098,000 for 2019 and \$28,356,000 for 2020.

115.8 (c) The 2021 appropriation includes \$3,150,000 for 2020 and \$28,838,000 for 2021.

115.9 Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under
 115.10 Minnesota Statutes, sections 121A.17 and 121A.19:

115.11 \$ 3,639,000 2020

115.12 \$ 3,625,000 2021

115.13 (b) The 2020 appropriation includes \$363,000 for 2019 and \$3,276,000 for 2020.

115.14 (c) The 2021 appropriation includes \$363,000 for 2020 and \$3,262,000 for 2021.

115.15 Subd. 7. **Parent-child home program.** (a) For a grant to the parent-child home program:

115.16 \$ 900,000 2020

115.17 \$ 900,000 2021

115.18 (b) The grant must be used for an evidence-based and research-validated early childhood
 115.19 literacy and school readiness program for children ages 16 months to four years. The program
 115.20 must serve at least one location within the 11-county metropolitan region and at least one
 115.21 location outside of the 11-county metropolitan region.

115.22 Subd. 8. **Kindergarten entrance assessment initiative and intervention program.** For
 115.23 the kindergarten entrance assessment initiative and intervention program under Minnesota
 115.24 Statutes, section 124D.162:

115.25 \$ 281,000 2020

115.26 \$ 281,000 2021

115.27 Subd. 9. **Quality rating and improvement system.** (a) For transfer to the commissioner
 115.28 of human services for the purposes of expanding the quality rating and improvement system
 115.29 under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports
 115.30 for providers participating in the quality rating and improvement system:

115.31 \$ 1,750,000 2020

115.32 \$ 1,750,000 2021

116.1 (b) The amounts in paragraph (a) must be in addition to any federal funding under the
 116.2 child care and development block grant authorized under Public Law 101-508 in that year
 116.3 for the system under Minnesota Statutes, section 124D.142.

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

116.5 Subd. 10. **Early childhood programs at tribal contract schools.** For early childhood
 116.6 family education programs at tribal contract schools under Minnesota Statutes, section
 116.7 124D.83, subdivision 4:

116.8 \$ 68,000 2020

116.9 \$ 68,000 2021

116.10 Subd. 11. **Educate parents partnership.** For the educate parents partnership under
 116.11 Minnesota Statutes, section 124D.129:

116.12 \$ 49,000 2020

116.13 \$ 49,000 2021

116.14 Subd. 12. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
 116.15 124D.135:

116.16 \$ 521,000 2020

116.17 \$ 503,000 2021

116.18 (b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

116.19 (c) The 2021 appropriation includes \$51,000 for 2020 and \$452,000 for 2021.

116.20 **ARTICLE 9**

116.21 **COMMUNITY EDUCATION AND LIFELONG LEARNING**

116.22 Section 1. Minnesota Statutes 2018, section 124D.19, subdivision 2, is amended to read:

116.23 Subd. 2. **Advisory council.** (a) Each board must provide for an advisory council to
 116.24 consist of members who represent: various service organizations; churches; public and
 116.25 nonpublic schools; local government including elected officials; public and private nonprofit
 116.26 agencies serving youth and families; parents; youth; park, recreation or forestry services of
 116.27 municipal or local government units located in whole or in part within the boundaries of
 116.28 the school district; and any other groups participating in the community education program
 116.29 in the school district.

116.30 (b) The advisory council must make written recommendations to the community education
 116.31 director and to the school board on the use of general community education revenue under

117.1 section 124D.20, subdivision 3. A school board must take public testimony on the advisory
117.2 council's written recommendations.

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

117.4 Sec. 2. Minnesota Statutes 2018, section 124D.20, subdivision 8, is amended to read:

117.5 Subd. 8. **Uses of general revenue.** (a) General community education revenue may be
117.6 used for:

117.7 (1) nonvocational, recreational, and leisure time activities and programs;

117.8 (2) programs for adults with disabilities, if the programs and budgets are approved by
117.9 the department;

117.10 (3) adult basic education programs, according to section 124D.52;

117.11 (4) summer programs for elementary and secondary pupils;

117.12 (5) implementation of a youth development plan;

117.13 (6) implementation of a youth service program;

117.14 (7) early childhood family education programs, according to section 124D.13;

117.15 (8) school readiness programs, according to section 124D.15; ~~and~~

117.16 (9) school-age care programs, according to section 124D.19, subdivision 11; and

117.17 (10) a mutually beneficial program or service, including programs offered by nonschool
117.18 organizations, that promotes the goals of both general education and community education
117.19 and serves the needs of school district staff, students, and residents.

117.20 (b) In addition to money from other sources, a district may use up to ten percent of its
117.21 community education revenue for equipment that is used ~~exclusively~~ primarily in community
117.22 education programs. This revenue may be used only for the following purposes:

117.23 (1) to purchase or lease computers and related materials;

117.24 (2) to purchase or lease equipment for instructional programs; and

117.25 (3) to purchase textbooks and library books.

117.26 (c) General community education revenue must not be used to subsidize the direct activity
117.27 costs for adult enrichment programs. Direct activity costs include, but are not limited to,
117.28 the cost of the activity leader or instructor, cost of materials, or transportation costs.

118.1 Sec. 3. Minnesota Statutes 2018, section 124D.20, subdivision 10, is amended to read:

118.2 Subd. 10. **Reserve account.** (a) Community education revenue, which includes aids,
118.3 levies, fees, grants, and all other revenues received by the school district for community
118.4 education programs, must be maintained in a reserve account within the community service
118.5 fund, except as provided in paragraph (b).

118.6 (b) A school board may transfer funds from the community education reserve account
118.7 to either the operating capital account in the general fund or the building construction fund
118.8 for capital and facility needs that are to be used primarily by community education programs.

118.9 Sec. 4. Minnesota Statutes 2018, section 124D.531, subdivision 1, is amended to read:

118.10 Subdivision 1. **State total adult basic education aid.** (a) The state total adult basic
118.11 education aid for fiscal year 2011 equals \$44,419,000, plus any amount that is not paid
118.12 during the previous fiscal year as a result of adjustments under subdivision 4, paragraph
118.13 (a), or section 124D.52, subdivision 3. The state total adult basic education aid for later
118.14 fiscal years equals:

118.15 (1) the state total adult basic education aid for the preceding fiscal year plus any amount
118.16 that is not paid for during the previous fiscal year, as a result of adjustments under subdivision
118.17 4, paragraph (a), or section 124D.52, subdivision 3; times

118.18 (2) the greater of 1.00 or the lesser of:

118.19 (i) 1.03; or

118.20 (ii) the average growth in state total contact hours over the prior ten program years.

118.21 Three percent of the state total adult basic education aid must be set aside for adult basic
118.22 education supplemental service grants under section 124D.522.

118.23 (b) The state total adult basic education aid, excluding basic population aid, equals the
118.24 difference between the amount computed in paragraph (a), and the state total basic population
118.25 aid under subdivision 2.

118.26 Sec. 5. Minnesota Statutes 2018, section 124D.99, subdivision 3, is amended to read:

118.27 Subd. 3. **Administration; design.** (a) The commissioner shall establish program
118.28 requirements, an application process and timeline for each tier of grants specified in
118.29 subdivision 4, criteria for evaluation of applications, and a grant awards process. The
118.30 commissioner's process must minimize administrative costs, minimize burdens for applicants

119.1 and grant recipients, and provide a framework that permits flexibility in program design
119.2 and implementation among grant recipients.

119.3 (b) To the extent practicable, the commissioner shall design the program to align with
119.4 programs implemented or proposed by organizations in Minnesota that:

119.5 (1) identify and increase the capacity of organizations that are focused on achieving
119.6 data-driven, locally controlled positive outcomes for children and youth throughout an entire
119.7 neighborhood or geographic area through programs such as Strive Together, Promise
119.8 Neighborhood, and the Education Partnerships Coalition members;

119.9 (2) build a continuum of educational family and community supports with academically
119.10 rigorous schools at the center;

119.11 (3) maximize program efficiencies by integrating programmatic activities and eliminating
119.12 administrative barriers;

119.13 (4) develop local infrastructure needed to sustain and scale up proven and effective
119.14 solutions beyond the initial neighborhood or geographic area; ~~and~~

119.15 (5) utilize appropriate outcome measures based on unique community needs and interests
119.16 and apply rigorous evaluation on a periodic basis to be used to both monitor outcomes and
119.17 allow for continuous improvements to systems;

119.18 (6) collect and utilize data to improve student outcomes;

119.19 (7) share disaggregated performance data with the community to set community-level
119.20 outcomes;

119.21 (8) employ continuous improvement processes;

119.22 (9) have an anchor entity which shall be a tribal entity, community foundation, higher
119.23 education institution, or community-based organization to manage the partnership;

119.24 (10) convene a cross-sector leadership group and have a documented accountability
119.25 structure; and

119.26 (11) demonstrate use of nonstate funds, from multiple sources, including in-kind
119.27 contributions.

119.28 (c) A grant recipient's supportive services programming must address:

119.29 (1) kindergarten readiness and youth development;

119.30 (2) grade 3 reading proficiency;

119.31 (3) middle school mathematics;

- 120.1 (4) high school graduation;
- 120.2 ~~(4)~~ (5) postsecondary educational ~~attainment~~ enrollment;
- 120.3 (6) postsecondary education completion or attainment;
- 120.4 ~~(5)~~ (7) physical and mental health;
- 120.5 ~~(6)~~ (8) development of career skills and readiness;
- 120.6 ~~(7)~~ (9) parental engagement and development;
- 120.7 ~~(8)~~ (10) community engagement and programmatic alignment; and
- 120.8 ~~(9)~~ (11) reduction of remedial education.
- 120.9 (d) The commissioner, in consultation with grant recipients, must:
- 120.10 (1) develop and revise core indicators of progress toward outcomes specifying impacts
- 120.11 for each tier identified under subdivision 4;
- 120.12 (2) establish a reporting system for grant recipients to measure program outcomes using
- 120.13 data sources and program goals; and
- 120.14 (3) evaluate effectiveness based on the core indicators established by each partnership
- 120.15 for each tier.

120.16 Sec. 6. **APPROPRIATIONS.**

120.17 Subdivision 1. Department of Education. The sums indicated in this section are

120.18 appropriated from the general fund to the Department of Education for the fiscal years

120.19 designated.

120.20 Subd. 2. Community education aid. For community education aid under Minnesota

120.21 Statutes, section 124D.20:

120.22 \$ 330,000 2020

120.23 \$ 257,000 2021

120.24 The 2020 appropriation includes \$40,000 for 2019 and \$290,000 for 2020.

120.25 The 2021 appropriation includes \$32,000 for 2020 and \$225,000 for 2021.

120.26 Subd. 3. Adults with disabilities program aid. For adults with disabilities programs

120.27 under Minnesota Statutes, section 124D.56:

120.28 \$ 710,000 2020

120.29 \$ 710,000 2021

121.1 The 2020 appropriation includes \$71,000 for 2019 and \$639,000 for 2020.

121.2 The 2021 appropriation includes \$71,000 for 2020 and \$639,000 for 2021.

121.3 Subd. 4. **Hearing-impaired adults.** For programs for hearing-impaired adults under

121.4 Minnesota Statutes, section 124D.57:

121.5 \$ 70,000 2020

121.6 \$ 70,000 2021

121.7 Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section

121.8 124D.22:

121.9 \$ 1,000 2020

121.10 \$ 1,000 2021

121.11 The 2020 appropriation includes \$0 for 2019 and \$1,000 for 2020.

121.12 The 2021 appropriation includes \$0 for 2020 and \$1,000 for 2021.

121.13 Subd. 6. **Tier 1 grants.** (a) For education partnership program Tier 1 sustaining grants

121.14 under Minnesota Statutes, section 124D.99:

121.15 \$ 2,600,000 2020

121.16 \$ 2,600,000 2021

121.17 (b) Of the amounts in paragraph (a), \$1,300,000 each year is for the Northside

121.18 Achievement Zone and \$1,300,000 each year is for the St. Paul Promise Neighborhood.

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

121.20 Subd. 7. **Tier 2 implementing grants.** (a) For Tier 2 implementing grants under

121.21 Minnesota Statutes, section 124D.99:

121.22 \$ 1,250,000 2020

121.23 \$ 1,250,000 2021

121.24 (b) Of the amounts in paragraph (a), \$250,000 each year is for the Northfield Healthy

121.25 Community Initiative in Northfield; \$250,000 is for the Jones Family Foundation for the

121.26 Every Hand Joined program in Red Wing; \$250,000 is for the United Way of Central

121.27 Minnesota for the Partners for Student Success program; \$250,000 is for Austin Aspires;

121.28 and \$250,000 is for the Rochester Area Foundation for the Cradle to Career program.

121.29 (c) The base for fiscal year 2022 is \$1,250,000. The base includes \$250,000 each year

121.30 for each of the following programs: the Northfield Healthy Community Initiative, the Every

122.1 Hand Joined program, the Partners for Student Success program, Austin Aspires, and the
 122.2 Cradle to Career program.

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

122.4 Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota
 122.5 Statutes, section 124D.531:

122.6 \$ 50,106,000 2020

122.7 \$ 51,620,000 2021

122.8 The 2020 appropriation includes \$4,868,000 for 2019 and \$45,238,000 for 2020.

122.9 The 2021 appropriation includes \$5,026,000 for 2020 and \$46,594,000 for 2021.

122.10 Subd. 9. **High school equivalency tests.** For payment of 60 percent of the costs of the
 122.11 commissioner-selected high school equivalency tests under Minnesota Statutes, section
 122.12 124D.55:

122.13 \$ 125,000 2020

122.14 \$ 125,000 2021

122.15

ARTICLE 10

122.16

STATE AGENCIES

122.17 Section 1. Minnesota Statutes 2018, section 122A.14, subdivision 9, is amended to read:

122.18 Subd. 9. **Fee.** Each person licensed by the Board of School Administrators shall pay the
 122.19 board a fee of ~~\$75~~ \$100, collected each fiscal year. When transmitting notice of the license
 122.20 fee, the board also must notify the licensee of the penalty for failing to pay the fee within
 122.21 the time specified by the board. The board may provide a lower fee for persons on retired
 122.22 or inactive status. After receiving notice from the board, any licensed school administrator
 122.23 who does not pay the fee in the given fiscal year shall have all administrative licenses held
 122.24 by the person automatically suspended, without the right to a hearing, until the fee has been
 122.25 paid to the board. If the board suspends a licensed school administrator for failing to pay
 122.26 the fee, it must immediately notify the district currently employing the school administrator
 122.27 of the school administrator's suspension. The executive secretary shall deposit the fees in
 122.28 ~~the educator licensure account in the special revenue fund in the state treasury~~ general fund.

122.29 Sec. 2. Minnesota Statutes 2018, section 122A.18, subdivision 8, is amended to read:

122.30 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards
 122.31 Board and the Board of School Administrators must request a criminal history background

123.1 check from the superintendent of the Bureau of Criminal Apprehension on all first-time
123.2 teaching applicants for licenses under their jurisdiction. Applicants must include with their
123.3 licensure applications:

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

123.5 (2) a ~~money order or cashier's check payable to the Bureau of Criminal Apprehension~~
123.6 ~~for the fee for conducting~~ payment to conduct the criminal history background check. The
123.7 Professional Educator Licensing and Standards Board must deposit payments received under
123.8 this subdivision in the general fund.

123.9 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
123.10 background check required under paragraph (a) by retrieving criminal history data as defined
123.11 in section 13.87 and shall also conduct a search of the national criminal records repository.
123.12 The superintendent is authorized to exchange fingerprints with the Federal Bureau of
123.13 Investigation for purposes of the criminal history check. The superintendent shall recover
123.14 the cost to the bureau of a background check through the fee charged to the applicant under
123.15 paragraph (a).

123.16 (c) The Professional Educator Licensing and Standards Board or the Board of School
123.17 Administrators may issue a license pending completion of a background check under this
123.18 subdivision, but must notify the individual and the school district or charter school employing
123.19 the individual that the individual's license may be revoked based on the result of the
123.20 background check.

123.21 Sec. 3. Minnesota Statutes 2018, section 122A.21, subdivision 1, is amended to read:

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

124.1 Sec. 4. Minnesota Statutes 2018, section 125A.71, subdivision 1, is amended to read:

124.2 Subdivision 1. **Rental income; appropriation.** Rental income, ~~excluding rent for land~~
 124.3 ~~and living residences,~~ must be deposited in the state treasury and credited to a revolving
 124.4 fund of the academies. Money in the revolving fund for rental income is annually
 124.5 appropriated to the academies for staff development purposes. Payment from the revolving
 124.6 fund for rental income may be made only according to vouchers authorized by the
 124.7 administrator of the academies.

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

124.9 Sec. 5. Minnesota Statutes 2018, section 128C.03, is amended to read:

124.10 **128C.03 ELIGIBILITY BYLAWS, POLICIES, AND PROCEDURES.**

124.11 Subdivision 1. **Public input and access to proposed eligibility bylaws, policies, and**
 124.12 **procedures.** (a) The league shall adopt procedures to ensure public notice of all eligibility
 124.13 ~~rules and bylaws, policies, and procedures~~ that will afford the opportunity for public hearings
 124.14 on proposed eligibility ~~rules~~ bylaws, policies, and procedures. If requested by ~~100~~ 25 or
 124.15 more parents or guardians of students, the public hearing must be conducted by an
 124.16 administrative law judge from the Office of Administrative Hearings, or by a person hired
 124.17 under contract by the Office of Administrative Hearings, ~~or by an independent hearing~~
 124.18 ~~officer appointed by the commissioner of education from a list maintained for that purpose.~~
 124.19 At the conclusion of a public hearing requested by 100 or more parents or guardians of
 124.20 ~~students,~~ the person conducting the hearing shall write a report evaluating the extent to
 124.21 which the league has shown that the proposed ~~rule is~~ bylaws, policies, and procedures are
 124.22 needed and reasonable and the legality of the proposed ~~rule~~ bylaws, policies, and procedures.
 124.23 The league shall pay for hearings under this section.

124.24 (b) The league shall:

124.25 (1) maintain a public docket on the league's website that includes historical and proposed
 124.26 changes in eligibility bylaws, policies, and procedures;

124.27 (2) post notice and final versions of all proposed changes to eligibility policies,
 124.28 procedures, and definitions to the league website for at least 30 days prior to board meetings;

124.29 (3) include publication dates on all versions of the league's official handbook or other
 124.30 advisory documents regarding league eligibility bylaws, policies, procedures, and definitions;
 124.31 and

124.32 (4) reconcile and remove duplicate eligibility policies and procedures.

125.1 Subd. 2. Eligibility review process. (a) The league must establish a process for student
 125.2 eligibility review that provides students and parents with a reasonable opportunity to present
 125.3 information regarding the student's eligibility. The league must:

125.4 (1) publish general criteria by which a request for review may qualify for a review by
 125.5 the league's eligibility committee;

125.6 (2) publish general criteria by which a review may qualify for further review by an
 125.7 independent hearing officer;

125.8 (3) indicate the conditions, timelines, and procedures for administering any review under
 125.9 clause (1) or (2); and

125.10 (4) provide specific reasons for any request the league denies.

125.11 (b) The eligibility review process contained in this section does not create a property
 125.12 right or liberty interest in extracurricular varsity athletic competition.

125.13 Sec. 6. Minnesota Statutes 2018, section 128C.20, is amended to read:

125.14 **128C.20 LEAGUE INFORMATION REVIEW AND REPORT; COMMISSIONER**
 125.15 **REVIEW OF LEAGUE RECOMMENDATIONS.**

125.16 Subdivision 1. **Annually.** (a) Each year, the commissioner of education league shall
 125.17 obtain and review the following information about the league:

125.18 (1) an accurate and concise summary of the annual financial and compliance audit
 125.19 prepared by the state auditor that includes information about the compensation of and the
 125.20 expenditures by the executive director of the league and league staff;

125.21 (2) a list of all complaints filed with the league and all lawsuits filed against the league
 125.22 and the disposition of those complaints and lawsuits;

125.23 (3) an explanation of the executive director's performance review;

125.24 (4) information about the extent to which the league has implemented its affirmative
 125.25 action policy, its comparable worth plan, and its sexual harassment and violence policy and
 125.26 rules; ~~and~~

125.27 (5) an evaluation of ~~any proposed changes in league policy~~ bylaws, policies, procedures,
 125.28 and definitions, including those that have been proposed, for compliance with Department
 125.29 of Education programs and applicable state and federal law; and

125.30 (6) an explanation of recent and proposed changes to eligibility bylaws, policies, and
 125.31 procedures, including the eligibility review process under section 128C.03, subdivision 2.

126.1 The league shall post the review on the league's website and present written copies of
 126.2 the review to the commissioner of education and the chairs and ranking minority members
 126.3 of the legislative committees with jurisdiction over kindergarten through grade 12 education.

126.4 (b) The commissioner may examine any league activities or league-related issues when
 126.5 the commissioner believes this review is warranted.

126.6 Subd. 2. **Recommend laws.** The commissioner may recommend to the legislature
 126.7 whether any legislation is made necessary by league activities.

126.8 Sec. 7. Laws 2017, First Special Session chapter 5, article 11, section 8, as amended by
 126.9 Laws 2018, chapter 182, article 1, section 106, is amended to read:

126.10 Sec. 8. **TRANSFERS.**

126.11 ~~Subdivision 1. **Portfolio account.** On July 1, 2019, the commissioner of management~~
 126.12 ~~and budget shall transfer any balances in the education licensure portfolio account in the~~
 126.13 ~~special revenue fund to the educator licensure account in the special revenue fund.~~

126.14 Subd. 2. **Background check.** ~~Any balance in an account that holds fees collected under~~
 126.15 ~~Minnesota Statutes, section 122A.18, subdivision 8, is transferred to the educator licensure~~
 126.16 ~~background check account in the special revenue fund under Minnesota Statutes, section~~
 126.17 ~~122A.175, subdivision 2. On July 2, 2019, \$80,000 is transferred from the educator licensure~~
 126.18 ~~background check account in the special revenue fund to the educator licensure account in~~
 126.19 ~~the special revenue fund. any unspent balance in an account that holds fees under Minnesota~~
 126.20 ~~Statutes, section 122A.18, subdivision 8, is transferred to the general fund.~~

126.21 Sec. 8. Laws 2017, First Special Session chapter 5, article 11, section 9, subdivision 2, is
 126.22 amended to read:

126.23 Subd. 2. **Department.** (a) For the Department of Education:

126.24	\$	27,158,000	.....	2018
126.25		24,874,000		
126.26	\$	<u>22,874,000</u>	.....	2019

126.27 Of these amounts:

126.28 (1) \$231,000 each year is for the Board of School Administrators, ~~and beginning in fiscal~~
 126.29 ~~year 2020, the amount indicated is from the educator licensure account in the special revenue~~
 126.30 ~~fund;~~

127.1 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,
127.2 section 120B.115;

127.3 (3) \$500,000 each year is for the school safety technical assistance center under Minnesota
127.4 Statutes, section 127A.052;

127.5 (4) \$250,000 each year is for the School Finance Division to enhance financial data
127.6 analysis;

127.7 (5) \$720,000 each year is for implementing Minnesota's Learning for English Academic
127.8 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

127.9 (6) \$2,750,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for the Department
127.10 of Education's mainframe update;

127.11 (7) \$123,000 each year is for a dyslexia specialist; and

127.12 (8) \$2,000,000 ~~each year~~ in fiscal year 2018 is for legal fees and costs associated with
127.13 litigation.

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

127.15 (c) None of the amounts appropriated under this subdivision may be used for Minnesota's
127.16 Washington, D.C. office.

127.17 (d) The expenditures of federal grants and aids as shown in the biennial budget document
127.18 and its supplements are approved and appropriated and shall be spent as indicated.

127.19 (e) This appropriation includes funds for information technology project services and
127.20 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
127.21 information technology costs will be incorporated into the service level agreement and will
127.22 be paid to the Office of MN.IT Services by the Department of Education under the rates
127.23 and mechanism specified in that agreement.

127.24 (f) The agency's base is \$22,054,000 for fiscal year 2020 and \$21,965,000 for 2021.

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

127.26 Sec. 9. Laws 2017, First Special Session chapter 5, article 11, section 12, is amended to
127.27 read:

127.28 **Sec. 12. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

127.29 (a) The sums in this section are appropriated from the general fund to the Perpich Center
127.30 for Arts Education for the fiscal years designated:

128.1 ~~8,173,000~~
 128.2 \$ 7,373,000 2018
 128.3 \$ 6,973,000 2019

128.4 (b) Of the amounts appropriated in paragraph (a), \$370,000 is for fiscal years 2018 or
 128.5 2019 only for arts integration and Turnaround Arts programs.

128.6 (c) ~~\$1,200,000~~ \$400,000 in fiscal year 2018 is for severance payments related to the
 128.7 closure of Crosswinds school and is available until June 30, 2019. \$800,000 of the initial
 128.8 fiscal year 2018 appropriation for severance payments is canceled to the general fund on
 128.9 June 29, 2019.

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

128.11 Sec. 10. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

128.12 Subdivision 1. Department of Education. Unless otherwise indicated, the sums indicated
 128.13 in this section are appropriated from the general fund to the Department of Education for
 128.14 the fiscal years designated.

128.15 Subd. 2. Department. (a) For the Department of Education:

128.16 \$ 20,859,000 2020
 128.17 \$ 20,790,000 2021

128.18 Of these amounts:

128.19 (1) \$319,000 each year is for the Board of School Administrators;

128.20 (2) \$1,000,000 each year is for the regional centers of excellence under Minnesota
 128.21 Statutes, section 120B.115;

128.22 (3) \$250,000 each year is for the School Finance Division to enhance financial data
 128.23 analysis;

128.24 (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic
 128.25 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended; and

128.26 (5) \$123,000 each year is for a dyslexia specialist.

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

128.28 (c) None of the amounts appropriated under this subdivision may be used for Minnesota's
 128.29 Washington, D.C. office.

128.30 (d) The expenditures of federal grants and aids as shown in the biennial budget document
 128.31 and its supplements are approved and appropriated and shall be spent as indicated.

129.1 (e) This appropriation includes funds for information technology project services and
 129.2 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing
 129.3 information technology costs will be incorporated into the service level agreement and will
 129.4 be paid to the Office of MN.IT Services by the Department of Education under the rates
 129.5 and mechanism specified in that agreement.

129.6 (f) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 129.7 section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is
 129.8 \$20,810,000 The base for fiscal year 2023 is \$20,830,000.

129.9 **Sec. 11. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

129.10 (a) The sums in this section are appropriated from the general fund to the Perpich Center
 129.11 for Arts Education for the fiscal years designated:

129.12	\$	<u>4,558,000</u>	.....	<u>2020</u>
129.13	\$	<u>4,558,000</u>	.....	<u>2021</u>

129.14 (b) For fiscal year 2020 and later, the appropriation is calculated with an operational
 129.15 fixed cost of \$3,175,000 and a variable cost of \$12,344 times the estimated number of pupil
 129.16 units served. Operational fixed costs include the base adjustments provided in Laws 2018,
 129.17 chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (c).

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

129.19 **Sec. 12. APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
 129.20 **STANDARDS BOARD.**

129.21 Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums
 129.22 indicated in this section are appropriated from the general fund to the Professional Educator
 129.23 Licensing and Standards Board for the fiscal years designated:

129.24	\$	<u>2,744,000</u>	.....	<u>2020</u>
129.25	\$	<u>2,719,000</u>	.....	<u>2021</u>

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

129.27 (c) The base for fiscal year 2022 and later is \$2,719,000.

129.28 Subd. 2. **Licensure by portfolio.** For licensure by portfolio:

129.29	\$	<u>34,000</u>	.....	<u>2020</u>
129.30	\$	<u>34,000</u>	.....	<u>2021</u>

130.1 This appropriation is from the education licensure portfolio account in the special revenue
 130.2 fund.

130.3 Sec. 13. **APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

130.4 (a) The sums indicated in this section are appropriated from the general fund to the
 130.5 Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

130.6 \$ 13,231,000 2020

130.7 \$ 13,237,000 2021

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

130.9 (c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21,
 130.10 section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2022 is
 130.11 \$13,244,000 and the base for fiscal year 2023 is \$13,251,000.

130.12 Sec. 14. **REPEALER.**

130.13 (a) Minnesota Statutes 2018, sections 122A.175; and 128C.02, subdivision 6, are repealed.

130.14 (b) Laws 2017, First Special Session chapter 5, article 11, section 4, is repealed.

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

130.16 **ARTICLE 11**

130.17 **FORECAST ADJUSTMENTS**

130.18 **A. GENERAL EDUCATION**

130.19 Section 1. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision
 130.20 2, is amended to read:

130.21 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,
 130.22 section 126C.13, subdivision 4:

130.23 \$ 7,032,051,000 2018

130.24 7,227,809,000

130.25 \$ 7,253,606,000 2019

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

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

130.28 \$6,548,582,000 for 2019.

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

131.1 Sec. 2. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 3, is
 131.2 amended to read:

131.3 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending
 131.4 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation
 131.5 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

131.6 \$ 29,000 2018

131.7 ~~31,000~~

131.8 \$ 22,000 2019

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

131.10 Sec. 3. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 4, is
 131.11 amended to read:

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

131.13 \$ 2,374,000 2018

131.14 ~~2,163,000~~

131.15 \$ 2,939,000 2019

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

131.17 The 2019 appropriation includes ~~\$234,000~~ \$468,000 for 2018 and ~~\$1,929,000~~ \$2,471,000
 131.18 for 2019.

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

131.20 Sec. 4. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 5, is
 131.21 amended to read:

131.22 Subd. 5. **Consolidation transition aid.** For districts consolidating under Minnesota
 131.23 Statutes, section 123A.485:

131.24 \$ 185,000 2018

131.25 ~~382,000~~

131.26 \$ 20,000 2019

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

131.28 The 2019 appropriation includes \$20,000 for 2018 and ~~\$362,000~~ \$0 for 2019.

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

132.1 Sec. 5. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 6, is
 132.2 amended to read:

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

132.5 \$ 18,197,000 2018

132.6 ~~19,225,000~~

132.7 \$ 18,093,000 2019

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

132.9 The 2019 appropriation includes \$1,834,000 for 2018 and ~~\$17,391,000~~ \$16,259,000 for
 132.10 2019.

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

132.12 Sec. 6. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 7, is
 132.13 amended to read:

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

132.16 \$ 18,372,000 2018

132.17 ~~18,541,000~~

132.18 \$ 19,492,000 2019

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

132.20 The 2019 appropriation includes \$1,837,000 for 2018 and ~~\$16,704,000~~ \$17,655,000 for
 132.21 2019.

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

132.23 Sec. 7. Laws 2017, First Special Session chapter 5, article 1, section 19, subdivision 9, is
 132.24 amended to read:

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

132.27 \$ 4,561,000 2018

132.28 ~~4,125,000~~

132.29 \$ 4,260,000 2019

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

133.1 The 2019 appropriation includes \$453,000 for 2018 and ~~\$3,672,000~~ \$3,807,000 for
 133.2 2019.

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

133.4 **B. EDUCATION EXCELLENCE**

133.5 Sec. 8. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 2, is
 133.6 amended to read:

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

133.9 \$ 71,249,000 2018

133.10 ~~73,267,000~~

133.11 \$ 70,980,000 2019

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

133.13 The 2019 appropriation includes \$7,169,000 for 2018 and ~~\$66,098,000~~ \$63,811,000 for
 133.14 2019.

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

133.16 Sec. 9. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 3, is
 133.17 amended to read:

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

133.20 \$ 47,264,000 2018

133.21 ~~47,763,000~~

133.22 \$ 45,987,000 2019

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

133.24 The 2019 appropriation includes \$4,740,000 for 2018 and ~~\$43,023,000~~ \$41,247,000 for
 133.25 2019.

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

134.1 Sec. 10. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 4,
134.2 is amended to read:

134.3 Subd. 4. **Interdistrict desegregation or integration transportation grants.** For
134.4 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
134.5 section 124D.87:

134.6 \$ 13,337,000 2018

134.7 ~~14,075,000~~

134.8 \$ 13,193,000 2019

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

134.10 Sec. 11. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 5,
134.11 is amended to read:

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

134.14 \$ 3,623,000 2018

134.15 ~~4,018,000~~

134.16 \$ 3,059,000 2019

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

134.18 The 2019 appropriation includes \$366,000 for 2018 and ~~\$3,652,000~~ \$2,693,000 for
134.19 2019.

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

134.21 Sec. 12. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 6,
134.22 is amended to read:

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

134.25 \$ 9,244,000 2018

134.26 ~~9,464,000~~

134.27 \$ 9,573,000 2019

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

134.29 The 2019 appropriation includes \$928,000 for 2018 and ~~\$8,536,000~~ \$8,645,000 for
134.30 2019.

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

135.1 Sec. 13. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 21,
135.2 is amended to read:

135.3 Subd. 21. **Charter school building lease aid.** For building lease aid under Minnesota
135.4 Statutes, section 124E.22:

135.5 \$ 73,341,000 2018

135.6 ~~78,802,000~~

135.7 \$ 79,646,000 2019

135.8 The 2018 appropriation includes \$6,850,000 for 2017 and \$66,491,000 for 2018.

135.9 The 2019 appropriation includes ~~\$7,387,000~~ \$7,448,000 for 2018 and ~~\$71,415,000~~
135.10 \$72,198,000 for 2019.

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

135.12 Sec. 14. Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 26,
135.13 is amended to read:

135.14 Subd. 26. **Alternative teacher compensation aid.** For alternative teacher compensation
135.15 aid under Minnesota Statutes, section 122A.415, subdivision 4:

135.16 \$ 89,863,000 2018

135.17 ~~89,623,000~~

135.18 \$ 89,783,000 2019

135.19 The 2018 appropriation includes \$8,917,000 for 2017 and \$80,946,000 for 2018.

135.20 The 2019 appropriation includes ~~\$8,994,000~~ \$9,015,000 for 2018 and ~~\$80,629,000~~
135.21 \$80,768,000 for 2019.

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

135.23 C. SPECIAL EDUCATION

135.24 Sec. 15. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 2,
135.25 as amended by Laws 2017, First Special Session chapter 7, section 12, is amended to read:

135.26 Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes,
135.27 section 125A.75:

135.28 \$ 1,341,161,000 2018

135.29 ~~1,426,827,000~~

135.30 \$ 1,513,013,000 2019

135.31 The 2018 appropriation includes \$156,403,000 for 2017 and \$1,184,758,000 for 2018.

136.1 The 2019 appropriation includes ~~\$166,667,000~~ \$204,145,000 for 2018 and
 136.2 ~~\$1,260,160,000~~ \$1,308,868,000 for 2019.

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

136.4 Sec. 16. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 3,
 136.5 is amended to read:

136.6 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section
 136.7 125A.75, subdivision 3, for children with disabilities placed in residential facilities within
 136.8 the district boundaries for whom no district of residence can be determined:

136.9	\$	1,597,000	.....	2018
136.10		1,830,000		
136.11	\$	<u>1,217,000</u>	.....	2019

136.12 If the appropriation for either year is insufficient, the appropriation for the other year is
 136.13 available.

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

136.15 Sec. 17. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 4,
 136.16 is amended to read:

136.17 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
 136.18 services under Minnesota Statutes, section 125A.75, subdivision 1:

136.19	\$	508,000	.....	2018
136.20		532,000		
136.21	\$	<u>417,000</u>	.....	2019

136.22 The 2018 appropriation includes \$48,000 for 2017 and \$460,000 for 2018.

136.23 The 2019 appropriation includes \$51,000 for 2018 and ~~\$481,000~~ \$366,000 for 2019.

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

136.25 Sec. 18. Laws 2017, First Special Session chapter 5, article 4, section 12, subdivision 5,
 136.26 is amended to read:

136.27 Subd. 5. **Court-placed special education revenue.** For reimbursing serving school
 136.28 districts for unreimbursed eligible expenditures attributable to children placed in the serving
 136.29 school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

137.1 \$ 46,000 2018
 137.2 ~~47,000~~
 137.3 \$ 30,000 2019

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

137.5 **D. FACILITIES AND TECHNOLOGY**

137.6 Sec. 19. Laws 2017, First Special Session chapter 5, article 5, section 14, subdivision 2,
 137.7 is amended to read:

137.8 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
 137.9 Minnesota Statutes, section 123B.53, subdivision 6:

137.10 \$ 24,908,000 2018
 137.11 ~~22,360,000~~
 137.12 \$ 23,137,000 2019

137.13 The 2018 appropriation includes \$2,324,000 for 2017 and \$22,584,000 for 2018.

137.14 The 2019 appropriation includes \$2,509,000 for 2018 and ~~\$19,851,000~~ \$20,628,000 for
 137.15 2019.

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

137.17 Sec. 20. Laws 2017, First Special Session chapter 5, article 5, section 14, subdivision 3,
 137.18 is amended to read:

137.19 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
 137.20 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

137.21 \$ 80,179,000 2018
 137.22 ~~103,460,000~~
 137.23 \$ 102,823,000 2019

137.24 The 2018 appropriation includes \$5,815,000 for 2017 and \$74,364,000 for 2018.

137.25 The 2019 appropriation includes ~~\$8,262,000~~ \$8,645,000 for 2018 and ~~\$95,198,000~~
 137.26 \$94,178,000 for 2019.

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

138.1

E. NUTRITION

138.2 Sec. 21. Laws 2017, First Special Session chapter 5, article 6, section 3, subdivision 2, is
138.3 amended to read:

138.4 Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111,
138.5 and Code of Federal Regulations, title 7, section 210.17:

138.6 \$ 16,721,000 2018

138.7 ~~17,223,000~~

138.8 \$ 15,990,000 2019

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

138.10 Sec. 22. Laws 2017, First Special Session chapter 5, article 6, section 3, subdivision 3, is
138.11 amended to read:

138.12 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes,
138.13 section 124D.1158:

138.14 \$ 10,601,000 2018

138.15 ~~11,359,000~~

138.16 \$ 10,660,000 2019

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

138.18 Sec. 23. Laws 2017, First Special Session chapter 5, article 6, section 3, subdivision 4, is
138.19 amended to read:

138.20 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
138.21 section 124D.118:

138.22 \$ 758,000 2018

138.23 ~~758,000~~

138.24 \$ 691,000 2019

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

138.26

F. EARLY CHILDHOOD AND FAMILY SUPPORT

138.27 Sec. 24. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 3,
138.28 is amended to read:

138.29 Subd. 3. **Mixed delivery prekindergarten programs.** (a) For mixed delivery
138.30 prekindergarten programs and school readiness plus programs:

139.1 \$ 21,429,000 2018
 139.2 ~~28,571,000~~
 139.3 \$ 2,381,000 2019

139.4 (b) The fiscal year 2018 appropriation includes \$0 for 2017 and \$21,429,000 for 2018.

139.5 (c) The fiscal year 2019 appropriation includes \$2,381,000 for 2018 and ~~\$26,190,000~~
 139.6 \$0 for 2019.

139.7 (d) The commissioner must proportionately allocate the amounts appropriated in this
 139.8 subdivision among each education funding program affected by the enrollment of mixed
 139.9 delivery system prekindergarten pupils.

139.10 (e) The appropriation under this subdivision is reduced by any other amounts specifically
 139.11 appropriated for those purposes.

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

139.13 Sec. 25. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 5a,
 139.14 is amended to read:

139.15 Subd. 5a. **Early childhood family education aid.** For early childhood family education
 139.16 aid under Minnesota Statutes, section 124D.135:

139.17 \$ 30,405,000 2018
 139.18 ~~31,977,000~~
 139.19 \$ 30,942,000 2019

139.20 The 2018 appropriation includes \$2,904,000 for 2017 and \$27,501,000 for 2018.

139.21 The 2019 appropriation includes \$3,055,000 for 2018 and ~~\$28,922,000~~ \$27,887,000 for
 139.22 2019.

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

139.24 Sec. 26. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 6,
 139.25 is amended to read:

139.26 Subd. 6. **Developmental screening aid.** For developmental screening aid under
 139.27 Minnesota Statutes, sections 121A.17 and 121A.19:

139.28 \$ 3,606,000 2018
 139.29 ~~3,629,000~~
 139.30 \$ 3,632,000 2019

139.31 The 2018 appropriation includes \$358,000 for 2017 and \$3,248,000 for 2018.

140.1 The 2019 appropriation includes \$360,000 for 2018 and ~~\$3,269,000~~ \$3,272,000 for
 140.2 2019.

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

140.4 Sec. 27. Laws 2017, First Special Session chapter 5, article 8, section 10, subdivision 12,
 140.5 is amended to read:

140.6 Subd. 12. **Home visiting aid.** For home visiting aid under Minnesota Statutes, section
 140.7 124D.135:

140.8 \$ 527,000 2018

140.9 ~~571,000~~

140.10 \$ 553,000 2019

140.11 The 2018 appropriation includes \$0 for 2017 and \$527,000 for 2018.

140.12 The 2019 appropriation includes \$58,000 for 2018 and ~~\$513,000~~ \$495,000 for 2019.

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

140.14 **G. COMMUNITY EDUCATION AND PREVENTION**

140.15 Sec. 28. Laws 2017, First Special Session chapter 5, article 9, section 2, subdivision 2, is
 140.16 amended to read:

140.17 Subd. 2. **Community education aid.** For community education aid under Minnesota
 140.18 Statutes, section 124D.20:

140.19 \$ 483,000 2018

140.20 ~~393,000~~

140.21 \$ 410,000 2019

140.22 The 2018 appropriation includes \$53,000 for 2017 and \$430,000 for 2018.

140.23 The 2019 appropriation includes \$47,000 for 2018 and ~~\$346,000~~ \$363,000 for 2019.

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

140.25 **H. SELF-SUFFICIENCY AND LIFELONG LEARNING**

140.26 Sec. 29. Laws 2017, First Special Session chapter 5, article 10, section 6, subdivision 2,
 140.27 is amended to read:

140.28 Subd. 2. **Adult basic education aid.** For adult basic education aid under Minnesota
 140.29 Statutes, section 124D.531:

141.1 \$ 50,010,000 2018

141.2 ~~51,497,000~~

141.3 \$ 48,831,000 2019

141.4 The 2018 appropriation includes \$4,881,000 for 2017 and \$45,129,000 for 2018.

141.5 The 2019 appropriation includes \$5,014,000 for 2018 and ~~\$46,483,000~~ \$43,817,000 for

141.6 2019.

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

141.8 Sec. 30. Laws 2018, chapter 211, article 21, section 4, is amended to read:

141.9 Sec. 4. **EDUCATION APPROPRIATIONS.**

141.10 Subdivision 1. **Department of Education.** The sums indicated are appropriated from
141.11 the general fund to the Department of Education for the fiscal years designated. These sums
141.12 are in addition to appropriations made for the same purpose in any other law.

141.13 Subd. 2. **General education aid.** For general education aid under Minnesota Statutes,
141.14 section 126C.13, subdivision 4:

141.15 \$ ~~10,863,000~~ 0 2019

141.16 The 2019 appropriation includes \$0 for 2018 and ~~\$10,863,000~~ \$0 for 2019.

120B.299 DEFINITIONS.

Subdivision 1. **Definitions.** The definitions in this section apply to this chapter.

Subd. 2. **Growth.** "Growth" compares the difference in a student's achievement score at two or more distinct points in time.

Subd. 3. **Value added.** "Value added" is the amount of achievement a student demonstrates above an established baseline. The difference between the student's score and the baseline defines value added.

Subd. 4. **Value-added growth.** "Value-added growth" is based on a student's growth score. In a value-added growth system, the student's first test is the baseline, and the difference between the student's first and next test scores within a defined period is the measure of value added. Value-added growth models use student-level data to measure what portion of a student's growth can be explained by inputs related to the educational environment.

Subd. 5. **Adequate yearly progress.** A school or district makes "adequate yearly progress" if, for every student subgroup under the federal 2001 No Child Left Behind Act in the school or district, its proficiency index or other approved adjustments for performance, based on statewide assessment scores, meets or exceeds federal expectations. To make adequate yearly progress, the school or district also must satisfy applicable federal requirements related to student attendance, graduation, and test participation rates.

Subd. 6. **State growth target.** (a) "State growth target" is the average year-two assessment scores for students with similar year-one assessment scores.

(b) The state growth targets for each grade and subject are benchmarked as follows until the assessment scale changes:

(1) beginning in the 2008-2009 school year, the state growth target for grades 3 through 8 is benchmarked to 2006-2007 and 2007-2008 school year data;

(2) beginning in the 2008-2009 school year the state growth target for grade 10 is benchmarked to 2005-2006 and 2006-2007 school year data;

(3) for the 2008-2009 school year, the state growth target for grade 11 is benchmarked to 2005-2006 school year data; and

(4) beginning in the 2009-2010 school year, the state growth target for grade 11 is benchmarked to 2005-2006 and 2006-2007 school year data.

(c) Each time before the assessment scale changes, a stakeholder group that includes assessment and evaluation directors and staff and researchers must recommend a new state growth target that the commissioner must consider when revising standards under section 120B.021, subdivision 4.

Subd. 7. **Low growth.** "Low growth" is an assessment score one-half standard deviation below the state growth target.

Subd. 8. **Medium growth.** "Medium growth" is an assessment score within one-half standard deviation above or below the state growth target.

Subd. 9. **High growth.** "High growth" is an assessment score one-half standard deviation or more above the state growth target.

Subd. 10. **Proficiency.** "Proficiency" for purposes of reporting growth on school performance report cards under section 120B.36, subdivision 1, means those students who, in the previous school year, scored at or above "meets standards" on the statewide assessments under section 120B.30. Each year, school performance report cards must separately display: (1) the numbers and percentages of students who achieved low growth, medium growth, and high growth and achieved proficiency in the previous school year; and (2) the numbers and percentages of students who achieved low growth, medium growth, and high growth and did not achieve proficiency in the previous school year.

Subd. 11. **Growth and progress toward proficiency.** The categories of low growth, medium growth, and high growth shall be used to indicate both (1) growth and (2) progress toward grade-level proficiency that is consistent with subdivision 10.

122A.09 DUTIES.

Subdivision 1. **Code of ethics.** The Professional Educator Licensing and Standards Board must develop by rule a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement.

122A.175 SPECIAL REVENUE FUND ACCOUNTS; EDUCATOR LICENSURE AND BACKGROUND CHECKS.

Subdivision 1. **Educator licensure account.** An educator licensure account is created in the special revenue fund. Applicant licensure fees received by the Department of Education, the Professional Educator Licensing and Standards Board, or the Board of School Administrators must be deposited in the educator licensure account. Any funds appropriated from this account that remain unexpended at the end of the biennium cancel to the educator licensure account in the special revenue fund.

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

122A.63 GRANTS TO PREPARE INDIAN TEACHERS.

Subd. 7. **Loan forgiveness.** The loan may be forgiven if the recipient is employed as a teacher, as defined in section 122A.40 or 122A.41, in an eligible school or program in Minnesota. One-fourth of the principal of the outstanding loan amount shall be forgiven for each year of eligible employment, or a pro rata amount for eligible employment during part of a school year, part-time employment as a substitute teacher, or other eligible part-time teaching. Loans for \$2,500 or less may be forgiven at the rate of up to \$1,250 per year. The following schools and programs are eligible for the purposes of loan forgiveness:

- (1) a school or program operated by a school district;
- (2) a tribal contract school eligible to receive aid according to section 124D.83;
- (3) a Head Start program;
- (4) an early childhood family education program;
- (5) a program providing educational services to children who have not entered kindergarten;

or

(6) a program providing educational enrichment services to American Indian students in grades kindergarten through 12.

If a person has an outstanding loan obtained through this program, the duty to make payments of principal and interest may be deferred during any time period the person is enrolled at least one-half time in an advanced degree program in a field that leads to employment by a school district. To defer loan obligations, the person shall provide written notification to the commissioner of education and the recipients of the joint grant that originally authorized the loan. Upon approval by the commissioner and the joint grant recipients, payments shall be deferred.

The Minnesota Office of Higher Education shall approve the loan forgiveness program, loan deferral, and procedures to administer the program.

Subd. 8. **Revolving fund.** The Indian teacher preparation loan repayment revolving account is established in the state treasury. Any amounts repaid or contributed by a teacher who received a scholarship or loan under this program shall be deposited in the account. All money in the account is annually appropriated to the commissioner of education and shall be used to enable Indian students to participate in the program.

123A.26 COOPERATIVE UNITS; PROHIBITED AID AND LEVIES.

Subd. 3. **Allocation from members.** By July 15 of each year, a school district may, by board resolution, request the department to make a payment to a third party. The total sum of the payments for the year may not exceed the lesser of (a) the district's general education aid for the fiscal year beginning July 1, according to sections 127A.47, subdivision 7, and 126C.13, subdivision 4, or (b)

an amount equal to \$100 times the adjusted pupil units for the fiscal year beginning July 1. By July 30 of each year, the school district must report to the commissioner the amount allocated. The amount shall be paid to the third party according to section 127A.45, subdivision 16. Amounts paid to third parties under this subdivision shall be recognized and reported as revenues and expenditures on the school district's books of account under sections 123B.75 and 123B.76.

125A.75 SPECIAL EDUCATION PROGRAMS; APPROVAL; AID PAYMENTS; TRAVEL AID; LITIGATION COSTS.

Subd. 9. **Litigation costs; annual report.** (a) By November 30 of each year, a school district must annually report the district's special education litigation costs, including attorney fees and costs of due process hearings, to the commissioner of education, consistent with the Uniform Financial Accounting and Reporting Standards.

(b) By February 1 of each year, the commissioner shall report school district special education litigation costs to the house of representatives and the senate committees having jurisdiction over kindergarten through grade 12 education finance.

126C.16 REFERENDUM AND DESEGREGATION REVENUE CONVERSION.

Subdivision 1. **Revenue conversion.** Except as provided under subdivision 3, the referendum authority under section 126C.17 of a district must be converted by the department according to this section.

Subd. 3. **Per pupil revenue conversion.** (a) The department must convert each district's referendum revenue authority for fiscal year 2002 and later years to an allowance per pupil unit as follows: the revenue allowance equals the amount determined by dividing the district's maximum revenue under section 126C.17, for fiscal year 2001 by the district's 2000-2001 resident marginal cost pupil units. A district's maximum revenue for all later years for which the revenue is authorized equals the revenue allowance times the district's resident marginal cost pupil units for that year.

(b) The referendum allowance reduction must be applied first to the authority with the earliest expiration date.

126C.17 REFERENDUM REVENUE.

Subd. 9a. **Board-approved referendum allowance.** Notwithstanding subdivision 9, a school district may convert up to \$300 per adjusted pupil unit of referendum authority from voter approved to board approved by a board vote. A district with less than \$300 per adjusted pupil unit of referendum authority after the local optional revenue subtraction under subdivision 1 may authorize new referendum authority up to the difference between \$300 per adjusted pupil unit and the district's referendum authority. The board may authorize this levy for up to five years and may subsequently reauthorize that authority in increments of up to five years.

127A.14 COMMISSIONER PURCHASE OF ANNUITY FOR EMPLOYEES.

Subdivision 1. **Purchase of annuity contract; allocation of portion of employee compensation.** At the request of an employee, the commissioner of education may negotiate and purchase an individual annuity contract from a company licensed to do business in the state of Minnesota for an employee for retirement or other purposes and may allocate a portion of the compensation otherwise payable to the employee as salary for the purpose of paying the entire premium due or to become due under such contract. The allocation shall be made in a manner which will qualify the annuity premiums, or a portion thereof, for the benefit afforded under section 403(b) of the current federal Internal Revenue Code or any equivalent provision of subsequent federal income tax law. The employee shall own such contract and the employee's rights thereunder shall be nonforfeitable except for failure to pay premiums.

Subd. 2. **Annuity account; appropriation.** All amounts so allocated shall be deposited in an annuity account which is hereby established in the state treasury. There is annually appropriated from the annuity account in the state treasury to the commissioner of education all moneys deposited therein for the payment of annuity premiums when due or for other application in accordance with the salary agreement entered into between the employee and the commissioner of education. The moneys in the annuity account in the state treasury are not subject to the budget, allotment, and incumbrance system provided for in chapter 16A and any act amendatory thereof.

128C.02 DUTIES, POLICIES, CRITERIA, RULES OF BOARD.

Subd. 6. **Annual report.** The board annually shall prepare a written report containing the information about the league that the commissioner is required to obtain and review under section

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128C.20. The board shall present copies of the report in a timely manner to the education committees of the legislature.

Laws 2016, chapter 189, article 25, section 62, subdivision 16

Sec. 62. **APPROPRIATIONS.**

Subd. 16. Grants for vision therapy pilot project. (a) For a grant to Independent School District No. 12, Centennial, to implement a neuro-optometric vision therapy pilot project:

§ 200,000 2017

This is a onetime appropriation and is available until June 30, 2019.

(b) In each year of the pilot project, second and third grade students identified by a set of criteria created by the district shall be admitted into the pilot study. Identified students shall have a comprehensive eye examination with written standard requirements of testing. Students identified with a diagnosis of convergence insufficiency must undergo a vision efficiency evaluation by a licensed optometrist or ophthalmologist trained in the evaluation of learning-related vision problems. The results of this examination shall determine whether a student will qualify for neuro-optometric vision therapy funded by the grant. The parent or guardian of a student who qualifies for the pilot program under this paragraph may submit a written notification to the school opting the student out of the program. The district must establish guidelines to provide quality standards and measures to ensure an appropriate diagnosis and treatment plan that is consistent with the convergence insufficiency treatment trial study.

(c) The commissioner of education must provide for an evaluation of the pilot project and make a report to the legislative committees with jurisdiction over kindergarten through grade 12 education policy and finance by January 15, 2020.

Laws 2017, First Special Session chapter 5, article 11, section 4

Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

Subd. 8. **Background checks.** (a) The Board of Teaching and the commissioner of education must request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all first-time teaching applicants for licenses under their jurisdiction. Applicants must include with their licensure applications:

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

(2) a money order or cashier's check payable to the Bureau of Criminal Apprehension for the fee for conducting payment to conduct the criminal history background check. The Board of Teaching and the commissioner of education must deposit payments received under this subdivision in the educator licensure background check account in the special revenue fund.

(b) The superintendent of the Bureau of Criminal Apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data as defined in section 13.87 and shall also conduct a search of the national criminal records repository. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

(c) The Board of Teaching or the commissioner of education may issue a license pending completion of a background check under this subdivision, but must notify the individual that the individual's license may be revoked based on the result of the background check.

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

Laws 2017, First Special Session chapter 5, article 2, section 57, subdivision 15

Sec. 57. **APPROPRIATIONS.**

Subd. 15. Starbase MN. (a) For a grant to Starbase MN for a rigorous science, technology, engineering, and math (STEM) program providing students in grades 4 through 6 with a multisensory learning experience and a hands-on curriculum in an aerospace environment using state-of-the-art technology:

§ 1,350,000 2018

§ 0 2019

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(b) Any balance in the first year does not cancel but is available in the second year. The base for fiscal year 2020 is \$500,000.

(c) All unspent funds, estimated at \$850,000 from the Starbase MN appropriation under Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 17, are canceled the day following final enactment.

3500.1000 EXPERIMENTAL AND FLEXIBLE SCHOOL YEAR PROGRAMS.

Subpart 1. **Request.** A district may request approval from the commissioner of education for an experimental program of study, a four-day school week, or a flexible school year program. They shall be designed to accomplish at least one of the following:

- A. improve instructional quality;
- B. increase cost-effectiveness;
- C. make better use of community resources or available technology; or
- D. establish an alternative eligibility criteria intended to identify pupils in need of special education services.

Subp. 2. **Exemption from state rules.** If the proposed program is approved, the commissioner of education shall provide an exemption to state rules that otherwise would apply.

Subp. 3. **Contents of proposal.** The proposal shall include: specific state rules from which the district requests exemption, the goals and objectives of the program, the activities to be used to accomplish the objectives, a definite time limit which may not exceed three years, and the evaluation procedures to be used.

Subp. 4. **Participation and approval.** The district shall provide evidence that the district staff, pupils, and parents who would be affected, participated in the development and will participate in the annual review of the proposal, and that the proposal has the approval of the district school board.

Parents whose children will be involved shall be fully informed at the IEP meeting and shall have the opportunity to approve or disapprove placement in the experimental program.

Subp. 5. **Criteria for continuation.** If the commissioner of education finds that the program has met the proposed goals and objectives, the commissioner shall authorize continuation of the program and specify the state rules from which the program is exempt and the period of time the program will be continued.

8710.2100 CODE OF ETHICS FOR MINNESOTA TEACHERS.

Subpart 1. **Scope.** Each teacher, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles which defines professional conduct. These principles are reflected in the following code of ethics, which sets forth to the education profession and the public it serves standards of professional conduct and procedures for implementation.

This code shall apply to all persons licensed according to rules established by the Professional Educator Licensing and Standards Board.

Subp. 2. **Standards of professional conduct.** The standards of professional conduct are as follows:

- A. A teacher shall provide professional education services in a nondiscriminatory manner.
- B. A teacher shall make reasonable effort to protect the student from conditions harmful to health and safety.
- C. In accordance with state and federal laws, a teacher shall disclose confidential information about individuals only when a compelling professional purpose is served or when required by law.
- D. A teacher shall take reasonable disciplinary action in exercising the authority to provide an atmosphere conducive to learning.

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- E. A teacher shall not use professional relationships with students, parents, and colleagues to private advantage.
- F. A teacher shall delegate authority for teaching responsibilities only to licensed personnel.
- G. A teacher shall not deliberately suppress or distort subject matter.
- H. A teacher shall not knowingly falsify or misrepresent records or facts relating to that teacher's own qualifications or to other teachers' qualifications.
- I. A teacher shall not knowingly make false or malicious statements about students or colleagues.
- J. A teacher shall accept a contract for a teaching position that requires licensing only if properly or provisionally licensed for that position.